

## SUPREME COURT APPEAL MAPPEB IN TAX AUCTION

Seet Will Fight Lebanon Ruling, Upholding Sales, In High Court.

The long-standing fight over legality of auctions of tax delinquent county property is headed for the State Supreme Court.

The dispute has raged between county officials and real estate dealers since November of 1938.

Word that the Supreme Court will be asked to settle the matter comes from County Attorney Carl Seet who said he will appeal a ruling handed down Saturday in Lebanon by Circuit Court Judge Ernest R. Stewart mandating the Marion County Treasurer to accept bids of as little as \$2 for tax-delinquent property.

### Two Rulings Conflict

The Lebanon case is the same one tried here last summer and taken to Boone County on a change of venue. The ruling upheld the validity of the 40-year-old auction law.

On the same day Judge Stewart made his finding, Marion County Superior Court Judge Joseph T. Markey ruled just the opposite, declaring the law unconstitutional.

In both cases the county attorneys represented the county treasurer who opposed to the auction sale as being against the best interests of the public.

More than 16,000 parcels of land in Marion county are involved in the dispute. Under the auction law, all property which has been advertised and offered for sale two successive years at the regular annual public sale for delinquent taxes and has not been sold in amount equal or above the amount of back taxes, is subject to auction to the highest bidder regardless of taxes due.

Controversy flared into the open last summer when four Indianapolis realtors offered bids of as little as \$3 each on more than 1000 parcels of tax-distressed land.

Frank E. McKinney, treasurer at that time, refused to accept the bids declaring it was unfair to the property owners and would "lead to a tax strike."

### Reverses Former Ruling

Mr. McKinney's chief deputy, Albert O. Koesters, who holds the same post today, declared at the time that he would "go to jail first" before disposing of any of the land for as little as \$3 a lot.

The realtors sought to mandate the treasurer to accept the bids and sell them the property and Circuit Court Judge Earl R. Cox issued the mandate, declaring the "law is clear on the matter."

Judge Cox added that although it was his duty to uphold the rights of the realtors, he was "opposed to the efficacy of the sale."

In quick, legal moves, however, County officials brought proof to Judge Cox that because of confused legal descriptions of the property at stake, the ordered auction sale could not be held "for some time." Judge Cox reversed his former ruling and then Earl B. Teckmeyer and Claude J. Horn, dealers, took the case to Boone County.

Mr. Seet said he would file a motion for a new trial and then take the case to the high court from

## If Winter Comes—Smile



With an April smile, in spite of the wintry setting, Ann Lytton went through a snow-laden terrace at her home, 2735 N. Meridian St., on her way to school this morning.

## Winter Stages Comeback With Frozen April Shower

(Continued from Page One)

some instances have leaves on them that are weighted down by the snow. Children got out their sleds for the last fling at coasting, after having spent several weeks at marbles, roller skating, kite flying and other springtime games.

The State Highway Commission reported all roads in the central and northern sections were slippery this morning, but predicted they will be all clear by noon.

The LaPorta district reported a snow fall of one inch in the northern section and slightly more in the southern section, with ice over the entire district.

Mr. Wayne reported three inches of snow at Crawfordsville four inches. There were drifts near Fowler, but they were cleared by plows. All districts reported that the snow melted and froze on the pavements.

Seven persons were forced into the snow in night dress when the fire broke out in the four-family apartment at 462 N. Gray St. They found shelter around the corner, at the home of the apartment owner, Louis E. Hoffman, 3027 E. Michigan St.

Firemen from three companies, hampered considerably by ice and wind and snow, fought the blaze for two hours. After the fire was

## \$255,000 ASKED FOR IMPROVING CITY HOSPITAL

Bond Issue Proposal to Be Submitted Monday To Council.

A proposal that a \$255,000 bond issue be floated to finance major repairs and remodeling of City Hospital will be submitted to City Council Monday night.

Hospital officials laid the proposal before Mayor Reginald H. Sullivan in a conference late yesterday. Dr. Charles W. Myers, Hospital Superintendent, told the Mayor the repairs were badly needed. He said remodeling would be necessary if the Hospital is to continue to provide adequate facilities.

Dr. Myers pointed to figures compiled by Albert Walsman, Business Manager, showing a 50-per cent increase in hospital services during the past 10 years. It would be less expensive to make the improvements this year than to delay them for several years when even more extensive repairs will be needed, he said.

### Plan Inspection Tour

The Mayor said he would consider the proposal and suggested that he and City Councilmen plan an inspection tour of the hospital to see what has to be done.

The improvements were drawn up by a Health Board committee consisting of Dr. George W. Kohlstaedt, Board president, and Dr. Herman G. Morgan, Secretary, in addition to Dr. Myers and Mr. Walsman. Present at yesterday's conference besides the committee members and the Mayor were City Controller James E. Deery and Councilman Ernest C. Ropkey, chairman of Council's financial committee.

The improvement program contemplates remodeling of the Major Surgical Building to provide additional clinic space on the first floor, new maternity wards and waiting room on the second floor and a new surgery with pre and post operative wards on the third floor. The cost was estimated at \$105,000 by Mr. Walsman.

### New Corridor Needed

To connect the new surgery with the hospital's F wing, a corridor would have to be built costing \$15,000. At least two major repairs would be needed.

Six new elevators would have to be installed at a cost of \$56,000. About \$15,000 would be spent for rebuilding shafts. With the possibility that other structural rearrangements may be involved costing about \$4000, repairs to elevators and shafts would total \$75,000.

The second major repair would be the revision of the water and plumbing system at an estimated cost of \$60,000. This would include \$56,000 worth of equipment for a water treatment plant to improve the water supply and the installation of turbine pumps and pipe connections.

### Water Plant Improvements

Dr. Myers said the pipe system through the hospital had become corroded by hard water which the hospital gets from two wells. The well water is taken from a depth of several hundred feet and is harder than city water, he explained.

To avoid continuous corrosion and replacement of pipes, it would be necessary to install the water treatment plant which would soften the water and also purify it.

The largest hospital improvement program proposed in over a decade, the proposal has been the result of several months' study by hospital officials of the entire plant.

### Service Increase Cited

The rapid increase in the number of patients since 1931 due to economic factors and the City's growth has accelerated the need of improvement, Dr. Myers said. In the patient's department, the number of laboratory examinations rose from 2244 in January 1931 to 10,475 in January, 1940.

Comparing January, 1931, with January, 1940, the survey also showed that:

Admissions increased from 752 to 1022; the number of patient days rose from 12,337 to 17,546; operations from 394 to 806 and ambulances runs from 338 to 439.

In the out-patient department during the same months, the number of patients treated rose from 7058 to 13,148.

### EXTENSION WORKERS TO MEET ON MONDAY

A district conference of extension workers will be held in the office of Horace Abbott, Marion County agricultural agent, Tuesday.

At the morning session, L. M. Busche and Miss Elsie Glasgow will discuss extension studies and policies. Thomas R. Johnson of Purdue University will instruct the extension workers in publicity methods in the afternoon.

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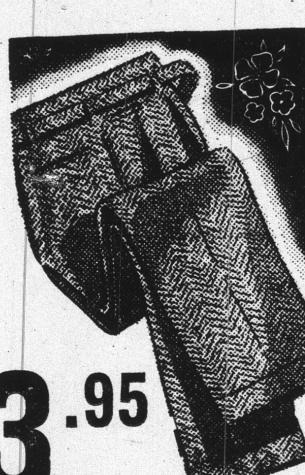
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