

JUDGMENT MAY CUT TAXES OF CORPORATIONS

Judge Ryan Rules Against Levy on Income Derived Outside State.

Thousands of dollars of taxes will be saved by Indiana corporations if the declaratory judgment of Superior Judge Russell Ryan issued today is upheld by higher courts.

Judge Ryan of superior court five declared the gross income tax law of the state unconstitutional in its general sense, but held in substance that the state could not levy its tax on money derived from business outside the borders of the state.

The declaratory judgment was made in the case of the Standard Oil Company of Indiana against William Storen, state treasurer, and other officers of the state in charge of the collection of taxes under the gross income law.

Points Are Clarified.

Clarification of points in the new act as they affect corporations operating within the state borders but doing their major business outside the state formed the major theme of the judge's decision.

Hearing on the suit filed by the Standard Oil was held in January. Generally, the judge held that receipts of corporations or firms, whether retail or wholesale, from outside the state could not be taxed at the rate of 1 per cent for retail business and one-fourth of 1 per cent on wholesale income.

Appeal May Ensue.

Excerpts from his decision, which may be appealed to higher courts, follow:

That the Standard Oil is not obliged to pay to the state of Indiana any tax on that portion of receipts obtained from sale of any bonds or notes issued by any municipal corporation within the state which was issued prior to the gross income tax law's enactment.

That the plaintiff is not obliged to pay to the state of Indiana any tax on receipts obtained by interest or from the sale of any securities of the federal government and all of these receipts are exempt from taxation.

No Extra-State Tax.

"Plaintiff is not obligated to pay state of Indiana any tax on sales of products manufactured in Indiana and sold to customers in other states where such products are transported in interstate commerce from this state to customers in other states."

"The tax applied to gross income is at rate of 1 per cent if such receipts are paid from retail sales and is one-fourth of 1 per cent if such receipts are from wholesale sales. Plaintiff maintains and operates filling stations in Indiana where it sells products of its own manufacture. In case such sales are retail, the gross income therefrom is therefore taxable at 1 per cent," ruled the judge.

WHISKY NO CURE FOR 'BLUES,' JUDGE RULES

Alcohol No Help to Spring Fever, Jurist Decides.

By United Press
BUFFALO, N. Y., May 22.—Whisky is no spring fever tonic, So ruled Judge Clifford J. Chip in finding John Schultz, 38, guilty of intoxication.

"It was like this, judge," Schultz explained. "I got spring fever and when I get that way I feel blue so I thought a couple of drinks would do me some good."

"Well, did it?" queried the court.

"No, I feel worse now," Schultz answered glumly.

"Well, that's settled," the court opined. "Alcohol does not cure spring fever."

U. S. SEEKS RETURN OF \$600 TAX REFUND

Uncle Sam An Indian Giver, Woman's Comment on Suit.

By United Press
DWIGHT, Ill., May 22.—The federal government, which recently returned \$600 to Mrs. Belle H. Oughton of Dwight for excess payment of an income tax now seeks to have the money returned because of an error in its accounting.

United States District Attorney Frank K. Lemon filed a suit in district court recently to regain the refund money claiming that it had been paid to Mrs. Oughton as a "mistake of fact and error."

Mrs. Oughton has decided the government is an "Indian giver."

CHURCH MEMBERS TO CELEBRATE FOUNDING

Anniversary of Northwood Christian Will Be Tonight.

Northwood Christian church will celebrate its fourteenth anniversary at 6:30 tonight at the church, forty-sixth street and Central avenue. R. Melvyn Thompson, pastor, will preside over the twelve dinner tables, representing the months of the year.

CHURCH FEUD RENEWED

Mexican Government Expels All Catholic Priests From Sonora.

By United Press
NOGALES, Ariz., May 22.—The Mexican government renewed its campaign against the Catholic church today with the expulsion of all priests from the state of Sonora.

All Catholic churches were ordered closed to regularly conducted services by Rudolfo Elias Calles, Sonora governor and son of former President Plutarco Calles whose regime a few years ago was marked by wholesale deportations of religious. The churches were placed in the hands of lay committees.

LOTTERY GAINS TAXED

Cheyenne Decides to Take Cut on Pools for Treasury.

By United Press
CHEYENNE, Wyo., May 25.—Cheyenne has decided to take a cut of the profits from lotteries operating here. The city council voted a levy of 5 per cent on the proceeds from two baseball pools being run here this season. The money will go to the city treasury.

It's Opportunity Time for Indianapolis Girls —Fame, Fortune Beckon



ROOSEVELT TO JOIN FIGHT ON NRA ABUSES

President Said Considering Restoring Anti-Trust Legislation.

By United Press

WASHINGTON, May 22.—Assurance came today to the little man and the consumer that although the Darrow board will die in nine days President Roosevelt himself is taking up the burden of protecting them under the NRA.

This was the word that came through the smoke and shot of as spectacular a battle of words as the new deal has seen.

On one side was ranged the National Recovery Review Board headed by the veteran fighter, Clarence Darrow. On the other was the NRA administration with doughy General Hugh S. Johnson leading the attack.

Senators, congressmen, government officials, the press and the public were rapidly aligning in camps from the extreme represented by Mr. Darrow to the outputs of General Johnson.

New Statements Pending

New statements were in the making to add to the board's original attack on the NRA as a promoter of industrial monopoly. Mr. Darrow's suggestion that Socialism be substituted for the blue eagle, and General Johnson's vitriolic criticism of the board, to which he added new details last night.

Mr. Darrow's colleagues said he had a new statement ready regarding the President's intention to abolish the board May 31.

No formal comment was forthcoming from the White House regarding the controversy except for the announcement that the Darrow board would cease to exist with the end of May. However, it was learned that the President was impressed with the dangers to small business and consumers inherent in the NRA.

THE great Garbo was a clerk in a Stockholm department store . . . alluring Joan Crawford an obscure dancer in Kansas City!

Metro-Goldwyn-Mayer, the company that today has more stars on its roster than any other individual motion picture production organization, lifted them to the stardom, the fame, and the wealth they enjoy now.

Executives of this great motion picture company believe that the stars of tomorrow may also come from behind the counters of a department store . . . from the dancing act in vaudeville . . . from an office . . . from the home . . . from among the ranks of today's "unknowns."

And so in keeping with the policy that has made M-G-M the outstanding picture producing company, a world-wide search has been started to discover new screen personalities.

Are there any girls in the vicinity of Indianapolis with screen personalities? Are there any children appealing and talented enough to duplicate the success of Jackie Cooper?

M-G-M is anxious to find out and the aid of The Times and Loew's Palace theater has been enlisted in the search which is now being made in this area.

Childrent must be at least 3 and not more than 12, and like the girls, they will not be considered eligible if they have had screen credit in a nationally distributed picture, or if they are members of the family of any person connected with the movie company. The Indianapolis Times or Loew's theater, The kiddie may be either a boy or a girl.

Applications mailed after mid-May 29, will not be considered. And remember, when you mail in your photograph, paste your application blank on its reverse side, and be sure that it carries sufficient postage. Other wise it will have to be returned.

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THE motion picture concern is sending to Indianapolis its great Traveling Motion Picture Studio. This elaborate studio on wheels, built at a cost of \$150,000, is fully equipped for the taking of screen tests.

During its visit here, screen and voice tests will be made of outstanding girls and talented children. These tests, which will be made at Loew's theater, will be supervised by expert camera and sound men long experienced in just this sort of work at the Metro-Goldwyn-Mayer studios in Culver City, California.

Metro-Goldwyn-Mayer is particularly anxious to discover a girl whom they may herald throughout the world as "America's Perfect Feminine Screen Find."

Do you think YOU would screen well? Do you think you have voice appeal? Charm? Personality?

If you would like to have a screen and voice test taken when the Traveling Studio arrives, fill out the application blank printed in today's newspaper, and mail it with a good photograph of yourself to the "MGM Screen Test Editor, The Indianapolis Times."

There are no strings attached to this offer. Any girl over 18 and not more than 28 and a resident within fifty miles of Indianapolis is eligible to enroll. And it doesn't cost you one penny!

SOME lucky girl in the United States will be awarded a three month contract and will be sent to the famous M-G-M studios in California, and will be given further tests to determine her possibility of obtaining a part in a forthcoming picture.

Will YOU be this girl? Who knows? You probably stand as good a chance as any one to be selected! Perhaps you may be just the type Metro-Goldwyn-Mayer company is seeking.

Rioting raged three hours after a mob stormed police barricades at Friends of New Germany meeting. Two newspaper photographers and two policemen were slugged. Sixty Newark police, reinforcing twenty-five Irvington officers, failed to quell repeated assaults upon the meeting hall and ended activities by removing 200 Nazis to safety in patrol wagons.

By United Press

NEWARK, N. J., May 22.—Four Newark Nazis, who escaped Irvington anti-Nazi rioting under police protection, were badly beaten early today by twenty assailants in a local restaurant.

As for the children—an oppor-

APPLICATION—METRO-GOLDWYN-MAYER

Voice and Screen Opportunity Tests

Sponsored by

THE INDIANAPOLIS TIMES AND LOEW'S PALACE THEATER

Name Age

Address Phone

Height Weight Complexion

Legal Guardian

This application is to be properly filled out and mailed with photograph of entrant to the M-G-M Screen Test Editor, the Indianapolis Times, on or before midnight, Tuesday, May 29. In signing and submitting this application, contestants agree to abide by the decisions of the appointed judges in both preliminary as well as final findings, and grant permission to The Indianapolis Times to publish their photographs and other information submitted herein. Photographs will not be returned, but they may be called for when contest ends. Clear snapshot photographs accepted. Girls over 18, children over 3 are eligible.



JURY QUESTIONS 17 IN PRIMARY PROBE

Investigation Will Be Finished in Three Days, Wilson Says.

Grand jury investigation of alleged irregularities at the primary election May 8 will be concluded within the next three days, Prosecutor Herbert E. Wilson announced today.

Seventeen witnesses were questioned by the jury yesterday. The probe has centered around the alleged changing of official vote tabulation figures in the election canvassing room. Additional witnesses said to be questioned today, Mr. Wilson said.

The suit was brought by his daughter, Miss Dorothy Seelig, who has already begun to water lawns. The fire department has warned persons to be doubly careful of dry grass, for fear of sweeping grass blazes.

Throughout the state come reports of farmers and gardeners offering prayers for rainfall. So long has the drought scorched the land that a heavy, sustained rainfall will be necessary to save some drooping crops and plants.

Two sentences, spoken cynically by the clother, and related on the witness stand by M. J. Walsh, insurance man, were interpreted as showing that Mr. Seelig was of unsound mind.

He is the forty-fourth fatality in Marion county.

SEELIG WILL IS SET ASIDE

Clother of Unsound Mind, Says Probate Court Ruling.

The will of David Seelig, one time clother of Indianapolis, yesterday was ordered set aside in probate court. The court ruled that Mr. Seelig was of unsound mind when he wrote the will.

The suit was brought by his daughter, Miss Dorothy Seelig, who has already begun to water lawns. The fire department has warned persons to be doubly careful of dry grass, for fear of sweeping grass blazes.

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LITTLE RELIEF IN SIGHT FOR SCORCHED CITY

Rainfall Expected Here Is Blown Eastward: Touches Upstate Area.

Except for a few drops of rain at 11 last night, the greatest drought in the midwest since the disastrous dry season of 1930-31 continued today.

The rainfall expected by the weather bureau here was blown eastward and only touched the northern part of the state for a few drenching minutes. Rochester reported 1.38 inches of rain last night.

The blazing sun dawned on Indianapolis today, although the wind had borne cooler temperatures into the city last night. An all-time heat record of 89 for May 21 was recorded at 4:30 yesterday. At 9 this morning, the mercury was hovering around 69, which was 13 degrees less than yesterday's mark at 9.

J. H. Armington, local meteorologist, stated today that the present drought is comparable to the 1930-31 drought. He said that since October there has been a shortage of rain in the midwest. If the drought continues scorching the farmland and wilting crops, its effect will be disastrous to agricultural America, Mr. Armington declared.

No relief for this section is in sight for the next two days. Meanwhile the ground lies gasping for rain. The Indianapolis Water Company reports a small increase in water used for this time of the year.

With the grass burning brown in some exposed places, consumers have already begun to water lawns. The fire department has warned persons to be doubly careful of dry grass, for fear of sweeping grass blazes.

Throughout the state come reports of farmers and gardeners offering prayers for rainfall. So long has the drought scorched the land that a heavy, sustained rainfall will be necessary to save some drooping crops and plants.

LEGION POST TO HOLD MEMORIAL PROGRAM

Special Church Services Will Be Conducted Sunday.

Hugh Croxsey post, No. 361, American Legion, will have a memorial program Sunday with its auxiliary co-operating.

The post, under Commander Herman Herr, and the auxiliary, under Mrs. Matt Harris, president, will attend special services at the Madison Avenue Methodist Episcopal church at 9:45 a. m. At 3 p. m. the groups will have charge of ceremonies at the Round Hill cemetery.

Plans for these observances and for the post's Boy Scout and junior baseball will be considered at a meeting Thursday night in the Edgewood school.

DOG, REVIVED FROM DEATH, STILL IS IDIOT

Lazarus Eats Well, Shows Affection

But Brain Is Impaired.

By United Press
BERKELEY, Cal., May 22.—After thirty-nine days of a second life, Lazarus IV, fox terrier revived from death by a new resuscitation process, still is in a mental condition approximating a half-wit, it was revealed today.

The dog eats greedily, recognizes certain voices and reveals affection. Dr. Robert Cornish said. But Lazarus IV can not yet stand unaided and his brain apparently has been impaired.

2 YOUTHS SOUGHT IN AGED WIDOW'S MURDER

70-Year-Old Ohio Woman Assaulted and Slain.

By United Press
GREENVILLE, O., May 22.—Two youthful transients were sought for questioning today in the brutal murder of 70-year-old widow, Mrs. Belle Harter, at New Madison, O., south of here. The woman was criminally assaulted before being killed, police said.

Two youths who stole an automobile from the Flagg lumber yard at New Madison were hunted.

Plenty of Pep!

Always feeling fine and full of life,