

### APRIL DECISION ON SALES TAXES KERNER'S GOAL

#### Moves for Quick Action in Supreme Court.

As Illinois merchants ended their first day of collecting the 3 per cent sales tax, Attorney General Otto Kerner announced last night that he would move for an early dissolution of the temporary injunction which restrains the state from collecting the tax. Returns from the levy are to be used for relief of the idle and for the reduction of general taxes.

The injunction was granted Wednesday night by Judge Jesse Brown, sitting at Edwardsville. A hearing was set for April 8—next Saturday. The attorney general at that time will ask that the legal processes be speeded in order to gain an early test of the constitutionality of the new tax, probably in the April term of the Illinois Supreme Court.

#### Kerner to Ask Quick Appeal.

If Mr. Kerner's motion is denied—and attorneys predict that it will be—then Judge Brown is expected to make the injunction permanent. The attorney general will then ask the cooperation of lawyers for downstate merchants, who brought the suit, for a quick appeal to the state Supreme Court. He is expected to stipulate for an immediate hearing.

The Supreme Court meets on Tuesday. If the case can be disposed of during the current month, or even during the first week in May, there will be little delay in collecting the first month's returns from the sales tax, provided the constitutionality of the levy is upheld.

#### Rice Repeats Warning.

Director Joseph J. Rice of the state department of finance, collection agent for the tax, has informed all retailers that their April returns must reach his office by May 15. Yesterday, as the public began paying the tax, Mr. Rice repeated his previous warning to merchants, informing them that, regardless of the injunction, they must put themselves in a position to pay the tax by May 15.

By the terms of the law, Director Rice cannot order them either to absorb the tax or pass it on to the consumer, but they are bound to turn over 3 per cent of their gross sales to his office unless the Supreme Court knocks out the law.

#### Buying Rush Goes On.

Less complaint from the public than had been expected marked the first day of collection. Although State street had resigned itself to a light day—in view of the heavy buying during the early part of the week—most of the stores were crowded. One large establishment reported a great increase over the same day last year and record sales for the week.

The rate of tax in retail stores, a sale adopted by many other businesses, followed the so-called State street bracket plan, by which purchases from 1 to 10 cents were taxed 2 cents. The brackets in this form: Sales from 11 to 33 cents, 1 cent tax; sales from 34 to 67 cents, 2 cents tax; and sales from 68 cents to \$1, 3 cents tax. On sales above \$1 the straight 3 per cent tax prevailed.

#### Public's Attitude Praised.

"The willingness to pay the tax on the part of most customers was noted in many business establishments and was commended upon the controller of one large store.

"We are gratified by the public reaction," he said, "and we believe that customers realize that the tax is applied only to provide relief for the needy."

#### Rule on "Out of State" Buyers.

The next incident encountered was of a different nature. A woman customer from an adjoining state bought merchandise at another State street store and ordered it delivered to her hotel. She insisted that because she was not a resident of the state she should pay no tax. The store ruled, after examining the regulations issued to retailers by Director Rice, that she must pay.

The manager based his ruling on the section exempting out-of-state sales. Thus, had the customer ordered her purchases delivered, collect, to her home outside the state, she probably would not have had to pay the tax. Clarifying rules upon this point, and others are expected to be made as questions arise.

#### One of these questions concerned the possibility of a Chicagoan "cheating" on the tax by asking a friend

### COLLECTING NEW SALES TAX



Mrs. Nina Davis (left), clerk in a loop store, explaining to Evelyn Lee and Annette Paddock, patrons, how the new 3 per cent levy works. (TRIBUNE Photo.)

#### 3,000 WORKERS WILL HELP GET \$1,605,000 FOR JEWISH CHARITIES

Three thousand workers have been enrolled for the campaign which opens on April 30 to raise \$1,605,000 for the Jewish Charities of Chicago. The campaign will seek contributions from members of more than 50 trades and professions.

#### Some Stores Raise Exemption.

In some drug stores all purchases made at the drug counter up to 17 cents were tax exempt, while at the soda fountain the 10 cent exemption rule was in effect.

Some restaurants applied a 1 cent tax on sales from 5 to 30 cents; 2 cents on meals from 35 to 65 cents and 3 cents on sales from 70 cents to \$1.

The Triangle restaurant chain was one of the followers of this plan. In an announcement to its patrons this concern explained that "as there is no medium of exchange smaller than a penny, the bracket system has been adopted by the Chicago Association of Restaurants and other industries.

We assure you that all tax money thus collected will be turned over in its entirety to the Illinois Emergency Relief commission. Therefore we have adopted this method rather than raising our prices."

#### Act Against Profiteering.

It is expected that this method of avoiding "profiteering" by merchants, an opportunity presented because of the lack of fractional currency, would be followed in other lines of trade.

An examination of the regulations issued to retailers by Director Rice disclosed that, in addition to gasoline and farm products sold upon the farm, sales of stocks, bonds, and real estate are also exempt from the tax.

#### Pershing and Sister Arrive at His Home in Lincoln

Lincoln, Neb., April 1.—(AP)—Gen. John J. Pershing, arrived in Lincoln today with his sister, Miss May Pershing, after an automobile trip from Tucson, Ariz.

### SARGENT GROUP RENEWS APPEAL FOR U. S. LOAN

#### Seeks Millions to Pay the Teachers.

Washington, D. C., April 1.—[Special.]—Fred W. Sargent and other members of the Chicago citizens' committee today began negotiations by which they hope to overcome the legal obstacle which yesterday proved a temporary setback in their efforts to secure a federal loan for Chicago's unpaid school teachers.

They will propose that a trust company be formed to do a general business, as provided by law, and to take Chicago tax warrants, which it would pledge with the R. F. C. as collateral for a loan of about \$20,000,000.

Mr. Sargent and Robert F. Carr, a member of the Chicago board of education, were joined today by City Controller M. S. Szymczak and David Welch, vice chairman of the citizens' committee.

#### Might Change R. F. C. Act.

The Chicagoans also are considering a proposal to amend the R. F. C. act to permit loans to duly constituted school districts. They have prepared a brief, stating that position and Chicago's need for federal assistance.

That brief suggests that "a simple amendment to the reconstruction finance act, authorizing the Reconstruction Finance corporation to purchase securities of the properly constituted local bodies, in order to maintain the schools," would ease the situation.

Such an amendment, it was pointed out, "could be surrounded with such restrictions and limitations as would not impose an undue burden upon the federal government, and would not relieve the people of the local communities from their obligations to maintain the schools."

One of the Chicagoans' conferences today with Senator Robert F. Wagner, (Dem., N. Y.), whose relief bill broadening the construction provisions of the R. F. C. act is to be taken up by the senate committee on Tuesday.

The Rev. G. Lemuel Conway, suspended pastor of the Madison St. M. E. church, being tried on charges of attempting to rape Helen Huffman, 18, Sunday school teacher, will not take the stand in his own defense.

The defense rested its case at 11:15 a. m., today, presenting the testimony of other members of the family, but without carrying out its announced plan of placing the 61 year old minister in the witness chair.

Circuit Court Judge J. A. Guthrie then adjourned the trial until Monday, when closing arguments will be heard. The state had indicated that if Conway took the stand it would attempt to impeach his testimony by citing

#### New Loan for State.

Meanwhile, a new relief loan of \$7,300,000 for Illinois was assured by the corporation, and probably will be formally approved Monday. Wilfred S. Reynolds and Edward F. Ryerson of the Illinois relief commission presented the application today.

Although Illinois had borrowed all but about \$200,000 of its \$45,000,000 relief quota under the original R. F. C. act, the recent rider to the reauthorization bill removing the restriction on the amount of relief money which could be allotted to states made the new advance possible. The loan, when approved, will bring the total of Illinois' relief borrowings to \$52,140,000, obtained in nine separate loans.

#### New Insurance Help.

The senate banking and currency committee today reported favorably a bill to permit the finance corporation to purchase insurance company bonds or debentures in lieu of preferred stock where state double liability laws might operate to restrain the purchase of stock by the federal agency.

### Notes of Sales Levy's First Day

Two women customers in a loop store hovered over a table of baby things on which a sign read, "Stork shower gifts." One inquired the price of a rattle and was told it was 85 cents, or 88 cents "with the relief tax." Purchasing it, the woman said to her friend: "I hope Ella's baby comes soon; otherwise she'll be paying a tax for it."

A man buying cigarettes in a drug store protested against paying 25 cents for two packages. The store had been selling them at two for 23 cents. "That's a two cent tax on a 23 cent purchase," he stormed. "O. no," a salesman answered suavely, "it's just a price adjustment." Likewise three candy bars formerly selling for a dime were 11 cents.

An elevator girl jesting with the elevator starter: "I guess I ought to charge a tax for taking 'em up." A fat woman, overhearing, took it seriously. "Then I'm just going to get out and walk," she said.

A sign over a book counter in a State street department store read: "The Rise of American Civilization"; \$2.25 Plus Emergency Relief tax." Another read: "The Holy Bible—Plus Emergency Relief Tax: \$1.03."

"You mean to say you're going to charge me a penny for this five cent package of gum?" a young man protested to a cashier in a loop sandwich shop. "All purchases of five cents or above we're taxing," she replied. He hesitated, then said: "Give me one stick of gum." He paid the penny for it. "Now another," he said, putting out another penny and receiving another stick. When he had gotten his five sticks for five cents, he gave her a winning smile and departed.

The Chicago Automobile Trade association has advised its members to collect the sales tax, keeping records so that the excess can be refunded to car buyers should the levy be nullified by the Illinois Supreme court. The 3 per cent is applied against the selling price of a car, including federal tax, down payment, time payments, freight charges and finance companies' handling charges, but it is not applied against the allowance for a used car applied against the purchase of a new vehicle. Chicago automobile dealers are emphasizing that the service advantages in a purchase at home compensate for a saving on the initial cost that might be obtained by buying cars outside the state.

Montgomery Ward & Co., at its retail stores in Chicago, is following plans adopted by State street merchants for operating the sales tax. In the mail order business, articles sent outside the state are not taxed, according to an official of the company. The catalogs mailed to Illinois addresses carry a simple table to enable customers to compile the tax. On purchases of 16 cents or less, twenty per cent of the purchase price, but the tax would be less than 1 cent, the company is absorbing the fraction of a cent. "There is nothing we can do about it if folks have their purchases mailed to relatives outside the state so as to avoid the Illinois excise," said an official.

Sears Roebuck & Co. declined to amplify a formal statement that did not describe its program. The statement read: "We are using tentatively a plan which we believe to be the most equitable arrangement we can make to cause the tax to fall most evenly upon all purchases. Although our plan has been very carefully arrived at from an analysis of our selling experience, we will observe its operation with possibilities of improvements state so as to our customers and the effectiveness of the sales tax plan in general."

An amusing example of how two friends "gucked" part of the tax was reported by one restaurant owner. Two men entered his establishment for breakfast and each ordered a 15 cent meal. Technically the tax would be 1 cent a meal, for the rule that sales from 1 to 30 cents be taxed a penny was in effect. The two friends, however, matched coins to see who would pay the tax. The winner gave the loser 15 cents to pay for his meal and the loser paid both checks for a total of 30 cents and also "dug down" for the penny tax. Such "doubling up" and "treating" quickly caught the public fancy.

### MUNCIE PASTOR, ACCUSED BY GIRL, FAILS TO TESTIFY

Muncie, Ind., April 1.—[Special.]—The Rev. G. Lemuel Conway, suspended pastor of the Madison St. M. E. church, being tried on charges of attempting to rape Helen Huffman, 18, Sunday school teacher, will not take the stand in his own defense.

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#### Hoover and Mills in Reno; Latter to View Railroad

Reno, Nev., April 1.—(AP)—Former President Herbert Hoover and a party which included Ogden Mills, former secretary of the treasury, arrived in Reno tonight for a brief stay. Mills said he will inspect the Virginia and Truckee railroad, owned by the Mills family, and attend a directors meeting of the railroad company in Carson City.

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Tune in WGN 11:15 each morning, Wurlitzer program—"Singing Tones," with Allen Grant at the Bauer Grand.

### MICHIGAN POLL ON REPEAL SET FOR TOMORROW

Lansing, Mich., April 1.—[U. P.]—Michigan voters will go to the polls Monday, their party politics cast into the background by the question of prohibition repeal ratification.

In electing either a wet or a dry delegate to a state convention, the state's 100 representative districts may start the machinery by which Michigan will become the first state to ratify repeal of the nation's dry law.

Election of a majority of wet delegates will bring about ratification at a convention here scheduled for April 10. Under provisions of the Hill-camp bill, the pledged delegates will assemble at the state capital on that date to go through the formality of casting their votes.

Both Gov. William A. Comstock, Democrat, and Secretary of State Frank D. Fitzgerald, Republican, ranking officeholders of their respective parties, will make week-end addresses to their constituents urging them to elect wet delegates to the convention.

Aside from the prohibition repeal question, politicians concerned themselves with the election of nine state officers, including two justices of the Supreme court.

ROBBED OF \$800 PAY ROLL. Frank Kazi, manager of the Transformer Corporation of America, 2308 South Keeler avenue, was halted by two armed men in front of the plant yesterday afternoon and forced to surrender \$800, which he was carrying from a bank to meet the firm's pay roll.

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### \$100,000 Blaze Destroys Harvey Rubber Plant

Damage estimated at more than \$100,000 was caused yesterday by a fire which destroyed the plant of the Grant Otto Appliance company, 147th street and Page avenue, Harvey, Fred Grant, head of the company, was overcome by smoke, but was revived by firemen. Fire Chief William Phebus said fumes from burning rubber hampered the firemen.

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