

New Ratines! New Ratines! New Ratines!

Ratines are almost as scarce as hen's teeth. Seems as if the harder they are to get, the more they are in demand. It is important news that a lot of new Ratines are here. Plenty of the charming new shades—also, new blues and exceptionally handsome tans, in three pretty shades.

Thompson Belden & Co.
HOWARD AND SIXTEENTH STREETS

TWO-CENT PASSENGER FARE ACTS OF THREE STATES ARE UPHELD

(Continued from Page One.)
apply to the court for further action whenever it shall appear by reason of a change in circumstances the rates fixed by the state's acts are sufficient to yield reasonable compensation.
The suits were brought to restrain the enforcement of the freight rates and passenger fare acts of the state of Missouri passed in 1907.
"There were eighteen suits in all," it was stated in a memorandum from the court.
Hold Confiscatory by Lower Court.
"In eight of the suits it was stipulated in the court below that they should abide by the decision reached in other cases. Of the remaining ten, two were consolidated into one for purposes of trial, leaving nine suits, which were submitted to the court below. The court below enjoined the rates as being confiscatory."
"On the appeals in these nine suits, this court sustains the rates as to six companies, The Chicago, Burlington, Missouri, Kansas & Texas, the Chicago, Rock Island & Pacific (including the St. Louis, Kansas & Colorado), and the St. Louis & San Francisco.
"In the case of these companies the decrees are reversed and the case remanded with instructions to dismiss the bills, respectively, without prejudice."
Under the stipulations in the court below, this stipulation upholding the Missouri law applied also to the St. Louis, Iron Mountain & Southern, the St. Louis, Iron Mountain & Southern, the Washburn, the Chicago, Milwaukee & St. Paul and the Chicago & Alton.
"The court holds the rates to be confiscatory," added the memorandum, to-wit: The St. Louis & Hannibal, the Kansas City, Clinton & Springfield and the Chicago Great Western.
Decrees Are Affirmed.
"In these three cases the decrees are affirmed, with the modification that the railroad commissioners and the attorney general of the state may apply to the court whenever it shall appear that by reason of a change in circumstances the rates fixed by the state are sufficient to yield reasonable compensation."
"The decision in the case of the Chicago Great Western company holding the rates to be confiscatory will also apply by virtue of the stipulations made below to the Quincy, Omaha & Kansas City Railroad company and the St. Joseph & Grand Island Railway company."
Taking up the Burlington case first, Justice Hughes pointed out that the assessment value had been multiplied by

SECOND FIGHT WITH MOROS

Savages Driven from Mountain After All Night Battle.

SIX AMERICANS ARE KILLED

All Are Members of Companies of Philippine Scouts—Number of Dead Among the Moros Unknown.

MANILA, June 16.—Complete rout of the rebellious Moros on Mount Bagasag was accomplished by the American forces during the night with the loss of six men and seven wounded.
Reports of the engagement, reaching here by wireless from the island of Jolo are but meagre. It is determined that the Moros at last set away and left the mountain clear. They are now at large and will be pursued ceaselessly. Brigadier John J. Pershing, commanding the Department of Mindanao is leading the forces and is enthusiastic in his praise of the conduct of his men.
"This means simply that the right of the company to sell power is to be read into the contract. We maintained that the company's franchise expired two or three years ago. Just how far this decision goes I cannot say until I have seen the opinion."
The city sought to show that the company had no right under its franchise to sell electricity for any other purpose except light. The decision that the franchise is a grant in perpetuity to the company surprised the city attorneys. Judge Baker said, facetiously:
"I am not, of course, responsible for the errors of the supreme court."
Mr. Nash is content.
F. A. Nash, president of the Electric Light and Power company, said:
"That's just what we maintained. We'll be doing business at the same old stand."
Mr. Nash had received a short dispatch saying the company came out of the case victorious. When The Bee's dispatch was read to him he asked that the section regarding the extension of business, which forbids the company to further extend its business without direct permission of the city authorities, be repeated.
"Oh, yes," he said, and declined to further discuss the decision until he had seen the opinion.

OMAHA LOSES SUIT AGAINST ELECTRIC LIGHT CORPORATION

(Continued from Page One.)

pany from furnishing or transmitting from said conduits or wires electricity to private persons or premises for heat or power purposes.
The court then took up the references of counsel for the Old Colony company with particular attention to decisions of the supreme court of Nebraska in all of which it had held that they seemed to be "an ample grant of power unqualified as to persons, methods of time to regulate the laying of mains, the sale and use of gas and the rate to be charged therefor."
Imitation of Franchise.
This was in Sharp against South Omaha. While these decisions, "meaning decisions of the supreme court of Nebraska, take a uniform view," said Justice Van Devanter, "of the power of the cities of the state and of the effect of their action in cases such as this, and show that the grant made by the ordinance of 1884 must be regarded as in perpetuity, they also show that such grants are deemed and held by that court to be ever subject to the full exertion of the police power of the state in respect of the rates to be charged, the mode of conducting the business and the character and quality of the service rendered, and it is further held that the public nature of the grant explains and justifies it and that it is forfeitable for acts of abuse, abandonment or nonuse, but cannot be taken away or impaired arbitrarily."
The court then took up the question whether, in this particular case, it is limited to the distribution of electric current for lighting purposes or includes its distribution for power and heat.
"Generally speaking the practical interpretation of a contract by the parties to it for any considerable period of time before it comes to be the subject of controversy, is deemed of great, if not controlling influence. Whether in the exercise of an independent judgment, we should apply it to a franchise contract such as this one we need not consider. In Nebraska, according to the settled course of decisions in that jurisdiction, the rule is applicable to them."

CITY AND COUNTY WILL SETTLE ALL OLD DISPUTES

The court house and the city hall will hold a base ball tournament at Luxus park Saturday afternoon and the same will be the occasion for settling divers and sundry old scores. Flaming jealousies of city officials for officials of the county and vice versa will be allowed to rage in unabated fury.

Man Hangs Self in Pueblo Jail

PUEBLO, Colo., June 16.—Choosing death to remaining in the city prison for the last half hour of his four days' sentence for drunkenness, Peter McCarty hanged himself in his cell today by using his suspenders as a noose. McCarty's term of imprisonment would have expired at 6 o'clock tonight. Half an hour earlier City Jailor McCafferty went to McCarty's cell and found him dead.

BABY STRANGLES HERSELF WITH CURTAIN CORD

PIERRE, June 16.—(Special.)—To leave the house for a few minutes with her baby left playing in her crib, and returning only to find the child had strangled herself with a looped curtain cord, was the experience of Mrs. A. B. Regenitter of Illinois. The child was left while its mother went to the garden for a short time, playing by the window, and managed to get hold of the window cord which looped about its neck, and then in the struggle was strangled, and all efforts to resuscitate were of no avail.

Street Railway Case Cited.

Justice Van Devanter said that the case of the Omaha & Council Bluffs Street Railway company against the city of Omaha, decided before the commencement of the suit at bar, was directly in point. This was a suit by the street railway company to enjoin the city from the enforcement of a paragraph or part of a resolution of 1908 similar to the one which is here in controversy, the difference between the two paragraphs being that the first was directed against the electric light company and required it to cease using the streets of the city in transmission of electricity for power and heat purposes while the second paragraph was directed against the street railway company and required it to cease using the streets in the transmission of current for light, power and heat.
"The two cases are alike in all material respects," says the justice, "and the street railway company had been for years and was still furnishing electric current for light, power and heat purposes as in incident to the use of electric energy as a motive power in propelling its cars and also that the company's incidental business had not been and was not as extensive as that of the electric light company."
Trust Company's Rights.
"The supreme court affirmed the decision below subject only to a modification, whereby the injunction would expire on the termination of the street railway company's street franchise which was for a limited term of years. In view of the facts in the present case the decisions of the supreme court of the state (Nebraska) are conclusive on the question of the right of the trust company to have the distribution of electric current for power and heat treated as included within the franchise contract of 1884 while it continues in force. In other words, the trust company is entitled to insist upon a recognition and continuation subject to all the qualifications inhering in the franchise of all the rights conferred by the franchise ordinance as the same was interpreted in actual practice by the electric company and the city prior to the resolution of 1908, but neither the trust company or the electric company is entitled to make that construction a basis for enlarging or extending their rights against the will of the city or for enlarging or extending the purposes for which electric current may through use of the streets be transmitted and supplied under the protection of the franchise."
"The decree is reversed and the cause is remanded to the district court with a direction to enter a decree against the enforcement of the resolution of 1908 in accordance with this opinion."
Justice Holmes took no part in the consideration of the case. The Omaha Electric Light and Power company case against the city of Omaha is dismissed, the electric light company winning through the decision of the Old Colony case.
City Attorneys Are Surprised.
City Corporation Counsel Ben S. Baker and Assistant City Attorneys W. C. Lam-

STRING TO FERRET CONTRACT

Des Moines Supervisors Modify Contract with Lawyers.

RETAIN POWER TO COMPROMISE

Belief Exists That Rock Island Railroad Will Effect Early Settlement of Case Brought in Behalf of Polk County.

(From a Staff Correspondent.)
DES MOINES, Ia., June 16.—(Special Telegram.)—The board of supervisors of Polk county by a unanimous vote today modified its contract with Kistie and Wright for tax collections against the Rock Island railroad, and under a new contract the board of supervisors retains the power to settle or compromise the suit with the Rock Island railway. It is believed this clause was inserted in anticipation of an early settlement of the claim which now is said to be about \$22,000.00.
Girl Accused of Forgery.
Miss Eva Stream, aged 19 years, is in the custody of the police accused of forging a number of checks on business houses of the city. The detectives have been working upon the case for some time. They declare that there are no less than eight worthless checks in the handwriting of the girl. All are for \$5.
Try to Fix Land Values.
The state executive council will next month undertake to fix land values, or determine what are average land values in Iowa, and it is anticipated that some difficulty will be had in arriving at a decision. Several thousand letters have been received, in response to queries sent out by the secretary of the council, asking as to estimates of values of land. These estimates vary greatly, and some of the correspondents declare there is no such thing as arriving at information as to actual cash sale prices of Iowa land for the reason that Iowa land is practically never sold for cash at all. The value of land as estimated by the correspondents varies greatly in different counties of the state and it is believed that the actual worth of the land for production purposes varies greatly. It is now hardly expected that the state officials will make very great raises in land valuations.
Pharmacists at State Institutions.
It has been decided by the board of control, partly suggested by a joggling from the state pharmacy commission, that registered pharmacists will be retained at each state institution where a large amount of medicine is dispensed for the inmates. This includes the prison, reformatories and hospitals. A pharmacist has long been employed at the soldiers' home, but at most of the other places a doctor has handled the medicine business. It is now believed this is illegal.
Fire Losses Not Great.
The state fire marshal reports that fire losses in Iowa, as reported by his department, are not as great this year as in former times, and that since the organization of the state fire marshal's office there has been material improvement in conditions in the state. During May and thus far in June there have been very few fires reported. All cities now make regular reports on fires to the state.
Club Men Overturn Auto.
Two prominent members of the Hy-perion club, on their way to the club

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Club Men Overturn Auto.
Two prominent members of the Hy-perion club, on their way to the club

from the city at a late hour, encountered a complete overturn of their car. They were W. E. Ward and C. H. Casebeer, both grain brokers, and they were proceeding toward the club at a high rate of speed when they were compelled to stop quickly by another car. The one they rode in was overturned and it is said to have turned over completely twice. Both men were seriously, but not fatally injured, but the car was a complete wreck.
College Head Retires.
Wills E. Parsons, president of Parsons college, Fairfield, suddenly resigned the last week and will retire from college work. He has been at the head of the college only a few years and it is said that he did not work well with the trustees in their plans for the development of the college, which is the leading educational institution of the Presbyterians of Iowa. Marion R. Drury, president of Philomath college of Philomath, Ore., has been elected to the presidency of Leander Clark college at Toledo, taking the place of Dr. Franklin E. Brooks, resigned.
Railroads Get Into Tangle.
A temporary injunction was granted in district court here to prevent the Fort Dodge interurban line from electrifying a short part of the Minneapolis & St. Louis railroad near Ogden, Boone county. The trouble is over an interlocking switch. The Fort Dodge road had obtained permission to electrify because of desire to reach a coal mine, which it owns.



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