

TWO-CENT-PASSENGER FARE ACTS OF THREE STATES ARE UPHELD

Supreme Court Affirms Laws Passed by Legislatures of Missouri, West Virginia and Arkansas.

FREIGHT RATES ALSO VALID

Court Holds There is no Interference with Interstate Trade.

FEW EXCEPTIONS IN MISSOURI

Tariffs Prescribed for Some Lines Are Confiscatory.

OREGON RATES ARE ALSO GOOD

Opinions Which Are by Justice Hughes Affirm Principles Promulgated in Minnesota Rate Decision of a Week Ago.

WASHINGTON, June 17.—Validity of the two-cent passenger laws and maximum freight rates in Missouri, West Virginia and Arkansas were upheld by the supreme court today. In another series of decisions in the noted state rate cases, no decision was announced in the Kentucky case. In the Missouri case the great majority of rates contested by the railroads as confiscatory were held valid. State freight rates established in Oregon also were approved.

All claims that the state laws attacked interfered with interstate commerce were swept aside, following the precedent set in the Minnesota rate decision a week ago.

In the majority of the Missouri cases and in the Arkansas case the court held the railroads had presented too general data on which to base a claim that their property was being taken without compensation through the operation of the new state rates.

Justice Hughes said the question of interference with interstate commerce was decided in favor of the state for the reasons assigned in the Minnesota rate decision. No question of confiscation was presented in the West Virginia case.

Missouri Case Decision.

In the Missouri rate cases the supreme court held the rates confiscatory on the St. Louis, Hannibal, the Kansas City, Clinton & Springfield and Chicago Great Western railroads.

The court held the rates valid as to the St. Louis, St. Louis, Iron Mountain & Southern, the Wabash, the Chicago, Milwaukee & St. Paul and the Chicago & Alton.

The court also sustained the rates of the Missouri law as to the Chicago, Burlington, Quincy, the Atchafalaya, Topinka & Santa Fe, the Kansas City Southern, the Missouri, Kansas and Texas, the Chicago, Rock Island & Pacific (including the St. Louis, Kansas City & Colorado) and the St. Louis & San Francisco.

In all of these cases the decrees of the lower courts in favor of the railroads were reversed.

The decision holding the rates confiscatory as to the Chicago Great Western, was made to apply by virtue of stipulation between the state and the railroads, to the Quincy, Omaha & Kansas City railroad, and the St. Joseph & Grand Island railway. The decision was based on the two-cent passenger law and the maximum freight law.

Justice Hughes, who announced the decision, held that the point sought to be made by the railroads, to the effect that the Missouri rates were an interference with interstate commerce, must be decided against them for the same reasons given by the court in the Minnesota rate cases.

Oregon Freight Rates Good.

The supreme court today upheld as valid the rates imposed by the Oregon railroad commission out of Portland, thus affirming the federal court of that state.

The Oregon rate cases consisted of two suits brought by the Oregon Railroad and Navigation company and the Southern Pacific company.

First by the Oregon railroad and Navigation company was brought to restrain the enforcement of an order of the railroad commission of Oregon made April 22, 1908, prescribing freight rates. The principal ground of attack was that the order and rates named would be an unconstitutional interference with interstate commerce.

In the case of the Southern Pacific (in which the Oregon and California railroad company was joined as complainant), the suit was brought to restrain the enforcement of an order of the railroad commission made September 21, 1910, prescribing freight rates.

Not Responsible for Flood.

The supreme court today decided that the federal government was not financially responsible for the flooding of more than 10 plantations on the Mississippi as a result of levee construction. Efforts were made to hold the government responsible for the value of the lands flooded, in all about \$7,000,000.

At 2:35 o'clock the supreme court adjourned until next October, without announcing a decision in the intermountain rate cases or passing on an application for a review of the Comptroller's Mitchell-Morrison contempt of court case.

Applications for re-hearings of the cut rate patent decision and the Denver water case were denied.

Partial Victory for State.

The constitutionality of a state two-cent passenger law of a maximum freight law was determined in the Minnesota case, where the court held that a state had a right to pass such laws, provided the rates imposed under them were not confiscatory. This application was made to the Missouri case today. The decision is a partial victory for Missouri as the lower court had held the rates confiscatory on all the roads.

In the cases in which the rates were held confiscatory, the supreme court today modified the lower court's decrees so that the railroad commissioners and the attorney general of the state may

CURRENCY MESSAGE READY

President Wilson Probably Will Read it to Congress.

INSISTS UPON ACTION NOW

Senator Owen Says Talk of no Legislation Now Comes from Persons Who Do Not Want Any Action at All.

WASHINGTON, June 16.—President Wilson probably will read his currency message, possibly to both branches of congress assembled in the hall of the house, as he did his tariff message. He finished writing his message today. It is about 1,200 words long and urges immediate action of the banking and currency laws.

The president expects the currency bill to be reached in both houses of congress some time this week. It represents the administration's views, and, according to Mr. Wilson, himself, will be "no man's bill," but the result of common counsel among currency advocates, whose suggestions were condensed and formulated by Secretary McAdoo of the Treasury department, Chairman Owen and Glass of the senate and house banking and currency committees, respectively, with the advice and assistance of the president.

At the regular semi-weekly conference with the Washington correspondents today, the president was asked for an explanation of some of the principles of currency reform, but said that inasmuch as the bill and his own message would be made public within a week, he would refrain from comment. The president was undecided as to whether his message would be presented to congress in advance of the currency bill or whether both would be made public about the same time. The impression prevailed, however, that the bill will be introduced in both houses by Wednesday or Thursday of this week, and that the president will pronounce his views to congress about June 22.

Action Needed Now.

The president did declare, however, today that there were no essential variations among the leading democrats with whom he had consulted concerning currency reform. As to the intimation from the capitol that currency legislation was not desired at this session, the president declared no such information had been conveyed to him. His impression was that the need of currency legislation was recognized, but that the only objection raised against its enactment at the extra session was the approaching hot season.

Harmony of purpose, but perhaps not harmony of opinion, is the way the White House steers up the currency situation. With the feeling that the framers of the bill have been walking on sound ground, the president and democratic leaders hope to reconcile differences so that there will be nearly unanimous agreement. There is no disposition to regard the currency bill as it is launched as the final word of this administration on the subject.

Bill is Completed.

Chairmen Owen and Glass conferred again today and Mr. Owen afterward announced that the bill practically had been completed, would be considered in committee this week and taken up and passed before the extra session adjourned.

"This talk of no currency legislation at this session," said Senator Owen, "is based on artificial sentiment. It is sentiment stirred up by persons who don't want currency legislation. Some of it, of course, springs from the idea that it is a deep subject which will require prolonged study and debate. This is because no concrete proposition has been submitted for consideration of senators. When we present a tangible proposition, I think they will see that the problem is not such a one, after all."

Ipswich Mill Girl Attempts to Deceive Court About Wages

IPSWICH, Mass., June 16.—The industrial reputation of Ipswich was vigorously defended by Judge Charles A. Sayward at the resumption today of the case of nineteen persons charged with rioting during the strike disturbances last week.

The court had examined mill records indicating that in January, February and March a maximum of \$5.42 and a minimum of \$4.98 wages for a full week of fifty-four hours were paid Paulina Bizou, a young Greek girl, who testified on Saturday that during a year and a half in the mill she received about \$2 a week, "never more and sometimes less."

Recalled to the stand to explain her earlier testimony the Bizou girl said that she turned her pay envelope over to her father and that he told her she was earning \$2 a week. She admitted that even while she was learning her work in the mill she received \$4 a week.

The health authorities became involved in the industrial difficulties today when they began an examination of tenements occupied by Greeks to learn whether the sanitary laws are being violated.

Anticipating eviction from tenements owned by the hostelry company, many families of strikers are planning to establish a tent colony, but this will not be permitted unless proper sanitary arrangements are made.

Two Steamers Collide in Lake Superior

CHICAGO, June 16.—The steamer Jesse Spaulding which was in collision on Lake Superior yesterday, arrived at Sault Ste. Marie today with its bow stove in, but with the crew safe, according to a telegram received here today from its captain, L. A. Garu.

DULUTH, Minn., June 16.—The steamer Jesse Spaulding is afloat and making way slowly under a big patch of canvases covering its injured side. The steamer Charles Hebbard, Captain Franks, saw the steamer yesterday at 10:30 a. m. off Manitowish Island and spoke to it. The Snyder, which was on collision with the Spaulding, arrived here during the early morning. It is damaged forward.

Mrs. Pankhurst Released.

LONDON, June 16.—"Hunger strike" once more brought about the release from jail of Mrs. Emmeline Pankhurst, the militant suffragist leader. She was set free from Holloway jail owing to ill health.

CROP REPORTS ARE MOST OPTIMISTIC

All Experts Are Still Predicting Bumper Yields of All Kinds of Grain.

CONDITIONS ARE NOW IDEAL

So Declares Frank Fowler in Weekly Report to the Trade.

BURLINGTON FIGURES GREAT

Says Corn is Now Making Most Wonderful Progress.

CORN IS FREE FROM WEEDS

Scattered Showers Sunday Night Over Great Part of the State Increase the Chance for an Enormous Yield.

Railroad freight men are watching the growing crops of Nebraska's small grain as closely as hawks watch the country chicken yards, noting changes in conditions as rapidly as they occur. They look upon the next ten days as the most critical period for the wheat, predicting that this period will tell the story.

Relative to the crop at this time, Frank Fowler of the Nye-Schneider-Fowler Elevator company, has this to say in his weekly report of this date: "Conditions are ideal. The hot weather of the last few days removes the only complaint on corn and oats, for which it previously had been too cool. The dry weather has given the farmers an opportunity to cultivate their corn, which is now perfect."

"There is a promise for the largest total crop that Nebraska has ever harvested. The promise is for a wheat crop of from 50,000,000 to 55,000,000 bushels, which with perfect conditions for the next few days, can be swelled to 60,000,000 to 65,000,000 bushels, or just as easily, by imperfect conditions, be reduced to 35,000,000 to 45,000,000 bushels."

"At this time there is sufficient moisture in our territory to carry the crop along, but abnormally hot weather in the near future before the wheat in the hills is fully matured, might cut the yield in two."

Burlington Report Optimistic.

The Burlington's weekly crop report of this date is fully optimistic as to previously issued. By divisions, on the basis of a ten-year average, it is as follows:

Division	Per Cent	Last Week
Omaha division	100	105
Lincoln division	100	105
Wymore division	104	109
McCook division	99	99

These figures are from compilations made by the agents of the system and in commenting upon the summary, General Superintendent Allen insists that the estimate is much too low. On the Omaha, Lincoln and Wymore divisions, he says, on the ten-year method of figuring, it would be safe to raise the estimates 10 to 15 per cent.

So far as the corn is concerned, while not the latter part of last week, the weather was a little too cool, it is now making wonderful progress and the condition is about normal.

Corn Free from Weeds.

The Northwestern's weekly crop report shows ideal conditions everywhere, and without any section of the state having suffered for lack of moisture. Agents who make their reports to General Manager Walters, comment specially upon the corn, saying there has never been a year when the fields have been so free from weeds and when such rapid growth has been noted.

The Assistant General Freight Agent Chief of the Union Pacific, who spent all of last week in the territory along the main line and tributary to the branches to the north, is back and says that he has never seen crop conditions as favorable. There are some localities where a little rain would be welcome, but generally it is not needed for a few days and until just as the grain is going into the mill.

While rain was not general Sunday night, there were many scattered showers over the state and many spots of wide area given a thorough wetting. Along the Burlington there was one and one-half inches of precipitation during the night at Greeley, Central City and Columbus and over the country tributary. There was a full inch at Schuyler and Lyons, one-half inch at Grand Island and a dozen other points in this section of the state. Over a portion of the McCook division, there were heavy rains, washing out 200 feet of grade near Culbertson.

Along the Northwestern from Fremont to beyond O'Neill, nearly 200 miles, there was a steady downpour for more than two hours, ranging from three-fourths to an inch.

The Union Pacific reports fairly good rains around Gothenburg, and from one-half to three-fourths of an inch at Scott's Bluff, Oskosh, Gering and over much of the country from Grand Island to Gothenburg.

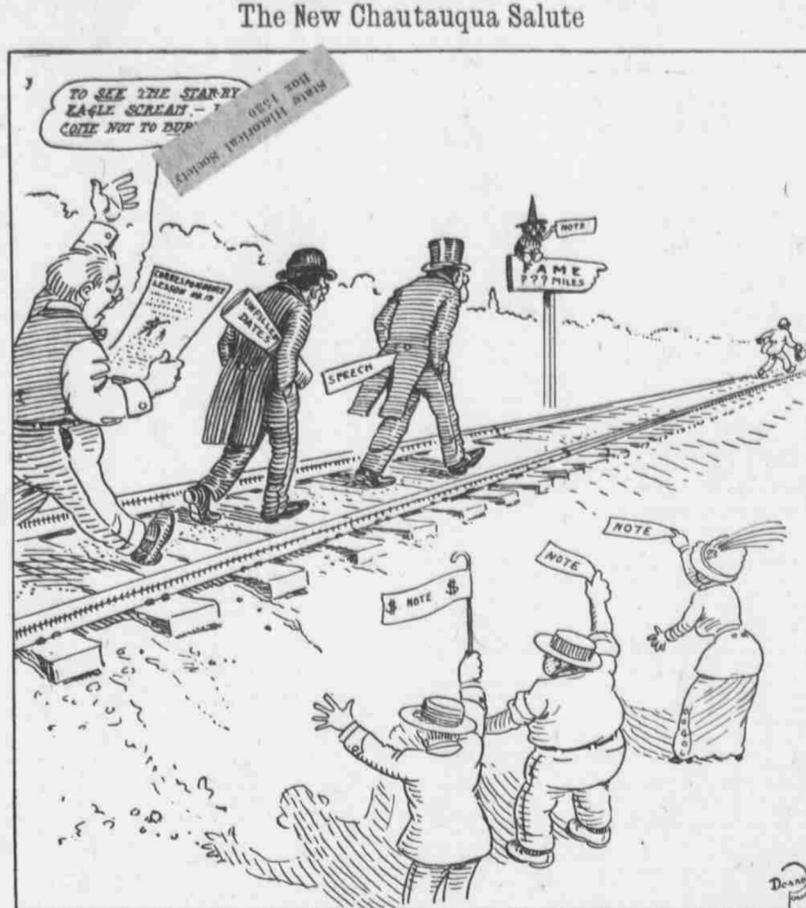
Hitchcock's Tobacco Tax Plan Rejected by Finance Committee

WASHINGTON, June 16.—A graduated tax on tobacco as an amendment to the tariff bill was unanimously rejected by the majority members of the senate finance committee today, who voted down Senator Hitchcock's amendment suggested by Attorney General McReynolds.

The committee approved placing live stock and grains on the free list with a countervailing duty, except oats, which remain dutiable at 10 cents a bushel and oatmeal at 35 cents a hundred pounds. Citrus fruits were unchanged.

CATTLE REACH NEW HIGH MARK AT CHICAGO

CHICAGO, June 16.—The price of cattle today reached a new high mark for a normal year, selling at \$2.20. Receipts of 25,000 head. The market today recalled attention to the recent bulletin of the Department of Agriculture on the beef shortage.



Drawn for The Bee by Powell.

COAL MINERS VOTE TO STRIKE

West Virginia Men Charge Operators with Breach of Faith.

SITUATION IS AGAIN CRITICAL

Fears of Further Violence in Paint Cabin Creek and New River Districts Expressed by State Officers.

CHARLESTON, W. Va., June 16.—With industrial war again declared in West Virginia, the senate coal committee today contended a situation critical and complicated. Word from the isolated sections of Paint Creek and Cabin Creek that the strike was again on, drifted into Charleston from a half a dozen sources and representatives of mine operators, miners and state officials, sought in vain for definite word from the little camps along the creeks.

The union attorneys, appearing before the committee, said that they were certain the men had declined to go back to work today. There were comparatively few union men in the field, they said, but they believed both union and non-union men decided to quit. With the New River district a few miles away from the Creeks, awaiting only the match to set off a conflagration of excitement, the state officials watched the situation with fear and trembling. For days the New River miners have threatened trouble. They number about 15,000.

The miners' meeting at Eckdale and Kayford yesterday, according to reports, voted to renew the strike on the ground that the operators had not lived up to their agreement to take the strikers back to work without discrimination. This claim and the story that mine guards had "beaten up" four men on Cabin creek on Saturday, caused the decision.

Contradiction and explanation of the stories told all last week by the men and women who lived through what former Governor Glasscock called a "reign of terror" in the strike district, was the program of the operators and they had seventy witnesses on hand to prove their case. Only Senators Swanson, Martine and Kenyon were on hand to begin today's hearing. Senators Borah and Shields having returned to Washington.

Glances of bitter resentment and an occasional muttered word among the scores of men gathered about the committee's hotel today bore witness to the smoldering ill feeling.

The presence of John P. White, president of the United Mine Workers of America today resulted in several conferences among union officials.

SALAZAR CHARGED WITH VIOLATING NEUTRALITY LAW

EL PASO, June 16.—The Juarez garrison was reinforced today by the arrival of 200 federal regulars under Colonel Castro on a troop train, which had been stranded for several days on the Mexican Central railway. The rebels already have burned the bridges repaired as the train moved north.

Inez Salazar, a former Mexican rebel leader, now commanding federal irregulars, was arrested in El Paso by Deputy United States Marshal Charles Moore this afternoon, charged with violating the United States neutrality laws in conspiring to smuggle ammunition. The charge is an old one and arises out of an attack attributed to Salazar when he was in arms against Madero. He came to Juarez today with reinforcements and crossed to El Paso this afternoon to visit a local restaurant, when he was arrested.

The New Chautauqua Salute

Frisco Policemen Plead Guilty to Charge of Felony

SAN FRANCISCO, Cal., June 16.—Five suspended members of the San Francisco police force pleaded guilty today to indictments charging conspiracy with bunco men. Each was sentenced to nine months in the county jail. Two other policemen, similarly charged, pleaded not guilty.

Over the heads of the five who pleaded guilty to felony are indictments charging grand larceny as the result of the conspiracy. The five who pleaded guilty are Joseph L. Droulette, John Sullivan, William McHugh, Charles Goepp and Sergeant James McDiwan. The same five offered last week to plead guilty if the sentence of former Detective Frank Esola, convicted of grand larceny in connection with the bunco ring, might be lessened. Each spurned the suggestion that a confession be made.

There were in all eight conspiracy indictments, one having been found against former Detective Frank Esola, sentenced to five years in the penitentiary. Esola changed his plea to this charge today from not guilty to guilty. Judge Dunne doubted whether a man might serve out a county jail sentence, while serving another in the penitentiary as counsel requested and took the matter under consideration.

Arthur MacPhee and Charles Taylor pleaded not guilty. They were not indicted upon the felony count.

Oxnard Will Form Another Trust if Sugar is Made Free

WASHINGTON, June 16.—Henry T. Oxnard, vice president of the American Beet Sugar company, told the senate lobby committee that free sugar would result in the formation of a new "sugar trust." Only the best managed sugar factories would be able to survive free sugar, he said, and a combination would result.

"Then you are going to form a new trust?" asked Senator Reed. "I have that in mind," said the witness. "In violation of the anti-trust law?" "No sir; there is no law to prevent it. I have been advised by counsel."

Oxnard told how he assisted in organizing the old sugar trust in 1888, exchanging his company with a capital of \$100,000 for \$150,000 new stock. The new corporation later was taken over by the American Sugar Refining company, the so-called trust.

Oxnard said he received \$10,000 a year as vice president of the American Beet Sugar company, but denied that he was paid that salary "for legislative work."

Twister Damages Farm Buildings in Vicinity of Norfolk

NORFOLK, Neb., June 16.—(Special Telegram.)—A twister of about thirty seconds duration visited the country about half a mile east of Norfolk at 10:30 last night, destroyed the old sugar trust in 1888, exchanging his company with a capital of \$100,000 for \$150,000 new stock. The new corporation later was taken over by the American Sugar Refining company, the so-called trust.

Arbitration Treaty With Norway Signed

WASHINGTON, June 16.—Secretary Bryan and Norwegian Minister Bryn today signed a treaty extending for another term of five years the special arbitration treaty between the United States and Norway, which will expire by limitation on June 24. This makes fifteen such treaties now before the senate for ratification.

TRAIN OF EDITORS GOES WEST

Stop Few Hours in Omaha Enroute to Colorado Springs.

IMPRESSED WITH REBUILDING

Are Given Motion Picture Exhibition at the Commercial Club Rooms and Are Taken for an Automobile Ride.

Nearly 30 delegates to the convention of the National Editorial association at Colorado Springs passed through Omaha yesterday and stopped long enough to be guests at a motion picture entertainment at the Commercial club and an automobile ride over the city.

A special train from Chicago brought editors and their wives from various cities and towns of the east. A special committee from the Commercial club met the train and escorted the visitors to the Commercial club rooms. There they were shown Omaha in moving pictures. The tornado reel was also displayed for them. The auto ride followed and they were impressed with the fast rebuilding of the tornado district.

Americans Present Peace Address to Emperor William

BELLEVILLE, June 16.—The twenty-fifth anniversary of the accession of Emperor William to the imperial throne was celebrated today throughout the German empire as a general holiday.

The commemoration, which had been deferred from its actual date out of respect to the memory of the emperor's father, Frederick, coincides with the forty-second anniversary of the triumphal return of his grandfather at the head of his victorious army after the Franco-Prussian war and was naturally marked by considerable military display.

Emphasis, however, was laid also on the peaceful aspects of the emperor's quarter century reign—industrial and civic developments, and the material prosperity of the country.

The presentation of an address from the American Peace society by Andrew Carnegie, R. S. Brookings of St. Louis and J. G. Schmiedlapp of Cincinnati, gave the emperor an opportunity of bringing out this aspect of the German empire on the completion of his twenty-five years' peaceful reign with an emphatic "I hope we shall have twenty-five years more of peace."

Three Men Die from Bites of Wood Ticks

CHEYENNE, Wyo., June 16.—J. Nelson Clark, an old man of Evanston, Wyo., died at his home, making the third victim in this state within two weeks of spotted fever induced by the bites of wood ticks. Kenneth McRae, a wool grower of Casper, and Solomon Brown of Thermopolis were the two other victims.

OMAHA LOSES SUIT AGAINST ELECTRIC LIGHT COMPANY

United States Supreme Court Holds that Company Has Right to Sell Heat and Power.

ITS FRANCHISE IS PERPETUAL

Ordinances Passed by City Indicate Reciprocal Arrangement.

VAN DEVANTER READS OPINION

Decision of Bench on All Points in Case is Unanimous.

COURT CAUTIONS THE COMPANY

It Must Not Further Extend Its Business Unless It is Given Direct Right to Do So by the City.

(From a Staff Correspondent.)

WASHINGTON, June 16.—(Special Telegram.)—The city of Omaha loses in the case of the Omaha Electric Light and Power company against Omaha. The supreme court today decided that the Omaha Electric Light and Power company had the right to engage in heating and power business as well as lighting business under the franchise ordinance passed by the city, and, furthermore, that the franchise was a grant in perpetuity.

Justice Van Devanter rendered the decision, which was unanimous. The court however, cautioned the company that it must not further extend its business, unless a direct right is given by the authorities of the city. Justice Van Devanter reviewed the history of the case and said that the city had exacted a certain amount from the company, which would indicate a reciprocal arrangement. He cited the decision of the supreme court of Nebraska in the case at bar as interpreting local ordinances and held that the compliance of the company with all the ordinances previous to the ordinance ordering cessation of the company's activities in extending its lines and erecting the electrical engineer to remove poles, wires, etc., is tantamount to a grant in perpetuity.

The decision of the United States district court is reversed and the supreme court of the state is upheld.

History of Franchise.

After reviewing the history of the organization of the Omaha Electric Light and Power company, as a successor of the new Omaha Thomson-Houston Electric Light company, Justice Van Devanter said that the principal questions presented in the case of the old Colony Trust company, appellant, against the city of Omaha were, whether the Omaha Electric Light and Power company has a subsisting franchise to occupy and use the streets, alleys and public grounds of the city of Omaha in the distribution of electric current and whether if so, the franchise is limited to the distribution for power and heating purposes.

If there be a franchise it rests primarily on an ordinance adopted by the council in December, 1884. The Thomson company, the grant was made, was not then incorporated in any state. Mr. Justice Van Devanter's opinion, but was subsequently incorporated under the laws of Nebraska for a term which was to expire September 26, 1905. It accepted the grant constructed and put into operation a central generating station and an extensive distributing system and thereby placed itself in a position to supply electric current to those desiring to use it.

In 1905 the entire plant and all rights under the ordinance were transferred by the Thomson company to the Electric Light and Power company, and the business of the power company has been conducted in increasing volume by the latter. In 1901 the gross earnings from current for lighting purposes was \$101,646.77, in 1905 these figures were increased to \$261,421.89 and \$390,391.11, respectively, and in 1906 to \$563,477.07 and \$1,030,577.22.

City Sanctions Improvements.

The court then said the city through various ways acquiesced in, encouraged and directly sanctioned the action of the two companies in equipping and adjusting the electric plant and the equipment for the distribution of current for power and heat.

In the case at bar the Colony Trust company against the city of Omaha seeks to enjoin the enforcement of a resolution passed by the city council of Omaha directing the city electrician to disconnect on or before July 1, 1908, all wires leading from the conductors or poles of the Omaha Electric Light and Power company transmitting electricity to private patrons or premises to be used for heat or power and to take such steps as may be necessary to prevent the said conductors from being used for any other purpose.

Readers Have Faith in Ads.

People no longer read the advertisements in a newspaper with skepticism.

The people of today have faith in the advertisers and their advertisements. They know that great businesses are built on honest advertising statements.

They know that most merchants do not trifle with the truth, and they feel that when they advertise in THE BEE, they are getting their money's worth—full value for what they pay.

Leading merchants everywhere are truthful, conscientious and honest. Business today is conducted along broad lines; service of real value is given; merchandise of real value is given. The policies of the stores are liberal; the people are getting rightful return for their dollars.

Then, too, the reputable newspaper guards its columns against deceptive advertisements. Ads that do not ring true are not knowingly accepted.