

Creighton Honor Students on Commencement Program



PRESTON MAYO.



RAFAEL N. HAMILTON.



JAMES MACAULEY.

COURT ORDER MADE TOWARD REDUCTION OF WATER RATES

(Continued from Page One.)

Omaha is a board organized and existing under and in pursuance of the laws of the state of Nebraska; that the defendants, R. Hoehner Howell, Charles S. Sherman, Patrick C. Heafey, David J. O'Brien, William H. Bucholz and Fred D. Weed were members of said board and did constitute said board since January 1, 1912, and are now the duly qualified and acting members of said board.

That the plaintiff is a consumer of water supplied by the defendants and resides with his family, consisting of his wife and two minor children at Sublot Four of lot 11, 21-15-12, commonly known and described as 3325 Farnam street, a street in the city of Omaha, county of Douglas, state of Nebraska, that the defendant, city of Omaha, is the owner of mains and water pipes in Farnam street adjacent to plaintiff's premises, and that the same are a part of a system of water works owned by said city, and being operated for the purpose of furnishing the inhabitants of said city with water for household and domestic use and for other purposes; that under and in pursuance of the laws of the state of Nebraska, the said Water board of the city of Omaha is entrusted with the operation and management of the said water works system, which is owned by the city of Omaha, and is in charge of the operation and maintenance of said plant.

That plaintiff's premises are connected by pipes with the mains and pipes of the defendants in said city; that he and his wife and children depend solely upon the water supply from said water works system for drinking, sewerage, and all domestic purposes, and that there is no source of water for such purposes elsewhere at hand. That plaintiff has been a resident of the City of Omaha for forty-two years and is a taxpayer and property owner of said city, and he owns and occupies property and the real estate at 3325 Farnam street; that since the first day of April, 1912, and for a long time prior thereto, the plaintiff has been a consumer of water furnished by the plant owned and controlled by the defendants; that said water is of the reasonable value of not to exceed twenty-five (25) cents per one thousand (1,000) gallons; that the defendant Water board has recently rendered a statement for the water used from and including April 1, 1912, to May 27, 1912, a copy of which is heretofore attached, marked Exhibit "A" and made a part hereof, and have demanded and are demanding payment at the rate of twenty-six and one-fourth (26 1/4) cents per one hundred (100) cubic feet, or thirty-one and one-half (31 1/2) cents per one thousand (1,000) gallons of water furnished, which is unfair, exorbitant and unreasonable; that plaintiff, shortly after receiving said statement offered to pay for the said water used during the time set out in said statement at the maximum reasonable rate of twenty-five (25) cents per one thousand (1,000) gallons, but that the said defendants have refused to accept payment in accordance with said maximum reasonable rate.

4. On May 1, 1908, that the said Water board issued an order establishing maximum rates that may be charged within the limits of the City of Omaha, as follows:

Table with 2 columns: Gallons per day, Rate per 1,000 gallons. Rows include 2,000 or less (25 cents), 2,000 to 4,000 (30 cents), 4,000 to 16,000 (35 cents), 16,000 to 28,000 (25 cents), and Over 28,000 (19 cents).

That the committee appointed from the water board to make a report upon reasonable water rates in the city of Omaha, reported on or about the 24th day of October, 1908, in part as follows:

1. Your committee shortly after the date of its appointment on the 15th day of March, 1906, began the investigation by procuring reports from various cities throughout the United States setting forth the water rates charged to private customers in said cities, and by an investigation of said reports and tabulating comparisons made therefrom, arrived at the conclusion that the water rates charged by the Omaha Water company in the city of Omaha in many of the particulars were too high and that some of the rates were unreasonable. From said tables and comparisons we arrived at the conclusion that the thirty-five cents per thousand gallons charged is exorbitant and that the rate to all consumers is disproportionately high.

ected by the water board in the meantime.

Committee: MILTON T. BARLOW, ISAAC E. CONGDON, A. H. HIPPLE.

That pursuant to this report the water board unanimously adopted an order which purported to reduce the meter rate from 25 cents per thousand gallons to 22 cents.

5. That the present rate of charge by the said Water board of thirty-one and one-half (31 1/2) cents per one thousand (1,000) gallons or twenty-six and one-fourth (26 1/4) cents per one hundred (100) cubic feet of water furnished, is an unreasonable, exorbitant and unfair rate compared with charges for like water service in other cities. That the following are rates charged for like service in Omaha and other cities:

Table with 2 columns: City, Meter rate per 1,000 gals. Rows include Omaha, Nebraska (25.25), Lincoln, Nebraska (25), Sioux City, Iowa (25), Cleveland, Ohio (26.25), City of Washington, D.C. (26.25), Detroit, Michigan (26), Chicago, Illinois (27), Columbus, Ohio (28), St. Paul, Minnesota (28), Minneapolis, Minnesota (28), Milwaukee, Wisconsin (28), Kansas City, Missouri (28).

6. That the maximum reasonable rate of twenty-five (25) cents per one thousand (1,000) gallons which plaintiff has been at all times since using said water and is ready and willing to pay at this time, is ample to provide all running expenses, fixed charges, and other proper charges for the service and maintenance of the plant; that a higher charge for water service and water in this city is illegal, extortionate and unreasonable.

7. That the cost of operation and maintenance of the plant and accessories furnishing the water to the people of said city of Omaha has been reduced and lessened recently in various ways; that the cost of pumpage has been reduced about nine (9) per cent by the new supply main from Florence and other improvements; that since said Water board has assumed control and management of said water plant, no taxes are paid upon said plant or any part thereof, and occupation franchise and property taxes heretofore amounting to about \$100,000.00 per annum and formerly paid upon said water plant, have become a direct charge upon the tax payers of the City of Omaha, and has thereby decreased the expenses of said plant about \$100,000.00. That said board has further reduced its expenses by reducing its losses by forcing owners of real estate and property in Omaha to guarantee to pay their tenants bills for water service in said city.

8. That certain rates have been increased to a very large extent; that the rates charged the packing houses of the city of South Omaha have been doubled within a year and the rates raised to

eight (8) cents per one thousand gallons used, thereby greatly increasing the income of said water board to an extent of about \$75,000.00 per annum; that the income has further been increased by the profit on meter installation and the growth of the volume of business.

9. That the income of said water board was further increased by raising to fifty (50) cents per month the rates of all consumers using less than fifteen hundred (1,500) gallons per month and that the income from all flat rates charged for water used in Omaha were increased by the forced use of meters and charges for meter rates for water consumed.

10. That because of plaintiff's failure to pay the said unreasonable, exorbitant, and unfair rate of thirty-one and one-half (31 1/2) cents per one thousand (1,000) gallons, or twenty-six and one-fourth (26 1/4) cents per one hundred cubic feet for water or water service charged and demanded by the water board of the city of Omaha, said water board has threatened and is threatening to and will cut off said supply of water and will refuse to let plaintiff have water from the said pipes and mains unless defendants and each of them are restrained and prevented from so doing. That the cutting off of plaintiff's supply of water would result in great and irreparable damage and injury to this plaintiff and the members of the plaintiff's family for which no adequate remedy at law exists.

WHEREFORE, the plaintiff prays (1), That a temporary restraining order issue on the filing of this petition, restraining the defendants and each of them from cutting off plaintiff's water supply, and from charging or requiring the plaintiff to pay therefor a sum of money in excess of the maximum reasonable rate of twenty-five (25) cents per one thousand (1,000) gallons, for water furnished plaintiff, and restraining the defendants and each of them from charging or requiring the plaintiff to pay for water service from the defendants or any of them herein a sum of money in excess of said maximum reasonable rate; (2), That a temporary injunction be granted against the said defendants and each of them during the pendency of this action and that upon the final hearing the said injunction be made permanent and that the defendants and each of them be forever enjoined from cutting off plaintiff's water supply and charging plaintiff more than the maximum reasonable rate of twenty-five (25) cents per one thousand (1,000) gallons of water furnished to him at his residence in the said city of Omaha, and that the plaintiff have such other and further relief as to the court may seem just, proper and equitable.

STANLEY M. ROSEWATER, SAMUEL C. COTNER, Attorneys for the plaintiff.

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CREIGHTON COMMENCEMENT

(Continued from Page One.)

department were held in the university auditorium. The examination grades and the winners of the scholarship medals and honors of the entire student body were announced and an address was delivered by the president, Rev. Eugene A. Magevney, S. J.

Father Magevney spoke of the manner in which a student should spend his vacation. He said in part:

"Most of you will spend your vacations, not in working, but in seeking amusement and diversions. You desire to spend a pleasant, but not a lazy vacation. The best way to do that is to read. Reading is the primary holiday diversion and can be made a decidedly profitable diversion. The student, or for

that matter any person, should use careful discrimination in selecting his readings, and make selections that will be of intellectual, moral, and social benefit. The student should be as judicious in choosing books as he would be in admitting undesirable men or women into the intimacy of the family circle.

"Read, then, voraciously if you will, but see to it that your reading is profound, select, and systematic and thus afford yourself depth and breadth alike to all the innumerable and invisible agencies at work in the development of your complex personality."

Award of Medals.

Award of medals among the undergraduate classes were as follows: Junior class, Romeo J. Laporte; Sophomore class, Raymond L. Traynor; Freshman class, Emil V. Svoboda; Fourth year high, division A, Alphonse

- B. Dundas, Fourth year high, division B, Norman T. Bourke, Third year high, division A, William P. Kelley, Third year high, division B, Charles F. Bongardt, Second year high, division A, John E. Kennebeck, Second year high, division B, Vincent J. Burkhard, First year high, division A, LaFayette W. Gilmore, First year high, division B, T. Ralph Wilson, First year high, division C, Francis O'Connell, First year high, division D, Harry Havens, Education college department, Leo F. Pans, Education, high, department section one, Cromer C. Coady, Education, high, department, section two, J. Clifford Long, Education, high, department, section three, J. Valentine Roche, Oratorical medal, Paul C. Harrington, Special class, William T. McDonald.

W. B. McKinley Looks Over Interurban Possibilities Here

Among the visitors to Omaha is William B. McKinley of Champaign, Ill., former congressman and former chairman of the republican national committee. Mr. McKinley is largely interested in interurban trolley lines in Illinois and Iowa and it is said he is looking into the conditions here with a view to getting a line on the interurban possibilities. He took lunch at noon with Norris Brown at the Omaha club.

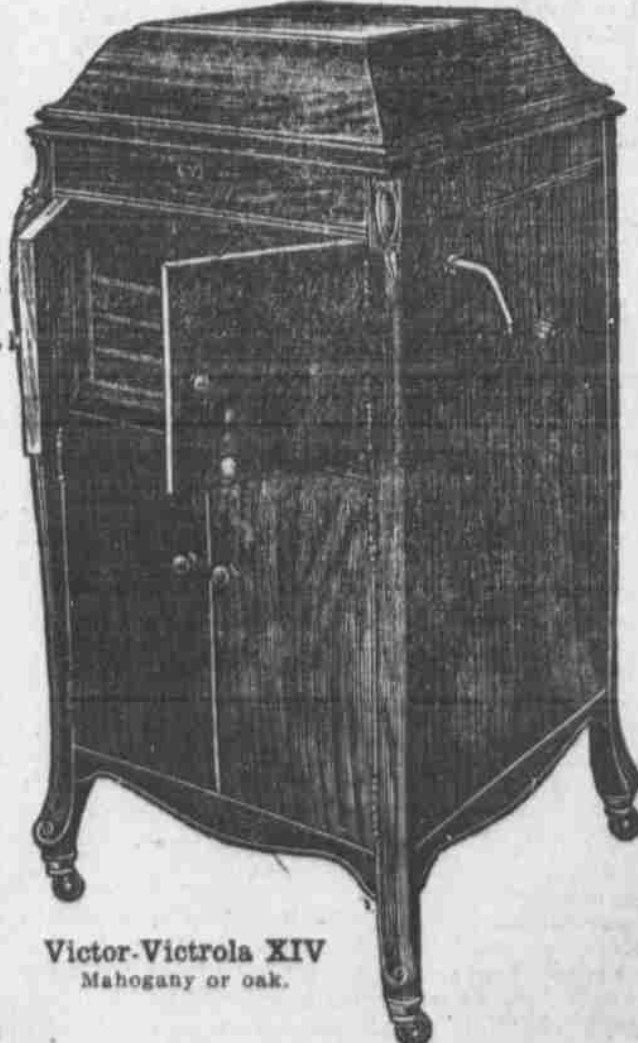
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