

### LATEST DECISION MAY HELP KEOKUK

High Court's Ruling in Telephone Case Differs From Sloan's Findings in Keokuk Case.

### RIGHT TO PASS LAWS

Copy of This Finding Will be Attached to Papers Now in Judge McPherson's Hands.

The decision which the Iowa supreme court made in the case of the East Boyer Telephone company against the town of Vail will be of benefit to the local telephone case, it is believed by some of the attorneys for the city of Keokuk. The court decision holds that the company has no right to occupy the streets without a franchise. It also holds that the city has the power to pass certain regulations.

In his decision last December, Judge Sloan held that the city of Keokuk had no right to pass certain ordinances which were passed in 1888 and 1893. And he held that it was not in the power of the city to prohibit the company from using certain streets, or to require franchises after the first grant had been made.

The decision of the Iowa court will be secured as soon as possible and will be made a supplement to the papers in the telephone case now in the hands of Judge McPherson.

### Difference in Issues.

One difference in the cases is that the town of Vail had not allowed the company on its streets in the first place. Major W. B. Collins, one of the attorneys for the city of Keokuk in the case against the Iowa Telephone company said that this last decision tended to clear up certain points in regard to franchises and the passing of laws.

Following is part of the opinion from the high court. This is the third time it has come before that tribunal:

Referring to its former opinion the court said: "It was stated that the question presented was whether a telephone company has a right, under the law of the state to construct and operate its lines in and through the streets of a city or town, and maintain a local system for the transaction of general telephone business in such city or town, without procuring from the municipal corporation, a license for the use of the streets. It was held that the telephone company has no such right."

The court states that the matter presented at the third appeal was substantially the same as at the previous hearing. The opinion says:

### Can be Regulated.

"It is well settled that telephone and telegraph companies are subject to all regulations falling properly within the police powers of the state or of a municipal corporation."

"The use and control of its public streets is admitted a matter of police regulation by the municipality, or the voters, if the ultimate voice is lodged in them; may determine to what private uses the streets may be put, governed as we must presume they will be by the test as to whether permitting such private use, the right of public enjoyment and use would be impaired."

"The right to use the streets of a municipal corporation for a private or quasi public purpose is not under our laws an absolute one. The telephone company in this case has been deprived of no right which it ever possessed, but, on the contrary, had come within the restrictions which were authorized. At most, it has been denied a privilege, not a right, and that the privilege may have been granted to another does not conflict with the constitutional provision."

### Not Denial of Right.

"In the exercise of the police power the grant of the privilege to one, to the possible exclusion of others, or the refusal of a privilege to exercise a calling or employment lawful in itself, is not essentially a denial of a right or repugnant to the constitution, state or federal, and following the rule so often announced by this court that a law will not be held to be unconstitutional unless it appears clearly to be within the prohibition of the organic law."

### Refused to Take a Dare.

[United Press Leased Wire Service.] DAVENPORT, Iowa, May 18.—Harry Beacon, 35, alias Smith, an escaped convict from the Illinois state prison at Joliet, Ill., balanced on a half inch scabbling ninety feet above the ground and drank a small bucket of beer. Losing his balance, his life was crushed out on the pavement when he fell. His act was the result of refusing to take a dare from fellow workmen. Beacon is an escaped burglar from the state prison and has been working here for over a year, under the name of Smith.

### CITY NEWS.

A meeting of the public health committee of the industrial association will be held this afternoon at five o'clock to discuss the garbage question.

A marriage license was issued to Morris E. Springer, 23, of Croton, and Nertha Mae Anderson, 17, of Croton. The peculiar color to the city water is said to be caused by the northern floods stirring up the mud in the rivers. Several of the tributary rivers to the north are at flood stage and are carrying a heavy deposit of mud in solution.

The city council today authorized the clerk to draw a warrant for \$200, payable to Abbie M. Craves, who was injured last fall by reason of a defect in the sidewalk between Third and Fourth streets on Blondeau.

St. Mary's beautiful comedy of young ladies and men tomorrow night, 25c.

Commissioner Collins this morning said that some criticism had been launched against the city council for allowing to be operated on the carnival grounds what was claimed to be a gambling game. The game was one in which the player attempted to throw rings about prizes arranged on a table. A number of authorities have decided that games of this sort are not games of chance but games of skill, says Commissioner Collins. The carnival company asked permission to operate a number of games of different kinds, but permission to do this was denied.

The fire department answered an alarm at 4:40 Sunday morning when a stable in an alley back of 1012 Concert caught fire. Hot ashes, thrown in a box in the stable, had caught the box on fire and this in turn had communicated the flames to the stable. The damage amounted to about \$15.

### CHANGE IN WEEMS' LAUNDRY.

H. J. Fasthoff, an experienced laundryman, has taken charge of the Keokuk branch of the Weems' Laundry. For many years the Weems' have done your laundry work and done it well. You do not need to change now. Your work will receive as usual the best of attention. Office located at 1024 Main street. Phone Red-404, and our wagon will call.

### PERSONALS.

Mr. S. A. Peterson and Mrs. V. A. Peterson have returned from Rock Island, Ill., having been called there by the death of Mr. Larson, a former Keokuk citizen. Mrs. Larson returned to Keokuk with them, where she will visit for some time.

Miss Clara Braun of Warsaw, was a Sunday visitor in Keokuk.

Mrs. Emma Purdy leaves tomorrow morning for Belleplaine, Iowa, for a visit with relatives and friends.

Mrs. Charles Weisman left this morning for Hardy, Ark., to visit with her sister, Mrs. Charles Flock, and other relatives. She was accompanied as far as St. Louis by Mr. and Mrs. Fred Weisman.

Misses Virginia and Anna Graham are at home after having been called to Columbus, Ohio by the illness and death of their aunt Mrs. Virginia Gay.

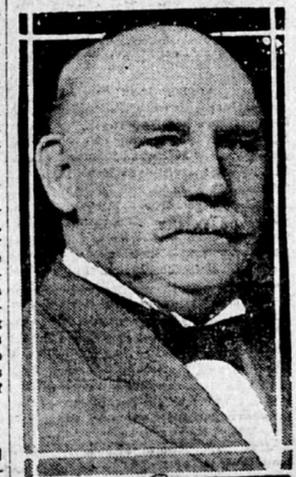
Horace T. Dawson returned to the city yesterday from Arizona where he spent the winter.

Miss Harriet F. Handerson of Cleveland, Ohio, is visiting at H. C. Hodges'.

### Find Right Thing to Do.

There are many failures because there are many persons trying to do the wrong things. We have no right to repine at a limit until we are sure that we have touched it. In reality, there is always enough for each to do, to accomplish, a plot of land for each to till; the narrowest capacity has something, and that something is enough, satisfyingly and usefully, to fill a lifetime.

### SAYS EUROPE WILL BE AT PANAMA EXPO



Thomas Rees.

Thomas Rees, Springfield (Ill.) newspaper man and member of the United States commission to the Mediterranean and Balkan states for the Panama-Pacific exposition at San Francisco in 1915, has returned to America satisfied that the countries visited will extend to America glad hands of international co-operation to make the exposition a great success.

### PICNIC BUG BITES KEOKUK LAWYERS

W. R. C. Kendrick, Chairman of the Committee to Name Place and Date for Annual Outing.

### RECESS OF ONE WEEK

Bar Votes to Allow Judicial Candidates Seven Days Before Primary Election—Other Matters.

The picnic bug has bitten the Keokuk bar. At a meeting this morning the bar selected W. R. C. Kendrick as the chairman of a committee to plan the annual picnic of the bar, and to choose the date and place for holding this outing.

Every year the Keokuk lawyers have forgotten courts and Blackstone for one day in the year and have gone out in the woods somewhere and pitched quilts and played baseball and consumed various and sundry quantities of fried chicken and other eatables and quenched burning thirsts with coffee and lemonade and soda pop and—water, of course.

It's getting about hot enough for the lawyers to think of hours in the woods in the years past, and this year's picnic will be pulled off soon, according to present expectations.

The bar decided, in order to give all candidates an equal showing at the primary on June 1, that if there were no cases being heard May 23, Judge Bank would be excused from May 23 to June 2. If there is a case before the court May 23, it will be finished and no more will be taken up until after the primary on June 1. This will give the judges and lawyers who are interested in the primary campaign a chance to get out and work in the week preceding the voting.

### Cases Taken Up.

Several cases were re-assigned this morning and motions in some others taken up. The cases of Klepfer vs. Angell and Angell vs. McCarthy go over this term. The case of Seward vs. the Keokuk and Hamilton Bridge company is postponed as some of the plaintiffs have smallpox in the family.

Motion in the cases of Moroney vs. Gardner et al, and Frank vs. Iowa State Traveling Men's association, were ruled on by the court this morning.

The Carr-Mellwain case was continued until June 22 on a showing by defendant's attorneys that Mr. Mellwain was ill and not able to attend court. The jury was excused until 9 o'clock tomorrow morning.

A motion to strike in the case of Hueston vs. Preferred Accident association was overruled.

Several mechanics' liens which were filed against the Hotel Iowa company have been satisfied in full. They are as follows: L. Schrier and Son, \$1,003; Duncan-Schell company, \$911.55; G. Albin Nelson, \$1,008.10; Rock Island Sash and Door company, \$1,991.60; Sodemann Heat and Power Co., \$2,326, and Pickel Marble and Granite Co., \$1,747.20.

### He Got His.

"Sirrah!" thundered her father, "were you kissing my daughter when I came in just now?" "You bet!" chirped up the unabashed suitor, "and it's up to you to apologize for butting in!"

### Another Way to Prolong Life.

The statement has been made that life would be prolonged if persons would acquire the habit of stooping by the hips, instead of bending the backbone.

### Daily Stock Letter.

[Copyright 1914 by the New York Evening Post.] NEW YORK, May 18.—The news of paramount importance, in its influence on the stock exchange today, was the apparently authentic announcement that Huerta had placed in the hands of his mediation conference, to be used in certain circumstances, his resignation of the Mexican presidency. In a normal state of a final sentiment, this news would probably have had greater immediate influence than it had today; more especially in view of the activities, up to last week's close, of the belligerent rumor-mongers among the Vera Cruz correspondents. Today's market did, however, give definite response to Washington reports; opening higher and advancing a point or more, with considerable earlier activity. The fact that there was later published in Wall street, what purported to be a denial by a Mexican delegate, had no doubt some hand in checking the recovery and a return of dullness later; but the stock exchange was disposed to pin its faith to the Washington version of the story and prices held around their early high level until very near the close, when there was irregular fractional reaction.

### SOCIETY

Shower for Miss Kline. This evening, at the home of the Misses Anna and Mardie Lowrie, 1221 Franklin street, the Altruistic Circle will give a miscellaneous shower in honor of Miss Kate Kline, whose marriage to Mr. Hugh O'Brien will occur soon. Red hearts and flowers will be used in decoration and tempting refreshments will be served.

### Wedding of Interest.

The friends of Mr. Jack T. Caviezel, who spent a year here during the construction of the power plant, will be interested to know that he was married on Saturday to Miss Agnes J. Price, of Mt. Pleasant. Mr. and Mrs. Caviezel will make their home in St. Joseph, where he is in business.

### Ladies of Charity Meeting.

The Ladies of Charity held their regular meeting yesterday afternoon at 4:00 o'clock in St. Vincent's school, Mrs. Alois Weber presiding. The secretary's report was made by Mrs. I. A. Sawyer, and the financial report by Mrs. Joseph O'Brien. The report of the treasurer showed the May party to have been a financial success as well as a marked social success. Several new members were added to the roll. Eight families were given aid during the month. The June meeting will be the last until autumn. The charity work will be conducted during the summer through the committees but there will be no meetings. Short addresses were made by Father Schott, Father Gillespie and Father Davis. The meeting was very largely attended.

### Silver Wedding Anniversary.

Mr. and Mrs. Carl A. Weber celebrated their twenty-fifth wedding anniversary on Saturday. On May 16, 1889, they were married in Bonaparte, Mrs. Weber being a member of one of the well known Meek families. The event was celebrated by a launch party on the river, enjoyed by the family. Many friends expressed their congratulations, and a number of handsome gifts were received by Mr. and Mrs. Weber.

### Alpha Trist Luncheon.

The members of the Alpha Trist club had one o'clock luncheon at Hotel Granite today, in Hamilton. Mrs. W. H. Titus of Ft. Wayne, was a guest of the club. The afternoon was spent in playing bridge.

### Go to Convention.

Mrs. G. D. McMains, Mrs. Dolan, Mrs. Goeller and Mrs. King, representatives of the local order of Maccahees, left today for Rock Island to attend the national convention of the order.

### Are Invited to Join.

A dozen or more Keokuk people were recently invited to join the Country club across the river, which very attractive club house can be seen on the bank on the Illinois side. The club was formed of prominent residents of Hamilton, Carthage and Warsaw, and now some of the Keokuk society people have been added to the membership.

### No W. C. T. U. Meeting.

There will be no meeting of the W. C. T. U. tomorrow. The next meeting will be held on Tuesday, May 26.

### Receive at Park.

A picnic luncheon was given by John Shafer and family to a few of their relatives and friends yesterday at Killobourne park. A sumptuous menu was served at the appointed time and all had a very enjoyable time.

### Died at Bonaparte.

BONAPARTE, Iowa, May 18.—Harry Murphy, who has been a sufferer of locomotor ataxia for years, died Saturday, May 16, at his home in Bonaparte. He leaves a mother, four sisters and one brother, Mrs. Icy Dill and Miss Trilla Murphy, of St. Louis; Mrs. Leach, of Missouri; Mrs. Mamie Leach, of Ottumwa, and Minor Murphy, of Lacon, Ill. The interment will be in the Bonaparte cemetery.

### Weather Forecast.

When the horns of the moon are clearly discernible by the naked eye, it means that there is nothing in the atmosphere to obscure them. An atmosphere as clear as this generally indicates that it has been swept by the winds in the upper ether, and these winds will probably reach the earth before long.

### Newest in Begging.

The beggar on horseback used to be common everywhere, but up in Kansas they have just arrested a beggar who was traveling in an automobile by night and pleading poverty by day. His plan was to leave his wife in charge of their conveyance every morning while he went out and grafted enough money to buy a few gallons of gasoline.—Dallas News.

### After a Day of Rest.

One reason why Tuesday papers are so much more cheerful than Monday papers is that the list of killed and injured is so much shorter.

### Elgin Butter.

[United Press Leased Wire Service.] ELGIN, Ill., May 18.—On the Elgin butter board today, butter was quoted at 25 1/2 cents a pound, a decrease of 1/4 cent from last week.

### SOCIETY OF HOLY NAME ORGANIZED

C. A. McNamara and James H. Finigan, President and Vice President Respectively.

Preliminary to the regular services last evening in St. Peter's church incident to the mens mission, the Society of the Holy Name was organized. On cards which were passed, each man present inscribed his name and declared his intention of joining. The aims and objects of the society were explained by the missionary to be that each member, by more guarded and careful in violations of the second commandment and that he do all in his power to discourage the too prevalent use of profanity of every sort.

The pastor, Father Gillespie, announced that pending the regular meeting to be held later and of which notices will be given, he appointed C. A. McNamara, president, James H. Finigan, vice president, to serve as temporary heads of the society.

The regular lecture of the evening was given by Father Schott on the Sacrament of Baptism. The origin and objects of this sacrament was fully explained. This is the sacrament that reinstates man as a child of God and insures to him the heritage of Heaven, both of which were lost to him through the sin of our first parents. Original sin which is the stain on man's soul when he comes into the world, is only removed by the purifying waters of baptism and without baptism man cannot be saved as "nothing defiled can enter Heaven."

At baptism, the person to be baptized makes a profession of faith and a renunciation of Satan with all his wiles and snares. When an adult is baptized these vows are made in person and in infant baptism they are made by the sponsors or God-parents. After the discussion of the evening all the men were asked to renew their baptismal vows and they did so freely and fully.

Perhaps never before was such a spectacle presented in St. Peter's church. Candles had been given to each man present and these were lighted by the altar boys. Then with every man standing erect and with each right arm extended high over the head the flickering taper emblematic of the light of divine faith, held in the hand, the vows were renewed in clear and full voices and after the renewal the papal blessing was imparted by the missionary priest.

The services closed with benediction of the blessed sacrament and singing of the Te Deum by the congregation. This morning the final act of the mission was the celebration of a requiem high mass for the repose of the souls of the congregation's dead.

### Second Aviator Killed.

[United Press Leased Wire Service.] FRANKFORT ON THE MAIN, Germany, May 18.—Lieutenant Rhoderode died today from injuries when his aeroplane capsized, making the second fatality in connection with the Prince Henry aviation competition. Lieutenant Mueller was killed yesterday. Prince Henry witnessed the start of the meet yesterday in which eighteen military and thirteen civilian aviators took part. The total distance to be covered in the flight is 1,103 miles.

### Wonder Who She Meant.

Miss Carter had not been successful in bringing young Dodge to her feet, and in consequence felt a little spiteful toward him. One evening they were having quite a serious talk in the library. "Do you think," asked the young man, "that men progress after death?" "Well," responded the girl, "if they don't it would almost seem useless for some of them to die."

### Father's Parting Words.

"Father," announced the young man who was crammed full of undigested education, "I cannot accede to your wishes in this matter. I feel, as the poet did, that I am the captain of my soul." The father gazed silently at the egotistical young cad and then replied: "Very well, son. But you are headed for the bread line and the true captain of his soul wins that title on the firing line."

—Read The Daily Gate City, 10c per week.

**—EAT—**  
**BUTTER CRUST TOAST**  
Best Ever—Ask Your Grocer  
**Lagomarcino-Grupe Co.**  
Wholesale Distributers

### RIVER JUMPED OUT OF ITS BANKS

Cloudburst Sent Ten Feet of Water Roaring Down Through the Valley.

[United Press Leased Wire Service.] PUEBLO, Colo., May 18.—Bridge approaches were washed away, warehouses were submerged and many dwellings were partially destroyed early today when the Fountain river, swelled by a cloudburst at Buttes, twenty-five miles north of Pueblo, went on a rampage. The damage is estimated at \$500,000. The entire river bottom, including a large part of the city, was covered by 10 to 12 feet of water. Three hundred families were driven from their homes.

Ranchers telephoned to Pueblo soon after midnight that a great wall of water was sweeping down the little river. Continued blowing of the fire siren warned residents of the river bottom and they fled to safety on the high lands.

There was, so far as is known, no loss of life. Many automobile parties were marooned between Colorado Springs and Pueblo but it is believed all are safe.

### LOCAL WOMEN GO TO P. E. O. CONVENTION

State Sisterhood Meets in Des Moines Commencing Tomorrow Afternoon.

The state convention of the Grand Chapter P. E. O. sisterhood opens in Des Moines tomorrow. Mrs. Flora M. Majors and Miss Ollie Sutton are the delegates from the Keokuk chapter. Mrs. Dell Phillips Glazier of Fort Madison is the grand secretary. The Des Moines Register and Leader yesterday carried a half page of pictures of the officers and published the full programs of the gathering.

Mrs. Winona E. Reeves of Keokuk will read a paper on Thursday afternoon, entitled, "A Problem on Proportion," according to the programs which have been distributed. On Friday morning will come the election of officers. A number of social affairs have been planned by the Des Moines women, starting with a reception at the Savery on Tuesday afternoon.

**United States Moved Slowly.** Polygamy was declared a felony in England in 1604, but it was not until 1866 that the congress made plurality marriages unlawful in the United States.

**Carranza Is No Mediator.** [By N. C. Parke, United Press Staff Correspondent.] JUAREZ, Mexico, May 18.—"General Carranza will not step aside for any candidate who may be proposed by the mediation conference for the presidency of Mexico."

This is the flat declaration made today by a man who is close to the constitutionalist chief. The declaration was in response to Washington dispatches, hinting that Huerta's delegates at Niagara Falls might propose that Luis Cabrera, Mexican attorney and close friend of Carranza, be given the presidency as a means of uniting the supporters of Carranza and Huerta.

"We all recognize Cabrera's ability, and the value of his friendship to the constitutionalist cause," the speaker said, "but if the Huerta delegates even consider such a proposition, they are shooting wide of the mark. Madero owed his downfall to compromises which he made. The position of General Carranza and his followers is that Cientificos must go, not through compromise, but through dictation, with Villa's army occupying the capital city."

### WONDERFUL PALACE OF HORTICULTURE



Copyright, 1914, by Panama Pacific International Exposition Company. The superb Palace of Horticulture at the Panama-Pacific International exposition in San Francisco in 1915 will be surmounted by a vast dome of glass, supported with immense steel trusses. The dome will be 186 feet in height and 152 feet in diameter. At night batteries of colored searchlights will play on the inside of the dome from within the building, so that it will present the appearance of a gigantic soap bubble continuously changing to every color of the rainbow.

**J. C. BLAKE**  
The HORSESHOER  
at the old stand  
**505 JOHNSON STREET**

### Want Column

**WANTED.**  
WANTED — Railway mail clerks, \$75.00 to \$150 month. Details free. Franklin Institute, Dep't. 104 P., Rochester, N. Y.  
WANTED—Experienced girls at Miss Ehle's, modiste, Warsaw, Ill.  
WANTED—To pasture 25 head of horses and cows, plenty of shade and good water. William Morris, Hillton road, 1/2 mile west Cooper shop. Phone 2311 F 2.  
AGENTS WANTED—For ideal summer work. Highest cash paid weekly with part expenses. Home territory. Outfit free. Experience unnecessary. Write today. The Hawka Nursery Co., Wauwatosa, Wis.

**FOR RENT.**  
FOR RENT—Modern room with board. 706 High street.  
FOR RENT—Five room house. Phone Red 172 or 1527 Morgan street.

FOR RENT—Two six-room modern houses, 926-928 Orleans avenue. Phone 267.

FOR RENT—A furnished cottage, north side on car line. Five rooms, water, gas. Enquire Black 662 or Red 1153.

FOR RENT—Nos. 18 and 20 South Fifth street. Excellent location for boarding and livery stable or garage. John Tumulty.

FOR RENT—Five room house, 1813 Orleans, including nine acres, with large barn, chicken house, fruit trees and plenty of water. Inquire 1123 Main street.

FOR RENT—Two or three unfurnished rooms, modern, close in, north side. W., this office.

FOR RENT—Rooms furnished for light housekeeping. 628 Des Moines street. Phone Red 1504.

**FOR SALE.**  
FOR SALE—One Quick Meal range in good condition and one Round Oak heating stove as good as new; cheap to quick buyer. Inquire 418 North Ninth street.

FOR SALE—Seven room house, near Seventeenth street, corner lot. Must sell on account of sickness. \$725.00. Phone 712. J. S. Miller.

FOR SALE OR TRADE—26 acres land in Missouri, three room house, barn, orchard, all in cultivation, 3 1/2 miles from Alexandria, Mo. J. S. Miller, 14 North Fifth street.

FOR SALE OR RENT—80, 19 1/2 acres near Keokuk. Wanted, wood choppers. Address 727 Morgan.

**LOST.**  
LOST—Cameo brooch between Sixth and Fourteenth and Timsa. Return to Mrs. F. Moeller, 619 Times street. Reward.

LOST—Last night, automobile tire between Keokuk and Alexandria. Return to this office. Reward.

LOST—Large pink ribbon bow. Return to this office.

**MISCELLANEOUS.**  
LAND OPPORTUNITIES—In the great Denver district. Plant your dollars in land and watch them grow. Information regarding Great Denver District can be supplied by S. N. Wilkins, First National Bank Building, Creston, Iowa. Write him without further delay and have him send you literature about a district which J. Oden Armour says: "I think the territory of which Denver is the center has the greatest growth ahead of it of any part of this great country. You have the climate, fertile soil, great resources, and everything that is needed." Land will be higher in this section next year. No better investment than good land well located. This is your opportunity.  
Definition of Joke.  
Joke—Something a woman takes seriously.—Smart Set.