

## DALBY EMBEZZLEMENT TRIAL CONTINUES TODAY

### LOW DOWN ON BANK FEES BY BANKER ROSE

Fred Rose, president of the Merchants Trust & Savings Company, was one of the most sought after bankers at the recent session of the Indiana Bankers Association annual gathering at Indianapolis.

For banker Rose gave the other money lenders the real low down on the banking business and incidentally explained the new "metered service" charge that goes into effect with Muncie banks on July 1.

His subject was "Who Pays the Rent for Rip Van Winkle?" and after reading the Indianapolis News report of Banker Rose's expose you will be able, also, to tell who pays the rent and just who is the Rip Van Winkle in the banking scheme.

Here is the report of his talk: Mr. Rose held up startling facts to the Bankers' Association, which, he said, indicated conclusively that the majority of banks in the state have been earning less than 1 1/2 per cent. net returns, some as little as one-half of 1 per cent. annually, on direct banking services, yet have been paying regular dividends.

On the theory that every department of a bank should be forced to earn a profit, Mr. Rose asserted the Muncie banks soon would supplant the 50-cent flat rate, charge on checking accounts by a "metered charge" which would be guided by scientific formula. The formula for the new service charge, he said, will be applied to small and large depositors alike.

#### On Daily Balance.

The metered service charge, the speaker, said, will depend on the depositor's daily average balance, less floating checks, less a 20 per cent. allowance for reserve, assuring 6 per cent. bookkeeping credit for the net loanable balance, less activity costs at the rate of 5 cents the local check, 3 cents the out-of-town check and 1 cent for clearance.

Referring to the analysis which has shown that most banks operate their savings, checking and direct banking departments at an annual net return of less than 1 1/2 per cent. annually, Mr. Rose said:

"If we could operate our banks without losses or depreciation this 1 1/2 per cent. would, it is true, pay a small dividend in many banks, but after taking them into consideration you will find your net to be less than one-half of 1 per cent. Some of you are incredulous, for you have been paying dividends all these years and without getting at the figures you will be slow to realize that about 75 per cent. of your net earnings come from fees and commissions, direct charges you make for services rendered. Since these miscellaneous earnings, such as trust fees, insurance premiums and the earnings of a bond department, safety deposit department or travel department are largely competitive, they must be considered reasonable and fair. Is there, then, any defense we can make to our stockholders for not earning a return on the amount of capital we are using? What has become of the economic rent on our capital stock? Since it isn't earning more than a small fraction of 1 per cent., we now hear it more often referred to as a margin of safety offered to the depositors—or worse—a basis of assessment."

#### Action Is Urged.

"But this is no time of day to bay at the moon, nor is it the purpose of this discussion to fight a retreating, rear-guard action against changing economic conditions. We must adapt ourselves to them or step aside. New sources of income must be realized—new earnings produced to supplement the return realized on the loaning and investment of deposits, which will no longer support the activity we have encouraged the public to use. And this activity must, logically, be made to carry itself. More than that, since it represents 71 per cent. of our expense budget, it must be made to show a profit."

"In short, we are entering a hard field—largely a field of the retail merchandising of the small checking accounts."

### TEN DELAWARE COUNTY YOUTHS GET I. V. DEGREES

Bloomington, Ind., June 12.—Ten Delaware county students are scheduled to receive degrees from Indiana university at five o'clock next Monday evening, June 15, at the 102nd commencement exercises of the university. Indiana university's 1931 class of approximately 950 members will include 738 who will actually receive diplomas and approximately 225 additional students who will be counted as members of this year's class and will be eligible to participate in the commencement exercises but who will not be awarded their diplomas until October. They still lack a few credits for graduation but will finish their work during the summer.

Degrees to be awarded will be divided among the various schools of the university as follows:

Bachelor of arts, 257; doctor of medicine, 165; bachelor of science (commerce), 78; master of arts, 67; bachelor of science (medicine), 58; bachelor of laws, 37; doctor of dental surgery, 30; bachelor of science (education), 26; master of science (education), 22; graduate nurse, 19; bachelor of science, (home economics), 13; doctor of philosophy, 12; bachelor of public school music, 11; master of science (commerce), 3; bachelor of

music, 2; doctor of jurisprudence, 1; master of laws, 1.

The university's commencement speaker this year will be Dr. Gordon Jennings Laing, professor of humanities, University of Chicago. Latin and dean of the division of the baccalaureate speaker will be the Right Rev. George Craig Stewart, bishop of the Chicago diocese of the Episcopal church. The three-day commencement program for this year will open Saturday morning, June 13, with the alumni reunions and other activities. Three days of gala entertainment will culminate with commencement proper.

The Delaware county students who are listed to receive diplomas Monday evening, the degrees they will be awarded, and their major subjects, are as follows:

Gaston, Jessie L. Hobbs, graduate nurse.  
Muncie: Glen Brown, A. M., education; Sara A. Carr, bachelor of music; William Deutsch, B. S., medicine; Maurice Fisher, bachelor of laws; Maybelle Hummel, A. B., English; Floyd McCammon, B. S., medicine; Margaret Orr, A. B., psychology; Elizabeth I. Toombs, graduate nurse.  
Yorktown: Earland Ritchie, Ph. D., physics.

### TO PUBLISH 1931 LEGISLATIVE ACTS WITHOUT HOUSE BILL NO. 6

Without the controversial House Bill No. 6, the acts of the 1931 state legislature will be published, it was announced today by Frank G. Mayr, secretary of state, after receiving an opinion from the attorney-general that such course would be most expedient.

Mayr is enjoined by the Marion County Circuit Court from including the much discussed bus control bill as one of the acts and recently the Supreme Court by a three-two decision refused to issue a writ of prohibition asked by the secretary of state who questioned the jurisdiction of the lower court in issuing the injunction.

Charges that the House Bill No. 6 as signed by Governor Leslie was not the same in text as it was passed by the legislative body are contained in the complaint filed by the city of Muncie and Indianapolis and a Delaware county citizen in the Marion County Circuit Court.

Fraud was perpetrated in the certification of records in connection with the bill is charged and it was upon the point that fraud was alleged that the majority opinion of the supreme court sustained the action of the lower court in assuming jurisdiction when the matter was placed before the court several weeks ago.

The majority opinion written by Chief Justice Clarence R. Martin pointed out that the court could always be resorted to when there were charges of fraud, even though an act of the legislature before its official publication was the basis for the litigation.

Democratic members of the court, Judges Treanor and

Roll held that the lower court had no jurisdiction to go back of the record in a legislative act and that the only relief was in the test of constitutionality of the act after its publication. They explained that their opinion was based upon the grounds that if a lower court could intervene prior to publication of an act then it would be possible to thwart legislative acts merely by instituting circuit court action against specific acts prior to their publication.

Republican members of the supreme court, however, held that when fraud was alleged in connection with the act the lower court had jurisdiction to receive such a case.

House Bill No. 6 transferred control of busses from the municipality to the Indiana public service. Last minute handling of the measure on the final hours of the legislative session resulted in the charges of fraud and allegation that the measure signed by the governor was not the same as passed by the legislature.

Investigation of the charges of fraud is underway by the Marion County Criminal Court and the principals in the affair including Governor Leslie, Speaker Myers and others have testified concerning the course of the notorious bill.

Involved in the litigation is whether or not a measure passed by the legislature can become a law in different form than its passage. If persons can alter text of acts then there is no assurance that protection afforded by the constitution are forthcoming to the people of the state or self-fish groups can write anything they please and label them laws.

### MUNCIE BANK DEPOSITS INCREASED NEARLY \$1,000,000 IN PAST YEAR

With bank deposits here increased nearly \$1,000,000 during the past twelve months this significant fact should bring a great measure of confidence among the people in the progress of their own city.

In this time of widespread depression this fact and achievement stands out like a lighthouse for it is almost a fifteen percent increase in deposits during the past year.

Last financial statement of the Delaware County National Bank and the combined Merchants National Bank and the Merchants Trust & Savings Company, affiliated institutions was of March 25, and showed a gain of \$933,355.26 over a statement of these same banks for March 27, 1930.

Growth in deposits of the Delaware County National Bank was \$436,907.68 while the boost in deposits at the combined Merchants National Bank was affiliated Merchants Trust & Savings Company reached \$496,447.58. And this most certainly is an achievement to which the people of Muncie may point with considerable pride.

Statement of the three Muncie banks shows a total on deposit in them of \$8,660,691.77 of which there was deposits of \$3,935,127.76 in the Delaware County National Bank and the remaining \$4,725,564.01 in the affiliated Merchants institutions.

Assets of the three banks here likewise showed a most promising increase with this year's figure almost \$2,000,000 ahead of the March, 1930, statement.

The Delaware County National Bank assets are listed now as \$6,016,592.38 against the figure of \$3,560,410.46 of a year ago making the gain for that institution at \$1,456,181.92.

For the combined Merchants institutions this year's assets are \$7,819,033.44 and the gain being \$388,778.15 which is also a sizeable increase in assets.

Total assets of the three banks shows as \$13,836,625.67. Capital stock of the Delaware County National Bank is \$300,000 while that of the two Merchants institutions is \$600,000.

### AIR TOURISTS REACH MUNCIE 3 P. M. FRIDAY

Members of the third All-Indiana Air Tour will reach Muncie on next Friday afternoon with the tour leader scheduled to land at Wall Field at 3 p. m. and the other planes at five minute intervals.

While in Muncie the aviation enthusiasts will be guests of the Aviation Commission of Muncie and the principal entertainment will be a dinner at the Hotel Roberts. Muncie air enthusiasts may participate in the dinner and obtain tickets at the hotel at that time. Abbott Johnson, donor of the Johnson Muncie Municipal airport, and president of the commission, will be toastmaster and members of the commission, Frank A. Hanley, vice president; Victor C. Hutzel and Joseph Broderick, members, and Herbert Eller, secretary, are assisting in the entertainment program arrangements.

Mayor Dale will welcome the pilots and guests and several short talks are scheduled both from Muncie aviation leaders and persons on the air tour.

The airplanes will return to Indianapolis, landing at the Municipal airport at noon on June 20. Between these two dates the Tour will visit twelve cities, stopping from two hours to three during the day at seven of them, and making night stops in the other five.

The Tour will include a total of twenty-five to thirty airplanes, of all types in the commercial field, together with one or two ships of the reserve air corps, from Schoon field, Fort Benjamin Harrison, at Indianapolis; and at least three ships from the 113th observation squadron, Indiana National Guard, under command of Major Richard Taylor, commander of the squadron.

The Tour will move with the precision of an army, a definite schedule for the arrival and departure at all stops being furnished each pilot in the Tour, and he will be ex-

pected to adhere closely to this schedule.

The advance ship, carrying Herbert O. Fisher, assistant tour director, who is director of aeronautics for the Indianapolis Chamber of Commerce, together with Lieutenant Stanton T. Smith, of Fort Harrison, its pilot, will arrive at the Tour stops a half hour in advance of the main Tour. Following the advance ship, and actually heading the Tour, will come the three ships of the Indiana National Guard. Directly behind these three ships, which will fly in formation, will come the Tour Director's ship, a four-place cabin Travelair flown by Walker W. Winslow, president of the Indiana Aircraft Trades Association Aviation Corporation. Passenger association and president of the Indiana in this ship will be W. F. Sturm, Tour Director and Charles E. Cox, Jr., operations manager of the Indianapolis Municipal Airport.

In order behind this ship will come the various ships in the Tour. The Tour will be actively in charge of a Tour Master, who, with his assistant, will start the ships off the various airports and thus be the last to leave the ground.

When the ships arrive at the various cities, they will be met at the field by a reception committee. Once the ships are all on the ground, the spectators will be admitted to the field to examine the ships and talk to the pilots and passengers. At noon stops where lunch will be served, it will be on the field, in order to save time usually taken to go into town.

At the night stops, the ships will arrive before dark and the personnel will be taken to their hotels. The usual program will be a dinner with various members of the Tour and the citizens making talks on aviation.

The number of Tour stops has been cut down this year over that (Continued to Page Two)

### CANADA HITS BACK ON HIGH TARIFF MOVES

Washington, June 12.—Declaring that the Canadian tariff retaliation is "one more blow to American industries already suffering from the ruination of our foreign markets by the Smoot-Hawley tariff," J. J. Shouse, Chairman Democratic National Executive Committee, predicts that, in so far as he can speak for it, the Democratic party, will gladly accept the recent challenge issued by the Republican National Committee defending the rates of the Smoot-Hawley Act as "no more than adequate in many instances and in some cases perhaps not high enough."

In his statement depicting the effects of the Smoot-Hawley tariff, Chairman Shouse said:

"The Administration could not have inflicted greater punishment on American business had it deliberately sought to alienate our best customer. In 1929 we exported nearly a billion dollars' worth of our products to our neighbor on the north, and imported approximately half that much. In 1930, during half of which year the Smoot-Hawley tariff was in effect, Canada bought from us \$300,000,000 less and we bought from her \$100,000,000 less than we had purchased the year before."

"In the first three months of 1931 our exports to Canada had dropped nearly \$68,000,000 below the corresponding months of last year and our imports had fallen off an additional \$49,000,000 in the same period. This means that our normal business with Canada is cut in half."

Chairman Shouse pointed out that "three hundred million dollars in a single year taken out of the volume of our business with one foreign customer means that more than one hundred thousand people are left without employment in the industries immediately affected. The loss of purchasing power of this number means further unemployment. . . . And so the vicious snowball of misery rolls bigger and bigger."

He referred to the scores of big manufacturers who have installed plants in Canada, every one of which, he said, "represents a loss of opportunity and contributes further to the delay in the restoration of our national prosperity."

"This process would go on at an increased pace, Chairman Shouse said, as long as we continue our present tariff system."

With reference to the Republican Administration excuse for responsibility for the Hoover panic on the ground it is the result of reaction from the World War and involves the entire world, he added that "responsibility for the Smoot-Hawley tariff admits of no such alibi."

### New Shipping Guide

A new Shippers' Guide prepared by the Indiana Railroad System for the convenience of its patrons is now ready for distribution.

The Guide is a 24 page book containing a complete description of the company's freight equipment, an explanation of the types of service available, data on transit time between important midwestern cities and points on the Indiana Railroad System, a map of the System and connecting lines, and other information of value to the shipper.

The Guide will be distributed free of charge to merchants, manufacturers and other shipper. Requests for copies should be addressed to the Traffic Department, Indiana Railroad System, 310 Traction Terminal Building, Indianapolis.

Anything the disabled veteran gets is too little; anything the sound and healthy one gets is too much.

Maybe you can avoid baldness by going without a hat, but our lawn snowball of misery rolls bigger and bigger.

### Ex-City Clerk Faces Jury On Charges of Using City Money for Own Use As Result of State Board of Accounts Investigation—Paid Up Six Months After Term Expired.

Trial of Maynal W. Dalby, ex-city clerk of Muncie, charged with embezzlement of public funds will be resumed in Circuit Court this morning.

Selection of a jury was completed yesterday afternoon and Prosecutor Paul Leffler and Deputy Rarick in statements to the jury outlined the state's case against the ex-clerk.

Jurors who will try Dalby are Ora Brooks, Parker, Lynch Jones and Carl Huffman of Mt. Pleasant Township; Bert Jackson of Yorktown, Claude Bartlett of Albany, Frank Thornburg of Center Township, Elmer Nixon of Cowan, J. R. Holbrook of Liberty Township, all members of the regular panel of the Circuit Court petit jury, and S. B. Denney, a Muncie bus operator; John H. Derricott of Muncie, and A. M. Cole and A. E. Bragg, both of Monroe Township.

#### Short Nearly \$6,000

Dalby's defalcations totalled nearly \$6,000. The money was replaced by him but not until six months following the expiration of his term and the state board of accounts examiners had determined the amount of money he had failed to turn over.

In the opening statement by Deputy Prosecutor Rarick he pointed out that the indictment drawn against Dalby by ex-prosecutor Joe Davis charged the defalcations of Dalby to be city money, but only a part of the sum was funds of the civil city and other parts were funds due the school city and the State of Indiana.

Rarick declared that the state was prepared to show that Dalby had informed examiners for the state board of accounts that he didn't have the money to turn back when they began their investigation shortly after he left office.

"In fact, he never made an attempt to help the state board of accounts examiners in the investigation and he merely paid back what amount the accountants were able to discover he was short," the deputy prosecutor added.

#### Two Checks Not Posted

Two checks, one for \$260 and another for \$89 was paid to Dalby for docket fees from the clerk of the Delaware circuit court could not be found entered on the ex-city clerk's books, according to state board of accounts examiners, and these will be placed before the jury in substantiation of the charge that Dalby used city funds for his personal use.

Clate Mansfield, defense counsel, in interrogating the jurors indicated that the ex-city clerk would base his plea that he got his accounts balled up and didn't intentionally use any public money in his personal account.

Considerable stress was laid by Mansfield in his talk to the jurors asking if they would be disposed to convict Dalby if it were shown that he didn't intend to use public money for his own use.

He pointed out that his client had returned the public funds charged as stolen and asked several of the jurors if they would be prone to convict the ex-city clerk under such circumstances and their reply indicated that they would be governed by the evidence presented.

Trial of Dalby comes after three postponements and almost a year after his indictment. At the beginning of the trial Attorney Mansfield presented a motion to dismiss the indictment alleging insufficiency, but this move was overruled by Judge Guthrie.

### Hartwell K. O'd. By Campolo in Third

Newark, N. J., June 12.—Victorio Campolo, Argentine heavyweight, stopped Big Bill Hartwell, Kansas City Negro, in the third round of a ten-round bout at Clark Field here last night. Campolo weighed 232, Hartwell 223.

The referee halted the battle early in the third round when Hartwell apparently was no longer able to protect himself. The first round was slow with scarcely a blow of any consequence struck on either side. Early in the second round, however, Campolo caught Hartwell with half a dozen hard rights to the head that sent the big Negro reeling into the ropes.

The third round had barely started when Campolo had the Negro groggy again. A hard right to the head stunned Hartwell and

his guard dropped. The Argentine belted him with a score of blows with both hands before the referee stepped in and halted the uneven contest.

#### FORMER BERNE MAN DIES

Berne, Ind., June 12.—Word was received here Thursday of the death of Henry W. Egley, 51, former Berne man and a son of Jacob Egley of east of town. Mr. Egley's death occurred Tuesday at the government hospital at Key West, Florida, of injuries received while serving in the world war with the U. S. army while in France.

#### THIRD SET OF TWINS

Ottawa, June 12.—Mrs. Jean Val-lille, 24 years old, yesterday gave birth to her third set of twin boys within the last five years.

Correct this sentence: "Your car is all fixed lady," said the mechanic, "and I've wiped the grease off the steering wheel." Then, too, an open mind may be so open that it can't hold a conviction inside.

THE POST-DEMOCRAT

A Democratic weekly newspaper representing the Democrats of Muncie, Delaware County and the 8th Congressional District. The only Democratic Newspaper in Delaware County.

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CHARLES H. DALE, Publisher. Geo. R. Dale, Editor.

Muncie, Indiana, Friday, June 12, 1931.

Sims Sues Vern

Vern Walburn, "Plug" amongst the dispelled gambling fraternity has been sued by his attorney, J. Wilbur Sims, for 700 smackers of legal fees which Wilbur avers is due him for taking care of Plug's court experiments.

So the worm has turned and Walburn who stacked up quite a few cases against the police department, some of the patrolmen and even Chief Massey now has a suit on his hand from his legalist.

When the Dale administration began the task of cleaning up Muncie immediately after taking office in January, 1930, Walburn couldn't be convinced that the mayor meant business. Shortly, however, he has been thoroughly convinced.

Plug's idea of a counter move was to sue the police right and left for interfering with his business. We suggested at the time he should have sued for alienation of the affections of the suckers rather than punitive damages from the police department.

Then when those cases got nowhere he charged Chief Massey with having borrowed some money way back in the summer of 1929 and not paying it back. A jury over in Superior Court couldn't be convinced that the chief owed Plug any dough and that ended that matter.

Comes now the climax, for Wilbur has been stalled by Plug for the \$700 attorney fees and he wants his dough.

We'll watch with interest the disposition of that case for Plug being sued instead of on the other end of the proposition is a surprise for the ex-gambler.

Hoover To Be An Ex!

As a President's incumbency in the White House approaches an end there always recurs the discussion of the academic question that after the austere isolation and dignity of highest office possible to an American citizen, a question of taste is involved in his selection of an occupation.

Mr. Hoover in his campaign represented to the country that all that was necessary to continue an industrial millennium was to again elect a Republican administration, of which he would be the head.

The enactment of the Hoover-Grundy tariff was followed by the cutting in half of our foreign trade and the obvious charge resulted that the enactment of embargo duties had brought about retaliatory tariffs in other countries which slaughtered our export business and thereby compelled further curtailment of our harrassed taxes and added to the army of the unemployed.

The President in speeches and White House expressions has voiced the view that government was practically powerless to provide remedies for the existing state of economic distress or to prevent the advent of such calamities.

These few incidents suggest the aptness of a new department in the scholastic curriculums and of course the man to fill the chair ought to be the world's greatest alibiologist.

Daniels Busy Despite

Despite the handicap of the city council's failure to supply adequate equipment and sufficient appropriations Bill Daniels, street commissioner, is going right on with the good work of street repairing, particularly the rounding of corners to facilitate traffic—and the repairing of intersections.

This important work shouldn't be handicapped by petty selfishness on the part of the council coalition, it seems these councilmen are in the slang of the street "just that way." There is considerable work of this important and needed character already being done with the funds on hands and the poor equipment, but more of it could be done if the councilmen were really imbued with the spirit of best service for the citizens.

Motor trucks, left over from the Hampton regime, are in a deplorable condition, and frequent break downs of the old equipment delays the work and necessitates shifting

some of the power equipment to complete the job. An ordinance asking for an appropriation to buy three trucks has been reposing in the council for months and months. Soon after its introduction it is amended to provide enough money to buy five trucks, but alas, the entire ordinance was soon shelved and nothing done.

In line with the council coalition's performance of doing anything to hamper the administration regardless of what is asked the trucks seem to have been detoured. Undaunted, Billy and his men are going ahead to the best of their ability and accomplishing things under the most severe handicap.

Editorial Comment on House Bill No. 6

Daniel, Alias Clarence

(Indianapolis Times)

The supreme court, by deviation and diversion, has, by a majority report, concluded that laws can not be passed by fraud and forgery.

For this conclusion, thank Supreme judge Clarence Martin.

All the organized forces of government as represented by the office of the secretary of state and the attorney-general fought for the technical position that whenever a bill was sent to a Governor and hysterically signed, it became a law.

As it happened, this particular measure affected the public utilities of the state. It was so obvious that the gorge rose even in the souls of purchased legislators. They could not stomach its infamies. It would have put the city of Indianapolis in bondage to all the transportation barons. It would have shackled the mayor of Muncie, almost an impossibility.

It would be too shameful to record all the facts, because these would involve men in high places, even the highest place.

It is sufficient to state that the charge in the courts is that a bill, by forgery, became a law.

Just why senators who had endeavored vainly to prevent the rape of the people were powerless may be the subject of long debate.

What is known is this: The city of Indianapolis and the city of Muncie rebelled and there comes from the supreme court this note of hope:

"When the fact of attestation is alleged to be due to fraud or mistake of fact, or to have been recalled, we believe that the courts have the right and the duty to determine such questions."

Here is the challenge to legislation by forgery. There is no question as to the facts. The bill, hurriedly signed by Governor Harry G. Leslie, was not the bill passed by the senate or the house. Write your own answer to the query as to why this was the only measure never sent to the attorney-general for approval.

But this is the one thing that is paramount. The supreme court has said that we shall not have legislation by forgery and fraud when a complainant Governor certifies to fraud and forgery.

This is a step forward. The practical effect of this bill would have been the denial to local authority of all control of transportation.

It would have stopped George Dale in Muncie in his fight for the people.

What the courts finally may decide about this particular bill is of little or great import.

The big thing is this: A Daniel came to judgment. He says, and this is the law, that we shall not be controlled by fraud nor forgery, and his name is Clarence Martin.

(The Indianapolis News)

Rightly the supreme court of Indiana yesterday denied the writ of prohibition asked for by Attorney-General Oden which would have restrained Judge Chamberlin, of the Marion circuit court, from proceeding with the hearing of the case involving House Bill 6, and would have dissolved the injunction issued by him. Three judges held that Judge Chamberlin's court had jurisdiction, and that the higher court could not rightly intervene to strip the court of it.

Chief Justice Martin in his opinion made it all very clear. This case, he showed, differed fundamentally from those cases in which it had been held that when a bill was finally enrolled it was impervious to attack in the courts, even though it could have been shown that corrupt methods had been used to put it through the legislature. The question here was whether the bill had ever as a matter of fact been passed by the legislature. It is not the constitutionality of the measure that is being assailed, but the constitutionality of its supposed enactment. The Constitution provides that a bill to become a law must pass both houses of the legislature, which is just what this bill did not do.

Judge Martin further holds in his excellent and clearly reasoned opinion that so far from there being anything to prevent the secretary of state from publishing the acts—omitting the controverted measure—it is his constitutional duty to publish, which Secretary Mayr says he will do at once. Meanwhile, the injunction will stand, and there will be a hearing in Judge Chamberlin's court. Nothing now stands in the way of a complete and thorough judicial investigation. The Marion county grand jury is also at work on the case.

Decline of Dr. Klein

Defense of the Hawley-Smoot tariff by Dr. Julius Klein, Assistant Secretary of Commerce, before the Export Managers' club of New York, in which hedged that this tariff

hampers our foreign trade, has met with severe criticism from many quarters.

The reply to Dr. Klein by Senator Cordell Hull (Dem.) of Tennessee, says the Baltimore Sun, "makes of Dr. Klein a ludicrous figure, particularly as one who catalogs himself an economist." The Sun also says:

"Dr. Klein is loyal far beyond the bounds of reason to 'the Chief' and sets himself up as a most inviting target by exuding statements on the tariff which he himself must know are without the significance he endeavors to impute to them. . . . In appraising the slaughter of Dr. Klein's tariff arguments at the left hands of Senator Hull, however, it is perhaps only fair to bear in mind that the tariff camp of which our Dr. Klein is the clumsy defender is in retreat before a mounting force of common sense."

The Louisville Courier-Journal expresses the opinion that "Dr. Klein is injuring the usefulness of the Department which he serves," and adds:

"That Department is supposed to give out unbiased reports on foreign and domestic commerce . . . but amid a chorus of condemnation of the sky-high duties and the retaliation they have brought about, Dr. Klein says the tariff has not affected trade. . . . According to his analysis the shrinkage of exports and imports is attributable entirely to the depression."

In conclusion the Courier-Journal says: "All the facts are, or should be, known to the Department of Commerce. . . . The Department has become a propaganda factory. It has ceased to be the dispenser of information and has become the disseminator of political bunk."

FOURTH OF JULY CELEBRATION TO BE CITY WIDE

Preparations are under way by the city park department for another big Fourth of July celebration at McCulloch Park and again everybody is invited to participate. Last year the daily newspapers estimated the crowd at the night fireworks program at around the 25,000 to 30,000 mark and this year it is expected an even larger attendance.

Program for the celebration is being arranged by the park and recreation officials and the night fireworks display will exceed the splendid exhibit which attracted so much attention and enthusiastic comment last year.

Many colorful features have been specially made for the two hour fireworks program and several surprise stunts are included for the event. Prior to the fireworks display there will be a musical program with a local ballet feature in which more than a score of Muncie young women and girls will participate.

Mayor Dale has extended an invitation to Bishop Fred Fisher of Ann Arbor, Mich., widely known Methodist minister, to give an inspirational talk as a part of the celebration.

In the afternoon there will be a baseball game and other athletic events to appeal to all.

Muncie merchants are participating in the fund for the purchase of the fireworks display and already more than two score firms have become subscribers to that fund. The list includes:

- Business firms participating in the fund include Holmes Motor Co.; Guarantee Tire & Rubber Co.; Wolfe Bedding Co.; Kuhnert Packing Co.; Muncie Press, Eral Tauchinbaugh, Jewel Shoppe, Pig Stand, Arcade Restaurant, Dukes Restaurant, Johnson's Cafe, Muncie Sanitarium, Charles Alexander, Bakers Creamery, Cade Co., W. L. B. C., Craig Cab Co., Bake Rite, College Pastry, Nu-Grane Co., Muncie Industrial Loan Co., Muncie Tool & Engineering Co., Welfare Loan Co., Central Meat Market, Coulter Boiler Co., Delaware Chevrolet Co., Beatrice Creamery, Cooper Sales Co., Warren Brothers, Electric Repair Co., Harriotts Jewelry Store, Indiana Metal Products Co., Ed Maitlen, Muncie Star, Fred Jones.

AIR TOURISTS

(Continued from Page One)

of the last two years, in order to give the pilots more time and to make possible longer stops at the fields.

The purpose of the Tour is to give all the cities visited a good view of the various types of commercial ships and to assist those cities wishing to create or to continue airplane activities. "Our primary purpose," said Mr. Winslow,

1930 Champs Are Favorites



Considered by many dopsters as favorites to win the intercollegiate rowing regatta on the Hudson River at Poughkeepsie, the crew of Cornell University, 1930 champions, is going to find plenty of competition from the eight other shells racing against them June 18. This picture shows the Itasca, N. Y. college boys starting out for a practice run with their skipper, Commodore Heidelberger, shown at right and veteran Coach Jim Wear at left.

New Medico Head



Doctor E. Starr Judd, of Rochester, Minn., home of the famous Mayo clinic, is shown above after he was made incoming president of the American Medical Association at the eighty-second annual convention of that organization, held at Philadelphia.

president of the Aircraft Trades Association, "is to make our Tour educational. We realize that the coming generation will be the pilots and the passengers in the airplanes that will fill travel lanes of the country. We wish to give these prospective pilots and passengers all the help we can. Our Tour is a non profit effort on the part of the pilots, the Aircraft Trades Association and the cities which we will visit. It is through their farsightedness that this Tour is made possible."

The Indiana Aircraft Trades Association is an organization of airport owners aircraft salesmen, and owners of aircraft accessory stores. It was formed in 1929 and its sole purpose is the betterment of the aviation industry. Its officers are: Walker W. Winslow, president, also president of the Indiana Aviation Corporation; H. Weir Cook, vice-president, who is general manager of the Curtiss Flying Service of Indiana; Harold C. Brooks, treasurer, who is secretary-treasurer of Hoosier Airport, Indianapolis; Herbert O. Fisher, secretary, also director of aeronautics for the Indianapolis Chamber of Commerce.

Itinerary for Air Tour

- Monday, June 15: Leave Mars Hill Airport, Indianapolis, 9:00 a. m. Arrive Madison, lunch, 10:00 a. m. Leave Madison, 1:00 p. m. Arrive Evansville, 2:40 p. m. Tuesday, June 16: Leave Evansville, 10:00 a. m. Arrive Bloomington, lunch, 11:15 a. m. Leave Bloomington, 2:15 p. m. Arrive Terre Haute, 2:50 p. m. Wednesday, June 17: Leave Terre Haute, 8:45 a. m. Arrive Lafayette, lunch, 9:40 a. m. Leave Lafayette, 12:45 p. m. Arrive Wolcott, 1:10 p. m. Leave Wolcott, 3:15 p. m. Arrive Gary, 4:00 p. m. Thursday, June 18: Leave Gary, 9:00 a. m. Arrive Valparaiso, 9:15 a. m. Leave Valparaiso, 11:20 a. m. Arrive Michigan City, lunch, 11:45 a. m. Leave Michigan City, 2:45 p. m. Arrive Ft. Wayne, 4:00 p. m. Friday, June 19: Leave Ft. Wayne, 10:00 a. m. Arrive Connersville, lunch, 11:15 a. m. Leave Connersville, 2:30 p. m. Arrive Muncie, 3:00 p. m. Saturday, June 20: Leave Muncie, 11:00 a. m. Arrive Indianapolis, Municipal Airport, lunch, 12:00 noon.

Now they say squirrels are scarce in the country and numerous in towns. Ah, well, so are Reds. Nature knows best.

A war isn't really over until the veterans get all they want.

RIOTING IN OHIO MINE DISTRICT

Communists Make an Attempt to Rescue Prisoners at St. Clairsville.

St. Clairsville, O., June 12.—More than 40 deputies were held in readiness today for a second attack threatened by leaders of a crowd of 2,000 striking coal miners and women sympathizers, who were beaten away from the Belmont county jail last night. Seven persons were arrested and 12 overcome by tear gas.

It was the first serious outbreak of the week-old strike in Eastern Ohio, which has affected approximately 1,000 workers. Prosecutor Paul Waddell and R. A. Ireland, manager of the M. A. Hanna Coal company of Cleveland, said they would ask Gov. George White for state aid unless the situation is brought under control.

The attack on the jail followed the arrest of 11 men a few hours earlier when Sheriff Howard Duff and his deputies broke up a march on the new Lafayette mine of the Hanna company. The crowd demanded the release of the prisoners but the sheriff, 40 of his men and members of the American Legion surrounded the jail, arming themselves with tear gas bombs and machine guns.

Seven women and five men were overcome by gas when a deputy tossed one of the bombs to rescue the sheriff, who was struck by demonstrators. Leo Thompson, Pittsburgh, reputed leader of the crowd, and six others were arrested.

The crowd, growing to 4,000, milled about the jail for some time, but scattered with their leaders' announcement that they would return today.

The disorders followed the dynamiting of the home of one miner and an attack on workers near the Fairpoint mine of the Hanna Company in Belmont county.

The strikers were said by officials to be led by Communist agitators.

HOW TO DESTROY CANADA THISTLE

County Agent Advises Chemicals When the Buds Appear.

C. V. Kimmell, county agricultural agent, states that he has had several inquiries recently from farmers for the best method of eradicating Canada thistles.

The most effective method of destroying this weed is by the use of chemicals, according to Mr. Kimmell. The best time for treatment is when the buds appear, which is generally about the middle of June.

There are two methods of chemical treatment either by using calcium chloride or sodium chlorate. While the calcium chloride is less effective, it is also less dangerous to apply.

Mr. Kimmell states that the patches for treatment should be carefully measured to determine the number of square rods in area. The weeds should then be sprayed at the rate of two gallons of solution per square rod. The tops of the plants should be thoroughly saturated with a sprayer, which is more effective than a sprinkling can.

The calcium chloride should be mixed at the rate of one and one-half pounds per gallon of water and should be stirred thoroughly. The sodium chloride can be mixed at the rate of one pound per gallon of water. The latter is an explosive and burns readily.

In applying the solution, old clothing should be worn and destroyed after the spraying is done or hip boots should be worn and immediately washed.

Mystery Death



Starr Faithful (above), attractive, artistic stepdaughter of Starr E. Faithful, wealthy New York chemical manufacturer, whose body was washed ashore at Long Beach, L. I., three days after she left her home in good spirits. Her stepfather, reluctant to believe Starr committed suicide or came to strange death by accident, reported she was an expert swimmer, while the medical examiner says her death was due to drowning. Football is feared.



Smatter of fact—

IT'S NOT A HABIT OF MINE TO PLAY WITH THE LANGUAGE, BUT I'VE TAKEN FROM THE CHINESE THE WORLD'S HOTTEST IDEA FOR AN ALARM CLOCK.

IT CONSISTS OF A RING OF PRECISE AND CAREFUL MEASUREMENT, ON RETIRING, THE CHINESE SLEEPER TIES ONE END TO HIS TOE AND SETS THE OTHER AFIRE. THEN HE SNOOZES AND WAITS FOR THE ENDS TO COME TOGETHER. IT'S AN ALARMING NOTION.

THE SECRETARY BIRD WITH HIS POKE, FACE AND REPUTATION FOR REFINEMENT AND PEACEFUL HABITS IS, IN REALITY, A NOTORIOUS SNAKE-KILLER. HE DISDAINS REPTILES UNDER 2 FEET LONG, AND NEVER EATS LESS THAN SEVERAL A DAY.

HE BEATS 'EM TO DEATH WITH HIS WINGS. ANOTHER UNIQUE FEATURE PERMISSION GIVEN WATCH MAKERS CLUB

## INCREASE IN RATES WILL BE ASKED BY RAILROAD HEADS

New York, June 12.—(UP)—A resolution asking a 15-per cent blanket increase in "all freight rates and charges" to be presented to the Interstate Commerce Commission was adopted unanimously here yesterday by executives of all important American railroads.

A committee consisting of the chairman of the eastern, western and southern groups, was authorized to prepare and file a joint application for the increase with the respective state and interstate commissions. This action is expected within a week.

Approval of the resolution today followed a series of meetings conducted by the three groups during the past month.

The petition approved today, drawn up by Clyde Brown, general solicitor of the New York Central railroad, and Herbert Fitzpatrick, vice-president and general coun-

sel for the Chesapeake and Ohio railway, incorporated suggestion of a number of western rail heads meeting here this morning.

Although the application will ask for an increase of 15 per cent, carrier officials intimated that adjustments will be made later on rate for certain commodities, on which this increase would not be feasible because of strong motor truck competition. On some commodities, it was said, rates will remain unchanged, resulting in a net increase of approximately 10 per cent.

While some eastern railroad officials have expressed the belief that should the commission approve the application, increased rates may be put into effect immediately, the consensus of officials today placed the probable date as early fall.

## RULES NEW ACTS CAN BE PRINTED

Ogden Advises Mayr to Proceed and Omit House Bill No. 6.

Indianapolis, June 12.—The way was cleared definitely for immediate publication of the 1931 acts of the General Assembly when James M. Ogden, attorney general yesterday issued an opinion to Frank Mayr, Jr., secretary of state, holding that the acts could be published.

House Bill No. 6 however, must be omitted from the publication, according to his opinion.

Confusion as to the duty of the secretary of state resulted from three separate opinions that were handed down Wednesday by the Indiana Supreme court in a case involving House Bill No. 6.

Denied Writ by 3-2 Vote

The secretary of state had asked the Supreme court to issue a writ of prohibition against Judge Harry O. Chamberlain of the Marion Circuit court, to prevent the county court from further action in the case. The Supreme court denied the writ by a 3-to-2 vote, but three separate opinions were issued.

Judge Clarence R. Martin, chief justice, held that the secretary of state could proceed with publication of the acts omitting House bill No. 6. Judges David A. Myers and Julius C. Travis signed an opinion which did not mention the matter of publication without the bill. The two remaining judges held that the writ of prohibition should be issued.

Before getting the opinion from the attorney general, Mr. Mayr had issued tentative orders to the state printer at Ft. Wayne, instructing him to proceed with publication of the acts.

## To Offer Summer Course at Butler

Indianapolis, Ind., June 12.—Unusual opportunities will be offered for teachers in the Indiana public school system to attend school and work off license requirements during the summer at the Butler university Teacher's college in Indianapolis. A complete curriculum for elementary and high school teachers has been arranged by Dean W. L. Richardson for the 1931 summer session which opens June 15. Credit will be given toward state license and bachelor of science degrees in education.

Through an arrangement with the university the Indianapolis city and the state libraries will be open to Butler students throughout the summer. This will be supplemented by the 5,000 volumes which are in the Butler library. The Arthur Jordan Conservatory of Music and the

## John Herron Art Institute, which are affiliated with Butler, will be open and available to teachers who wish to do special studying in either school.

## CANNED GOODS WILL BE LABELED

Government Requires the Condition of Contents be Specified.

Washington, June 12.—(UP)—Notice to American housewives who go shopping for canned peas from the new crop now being put up by American canners—look at the label on the can.

There'll be something new, if the peas are tough and not up to first quality, the label will read "Below U. S. Standard—low quality but not illegal."

Peas are the first canners' product to be labelled in accordance with the canners' law passed a year ago by Congress, under which the food and drug administration, agriculture department, has been working out standards for various canned foods.

Peaches, pears, tomatoes and apricots also will be labelled this year. Cherries, beans, corn, raspberries, loganberries, blackberries and strawberries will not be subject to this new regulation until next year.

The new standards for peas, peaches and pears are effective already.

Standards have been worked out for tomatoes, apricots and cherries, but will not be effective until July 25, too late for 1931 cherries but in time for the apricot and tomato crops.

The principal difference between a can of peas marked as being below U. S. standard and one above that grade, will be that the lower class product will be tough and the higher one tender. There will be a difference in color, too, but the peas will be entirely edible and fit for consumption.

The only object in the new system of labelling is to enable the housewife, if she scans the labels before she buys, to tell whether or not she's getting what she pays for.

## Refuse Issue Road Bonds in Jay Co.

Indianapolis, June 12.—(UP)—Two bond issue proposals both in Richland township, Jay county, have been denied by the state tax board. One is for \$6,300 for the improvement of the George F. Reynolds road, and the other is for \$13,500 for the improvement of the Jacob Whaley road.



## FARMERS' ASSOCIATIONS MUST CONTROL NECESSARY MACHINERY

Manhattan, Kan., June 12.—(UP)—State or national cooperative farmers' associations must control the machinery necessary to their business before they can hope to fill the needs of wheat growers, John Manley, general manager of the Oklahoma Wheat Growers' association, said here late yesterday in an address before the grain marketing group of the American Institute of Cooperation.

Successful operations of a line of cooperative elevators is based on recognition of the fact they are machines to be operated at cost and not built for the purpose of yielding profits, he declared. A three cents a bushel elevator charge to cover costs of handling the grain is sufficient in most instances, he said.

Stanley Reed, general counsel

Indiana, for Children's Home and f. o. b. Selma for County Infirmary, deliveries to be made in car load lots as required by the Board.

The Board reserves the right to reject any or all bids.

Done this 12th day of June 1931.

W. MAX SHAFER,  
Auditor and Clerk of the Board of Commissioners.

## Oklahoma Wheat Shipped Yesterday

Enid, Okla., June 11.—(UP)—The first car of Oklahoma wheat of the new 1931 crop arrived at Enid today, shipped to the Oklahoma Wheat Growers' association. The grain was shipped by G. F. Carroll, of Grandfield, Okla., who said his crop would average 30 bushels to the acre. The grain graded No. 3.

No bids had been received on the wheat late today. Old wheat was quoted at 45 cents a bushel.

Fort Worth, Tex., June 11.—(UP)—The first car of 1931 wheat shipped to Fort Worth was received today from Ogleby, Tex. The grain was No. 1 mixed, tested 70 per cent soft and weighed 61 pounds to the bushel. The price was not announced.

as estimated by the City Civil Engineer.

BOARD OF PUBLIC WORKS,  
By Eunice Carpenter, Clerk,  
June 12-19, 1931.

NOTICE TO BIDDERS

Notice is hereby given that the Board of Commissioners of Delaware County, Indiana, will receive sealed proposals and bids for one year's supply of coal to be used at the Delaware County Children's Home and Delaware County Infirmary. Said bids to be received on Saturday, June 27, 1931, up to the hour of 10 o'clock a. m. at the Auditor's Office of said County.

Bids for coal shall be made on the basis of price per ton in car load lots, prices f. o. b. Muncie, Ind.

IR-691, 1931, For Paving of the alley lying north of St. Joseph Street, and along the north line of Broyles Addition to the City of Muncie, from the west line of Walnut Street thence westerly a distance of 130 feet, to the east line of the alley running north and south, lying west from Walnut Street.

All work done in the making of said described public improvements shall be in accordance with the terms and conditions of the improvement resolution, as numbered, adopted by the Board of Public Works on the above named date, and the drawings, plans, profiles and specifications which are on file and may be seen in the office of said Board of Public Works of the City of Muncie, Indiana.

The Board of Public Works has fixed the 1st day of July, 1931, as a date upon which remonstrances may be filed or heard by persons interested in, or affected by said described public improvements, and on said date at 7:30 p. m. said Board of Public Works will meet at its office in said City for the purpose of hearing and considering any remonstrances which may have been filed, or which may have been presented; said Board fixes said date as a date for the modification, confirmation, rescinding, or postponement of action on said remonstrances; and on said date will hear all persons interested or whose property is affected by said proposed improvements, and will decide whether the benefits that will accrue to the property abutting and adjacent to the proposed improvement and to the said City will be equal to or exceed the estimated cost of the proposed improvements.

## For the Peace of the World



Secretary of State Henry Stimson (center) will go to Europe late in June for conferences with the premiers of the leading powers on the forthcoming armaments discussions and other important international questions. His mission, expected to be of far-reaching importance to the peace of the world, will take him to see Chancellor Brüning, of Germany (upper left); Premier Pierre Laval, of France (upper right); Premier Benito Mussolini, of Italy (lower left), and Premier Ramsay MacDonald, of Great Britain (lower right).

## "The Old Order Changeth, yielding place to new"

The coming of Electrolux has put other automatic refrigerators in a class with the old high-wheel bicycle.

In Electrolux a tiny gas flame and a tiny trickle of water are the whole "works"

OLD FATHER TIME moves fast, despite his years. Now, with the coming of Electrolux, he's made other automatic refrigerators obsolete—put them in a class with high-wheel bikes.

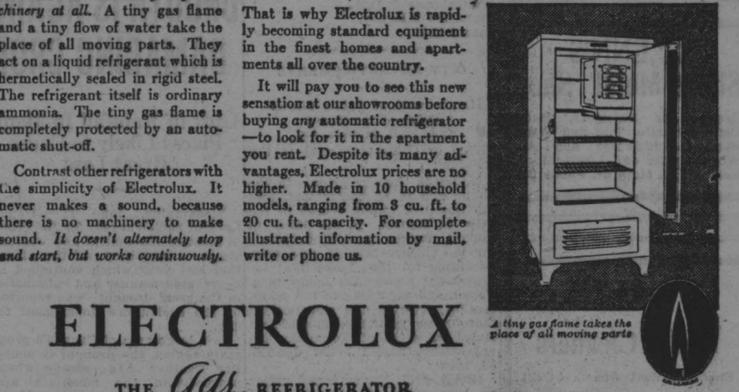
For this new kind of automatic refrigerator makes cold and freezes ice cubes without using any machinery at all. A tiny gas flame and a tiny flow of water take the place of all moving parts. They act on a liquid refrigerant which is hermetically sealed in rigid steel. The refrigerant itself is ordinary ammonia. The tiny gas flame is completely protected by an automatic shut-off.

Contrast other refrigerators with the simplicity of Electrolux. It never makes a sound, because there is no machinery to make sound. It doesn't alternately stop and start, but works continuously.

That is why Electrolux is rapidly becoming standard equipment in the finest homes and apartments all over the country.

It will pay you to see this new sensation at our showrooms before buying any automatic refrigerator—to look for it in the apartment you rent. Despite its many advantages, Electrolux prices are no higher. Made in 10 household models, ranging from 3 cu. ft. to 20 cu. ft. capacity. For complete illustrated information by mail, write or phone us.

**COSTS LESS TO OPERATE**  
Electrolux operates for only 5 to 10 cents a day—less than the cost of ice—less than any other automatic refrigerator.



## ELECTROLUX THE Gas REFRIGERATOR

## Central Indiana Gas Co.

## Keeps children's food Fresh and Safe



An ELECTRIC Refrigerator makes it safe for little children to be hungry. Harmful bacteria cannot attack your food when it is preserved fresh and pure at a temperature below 50 degrees.

Our liberal budget payment plan places this modern convenience within the reach of every homemaker—Only \$10.00 down, the balance in 23 small monthly payments.

## GENERAL ELECTRIC ALL-STEEL REFRIGERATOR

INDIANA GENERAL SERVICE CO.

Last Times Saturday

Gloria Swanson  
in  
"INDISCREET"  
Also Laurel and Hardy  
Comedy

A Publix Theatre

SUNDAY — MONDAY

KAY FRANCIS  
PAUL LUKAS

IN  
"VICE SQUAD"

Excitement? Sure! That's what the strong-arm huskies of the law thrive on! Follow the shriek of their wild sirens at midnight . . . though almost deserted big-city streets! A raid . . . a fight . . . arrests! "The Vice Squad" . . . the terrific drama of a man whose glittering charm lures victims into the law's dragnet! If it's thrill you want . . . see "The Vice Squad."

RIVOLI FEATURETTES

Pathe Sound News

ack Beery in "Broadway Romeo"

Business and Professional Directory

THREE TO FIVE MINUTES TO FORTY THEATRES AND ALL SHOPS HOTEL ST. JAMES

GLENN'S Sheet Metal Shop See us for Skylights, Metal Ceilings, Slate, Tile and Metal Roofing.

The Original C. A. Powers, Mgr. Dollar Cleaners Pear 114 East Adams Street Phone 968

Muncie Plumbing & Supply Co. ELECTRIC WATER PUMPS 1509 S. Walnut Phone 4220W

W. H. Dorton & Son Plumbing and Heating Water Softeners 700 Wheeling Ave—Phone 4818W Estimates Free

Plumbing, Heating and Gas Fitting. CLARK BROS. Phone 247 317 E. Main

SEE B. F. Stong & Son For Bargains in Furniture, Rugs, Stoves and tools of all kinds. 1410 S. Walnut Street. Phone 1764-R.

TAUGHINBAUGH CO. Funeral Directors Our Phone never sleeps 4014 DAY or NIGHT Lady Attendant Howard at Proud St.

NOTICE TO TAXPAYERS OF HEARING ON APPROPRIATIONS

In the matter of the passage of certain ordinances by common council of the City of Muncie, Indiana, Delaware County, providing for special appropriation of funds.

by filing a petition therefore with the county auditor not later than ten (10) days from the date of the final action of said council and the state board of tax commissioners fix a date of hearing in this city.

COMMON COUNCIL of City of Muncie, Indiana, Linton Ridgeway, City Clerk. June 5-12.

NOTICE TO NON-RESIDENTS

State of Indiana, Delaware County, SS: In the Delaware Superior Court, April Term, 1931. Complaint: Divorce, No. 7111. Pauline E. Pankey vs Charles Pankey.

Notice is hereby given the said defendant Charles Pankey that the plaintiff has filed her complaint herein, for divorce together with an affidavit that the said defendant Charles Pankey is not a resident of the State of Indiana, and that unless he be and appear on Monday the 3rd day of August, 1931, the 97th day the present term of said Court, holden on the 1st Monday in April, A. D., 1931, at the Court House in the City of Muncie, in said County and State, the said cause will be heard and determined in his absence.

WITNESS, the Clerk and the Seal of said Court, affixed at the City of Muncie this 2nd day of June, A. D., 1931. PERRY W. MANSFIELD, Clerk. SEAL Walterhouse & Dodd, Plaintiff's Attorney. June 5-12-19.

CITY ADVERTISEMENTS

Department of Public Works Office of the Board City Hall, Muncie, Ind. Notice to Contractors and to the Public:

Notice is hereby given, to the public and to all contractors, that the Board of Public Works of the City of Muncie, in the State of Indiana, invites sealed proposals for the construction, in said City, according to the respective improvement resolutions below mentioned, and according to the plans, profiles, drawing and specification therefor on file in the office of said Board of each of the public improvements herein below described, to-wit:

IR-689, 1931, For curb and gutter on both sides of Seventh Street from Brady Street to Macedonia Ave.

Each bidder is also to file with the Board an affidavit that there has been no collusion in any way affecting said bid, according to the terms of Sec. 95, of the Act of March 6th, 1905, (Acts 1905, p. 219) All such proposals should be sealed and must be deposited with said Board before the hour of ten o'clock in the forenoon of the 23rd day of June, 1931, and each such proposal must be accompanied by a certified check payable to said City, for the sum equal to two and one-half per cent. (2 1/2%) of City Civil Engineer's estimate which shall be forfeited to said City as liquidated damages, if the bidder desisting from same shall fail duly and promptly to execute the required contract and bond, in case a contract shall be awarded him on such accompanying proposal.

Said Board reserves the right to reject any and all bids. BY ORDER OF THE BOARD OF PUBLIC WORKS. Eunice Carpenter, Clerk. June 5-12.

CITY ADVERTISEMENTS

Department of Public Works Office of the Board City Hall, Muncie, Ind. Notice to Contractors and to the Public:

Notice is hereby given, to the public and to all contractors, that the Board of Public Works of the City of Muncie, in the State of Indiana, invites sealed proposals for the construction, in said City, according to the respective improvement resolutions below mentioned, and according to the plans, profiles, drawing and specification therefor on file in the office of said Board of each of the public improvements herein below described, to-wit:

IR-688, 1931, For paving and curb and gutter, where necessary on Sixth Street from Walnut Street to Elm Street.

Each bidder is also to file with the Board an affidavit that there has been no collusion in any way affecting said bid, according to the terms of Sec. 95, of the Act of March 6th, 1905, (Acts 1905, p. 219) All such proposals should be sealed and must be deposited with said Board before the hour of ten o'clock in the forenoon of the 23rd day of June, 1931, and each such proposal must be accompanied by a certified check payable to said City, for the sum equal to two and one-half per cent. (2 1/2%) of City Civil Engineer's estimate which shall be forfeited to said City as liquidated damages, if the bidder desisting from same shall fail duly and promptly to execute the required contract and bond, in case a contract shall be awarded him on such accompanying proposal.

Said Board reserves the right to reject any and all bids. BY ORDER OF THE BOARD OF PUBLIC WORKS. Eunice Carpenter, Clerk. June 5-12.

NOTICE TO CONTRACTORS

Notice is hereby given that the Board of Commissioners of Delaware County, State of Indiana, will receive sealed bids and proposals up to the hour of 10 o'clock A. M. on Saturday, June 27, 1931, at the Auditor's Office of said County, in and for the furnishing and installation of equipment as follows: Boilers, breaching, piping, condensation pump, furnace stoker, etc as specified in the plans and specifications now on file in the said office of said Auditor, Number 3105.

Bidders may bid upon such articles of equipment separately or as a whole, all bids to include installation. The Board reserves the right to reject any and all bids. Done this 5th day of June, 1931. W. MAX SHAFER, Auditor Delaware County, Indiana. June 5-12-19.

Mexican Consul Lauds Cooperation

Ardmore, Okla., June 11.—(UP)—Cooperation of American officials in the investigation of the slaying of two prominent Mexican students was praised last night by Senator H. Valdez, Mexican consul at Oklahoma City, at the conclusion of the preliminary hearing of the two deputy sheriffs when they were held for trial.

DROUGHT IS AGAIN DAMAGING CROP

Lack of Rainfall in Many Places Likely to Cause Great Loss

Washington, June 11.—(UP)—Lack of sufficient rain for the crops in most of the central and western states—a repetition of the situation last year which continued in aggravated manner and culminated in the great drought—was reported by the agriculture department today.

In a large area of Canada's great grain region, the drought is acute. Dry weather has reduced wheat prospects in the mountain and Pacific states also, it was said. No indication of future rain prospects was given in the department's June 1 crop report, estimates which are based on normal rainfall. The deficiency in moisture in general affects a different region than last year's drought, which wrought worst havoc in eastern and near-southern states, particularly Virginia, Tennessee and Arkansas.

The winter wheat crop prospects dropped slightly from May 1 to June 1 and prospects for rye declined markedly. Drought in the Dakotas and Montana brought spring wheat to a record low June 1 condition. However, apparent failure of farmers to heed the farm board's average reduction warning has resulted in an aggregate acreage of spring and winter wheat both, which, under present conditions, indicate a total wheat crop of between 850,000,000 and 860,000,000 bushels this year.

Last year's crop was 850,000,000 bushels, the farm board absorbed about one-half of the export surplus through its government purchases. This year, however, the farm board has refused to buy any wheat to stabilize prices.

A resume of foreign-wheat producing prospects showing a possible high world production and a considerable increase in the Russian acreage was also made public by the department.

Offsetting this, however, was a decrease of nearly 2,000,000 acres in Canada's winter wheat acreage, and reports that the region producing most of Canada's grain is in the grip of "intense and prolonged drought, combined with damage from high winds, frost and cutworms" which have produced a critical situation. The regions suffering most are western Manitoba, south and central Saskatchewan, and south and central Alberta.

PUBLICATION OF ACTS EXPECTED

State Officials Believe the New Laws Will Soon Become Effective.

Indianapolis, June 11.—Acts of the 1931 Legislature probably will be effective within ten days. Tentative orders to proceed with publishing the acts were sent the state printer at Fort Wayne yesterday by Frank Mayr, Jr., secretary of state, after the Indiana Supreme court had denied a writ of prohibition to prevent Circuit Court Judge Harry O. Chamberlin from taking further action in the House bill No. 6 case.

explanatory note which was drafted by Joseph Hoffman, deputy secretary of state. Attorneys opposing the bill also agreed to the explanation, Mr. Hoffman said. House bill No. 6 is a motor bus regulatory measure. It was attacked by the cities of Indianapolis and Muncie and a Delaware county citizen on grounds that it had been passed by fraud. The measure, the opponents claim, would rob cities of authority to regulate motor bus traffic within their corporate limits.

LAWYER LAUDS G.A.R. VETERANS

G. M. Barnard and Senator Watson Speak at Newcastle Campfire

Newcastle, Ind., June 11.—The Grand Army of the Republic and its associated organizations gathered at the campfire meeting Wednesday night, one of the highlights of the fifty-second Indiana encampment. The veterans again heard their valor praised and the allied auxiliaries were complimented for the work they are doing in keeping alive the fires of patriotism. The principal address was made by G. M. Barnard, Newcastle attorney.

Other speakers were Senator James E. Watson and Mayor Sidney E. Baker. Brief responses were made by James Eson Jewel, Fort Morgan, Col., national commander of the G. A. R.; James Kilmartin, state commander; Miss Kate G. Raynor, Toledo, O., national president of the Woman's Relief Corps, and others. The Y. M. C. A. gym was inadequate to accommodate the crowd and amplifiers on the outside carried the program to a throng out on the street.

Love for G. A. R. Increase "As the years recede and add themselves to history your number lessen," said Mr. Barnard. "At each succeeding encampment it is seen that ruthless time is taking of your members an ever increasing toll, until now, of that mighty army which went out to preserve the Union, those of you who still breathe with your lives, are but a handful to those who slumber within the nation's bosom. But be assured that as your numbers diminish greater becomes the affection in which you are held and the passing of the years but add to the glory of your sacrifices and multiply and multiply the love and gratitude of your countrymen whose creditors you are."

Decision Reserved In Carnera Appeal; Delay Redmond Go

New York, June 11.—The United States District Court of Appeals yesterday reserved decision on the appeal of Primo Carnera, Italian boxer, from a temporary injunction granted by a lower court restraining him from fighting Jack Sharkey, before September 30, without consent of the Madison Square Garden Corporation of Illinois. The corporation holds a contract with the United States prohibiting him from meeting major opponents before he faces the winner of the coming bout between Max Schmeling and Young Stribling.

The Venetian Giant must wait until next Monday to make his second metropolitan appearance with Pat Redmond the antagonist at Ebbets Field, Brooklyn.

Rain forced Jimmy Johnson, promoter, to postpone the show scheduled for last night.

Notice to Road Contractors

Notice is hereby given that sealed bids for the construction of certain highways described as follows, will be received by the director of state highway commission at his office on the 3rd floor of the State House Annex, 102 North Senate Avenue, Indianapolis, Indiana, until 10:00 a. m. on the 9th day of June, 1931, at which time they will be publicly opened and read. Project No. P. A. 130-D & State Project 275. Contract No. 141-A. Location, State Roads No. 67 and 3 from Muncie north, in Delaware county. Miles, 2.195. Pavement width, 20 feet.

Bids will be received for three types of pavement on the above listed project:—Asphalt Macadam surface; Bituminous Concrete surface; Rock Asphalt surface; As shown on plans and described in the specifications. Proposal blanks and specifications may be obtained free. Plans, exclusive of cross sections, may be obtained upon payment of \$2.50 per set; cross sections may be obtained upon an additional payment of \$5.00; making the price of the complete set of plans \$7.50.

There will be no refund for plans returned. Plans may be seen without charge at the office of the State Highway Commission, State House Annex, 3rd floor, 102 North Senate Avenue, Indianapolis, Indiana. All checks for plans shall be made payable to "Director, Indiana State Highway Commission." Immediately prior to the time of filing any proposal, each bidder shall submit to the State Highway Commission, an "Experience record and Financial Statement" prepared on the State Highway Commission standard form, A. D. 117, prescribed by the State Board of Accounts of Indiana, which forms will be furnished upon request. Any "experience record and financial statement" previously filed with the commission will not be acceptable with proposals filed for this letting.

Contracts will be awarded to the lowest and or best bidder, but the right to reject any or all bids is reserved. Each bidder, with his proposal, shall file a corporate surety bond, payable to the State of Indiana, in the sum of one and one-half (1 1/2) times the amount of his proposal, and in the form provided by law. INDIANA STATE HIGHWAY COMMISSION. J. J. Brown, Director. June 12-19.

RIVOLI THEATER

Paul Lukas, like a mere handful of other screen actors such as William Powell and George Bancroft, has come up from villainy to roles that more nearly merit adulation.

His most recent portrayal, incidentally his most important to date, that of Stephen Lucarno, in "The Vice Squad," at the Rivoli, Theater, Sunday and Monday, is an evidence of his climb toward the "good bad man" fraternity. Lukas made his American film debut where he was a suitor of Pola Negri, in "Loves of an Actress." He was neither villain nor hero. But in "Three Sinners" and "The Woman from Moscow" with Miss Negri, he was a villain of the worst type—one who is unfaithful to his sweetheart. Then followed menace parts in "Hot News," "Mahattan Cocktail" and "Shopworn Angel." The latter gave him his first chance at being a sympathetic "bad man," for he readily gave up Nancy Carroll to Gary Cooper, because he thought she would be much happier than as his lover.

"The Wolf of Wall Street" made him a hated man. "Young Eagles" gave him an opportunity to be a villain who was actually a hero. He then played character parts in "The Bonson Murder Case," "The Devil's Holiday" and "Grumpy." This brought him to "Anybody's Lady" turning point in his career. The part of the man who tried to steal another man's wife to save her from a weakling husband, only to give her up when her husband became regenerated, established him him as a player who easily gained sympathy.

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NOTICE OF SALE OF DRAINAGE BONDS

Notice is hereby given by the undersigned Treasurer and Auditor of Delaware County, Indiana, that pursuant to the drainage laws of the State of Indiana, the said Treasurer of Delaware County, Indiana, will at the hour of 10:00 a. m. on the 3rd day of July, 1931, at the office of the Treasurer of Delaware County, Indiana, in the Court House in the City of Muncie, said County and State proceed to sell to the highest and best bidder for cash at not less than the face value certain drainage bonds for the face or par value of \$2935.10 bearing interest from and after the 5th day of May, 1931, at 6 per cent per annum, payable semi-annually on the 1st Monday in May and November, of each year thereafter and until all of said bonds are fully paid.

Said bonds shall be ten (10) in number dated May 5, 1931, each being for the sum of \$293.51, the first bonds will be due and payable on the 15th day of May, 1932, and bonds will become due each year thereafter until all have been fully paid. All of said bonds are payable at the office of the Treasurer of Delaware County, Indiana. Said bonds have been issued in compliance with the laws of the State of Indiana, and pursuant to an order of the Board of Commissioners of Delaware County, Indiana, authorizing the issue and sale of said bonds for the purpose of providing funds for the construction and costs and expenses incident thereto of the drainage proceedings known as the construction of the drain petitioned for by Charles W. Gilmore, et al No. 328.

Right is reserved to reject any and all bids. Dated this 12th day of June, 1931. W. MAX SHAFER, Auditor Delaware County, Indiana. June 12-19, 1931.

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