

STATES MAY FRAME RATES ON INTERSTATE RAILROADS

VICTORY FOR STATES' RIGHTS RESULTS FROM SUPREME COURT DECISION.

RULING IS IMPORTANT

Two-Cent Passenger Fare Cannot Be Enforced Against Minneapolis & St. Louis Railroad, as It Would Be Confiscatory—Northern Pacific and Great Northern Lose.

Washington, June 9.—The power of the states to fix reasonable interstate rates on interstate railroads until such a time as congress shall choose to regulate these rates was upheld today by the supreme court of the United States in the Minnesota freight and passenger rate cases.

At the same time the court laid down far-reaching principles governing the valuation of railroad property for rate-making purposes and, according to these, held that the state of Minnesota would confiscate the property of the Minnesota & St. Louis Railroad company by its maximum freight and 2-cent passenger fare law. It enjoined the state from enforcing these laws as to this road for the present. In the cases of the Northern Pacific and Great Northern, however, it held that the roads had failed to show that the rates were "unreasonable" or "confiscatory" and consequently reversed the United States district court of Minnesota, which had enjoined their enforcement as both confiscatory and a burden on interstate commerce.

The decision, regarded as one of the most important ever announced by the court, had been under consideration for four months. Railroad commissions from eight states and the governors of all the states filed briefs in support of the state in the cases, recognizing that the principles involved affected them all.

Rate cases from Missouri, Arkansas, Oregon, Kentucky and West Virginia were not decided today, but the points announced in the Minnesota cases are regarded as governing them generally. These cases probably will be disposed of tomorrow, when the court will hold another session, as it will also do Monday, June 16, the final day of adjournment for the term.

The criticism of the apportionment of value between interstate and interstate business on a gross revenue basis and the apportionment of expenses of interstate business was regarded here as favorable to the state of Missouri in its fight to uphold the validity of the maximum freight and 2-cent passenger law enacted by it.

The states of Oregon and Kentucky were regarded as almost certain to win their rate cases, involving the validity of state freight rates, because in each instance practically the only objection to the laws was their reputed interference with interstate commerce.

In Two Parts.

The decision was announced by Justice Hughes. Justice Hughes considered the attack upon the state rates in two parts, the one that they placed an unlawful burden on interstate commerce and the other that they were so low as to confiscate property of the railroads.

In considering the interstate commerce phase he took it for granted that the state had the power to regulate rates between points within the state of Minnesota on railroads not crossing state lines and so far from the boundaries as not to compete with the cities of other states or otherwise affect interstate commerce. He next reached the conclusion that interstate rates, whether on purely intrastate railroad or interstate railroads, had not been regarded by the courts as being a direct regulation of interstate commerce.

The most interesting argument in this phase of the controversy was made by the justice in considering whether state rates on interstate carriers could have such an indirect bearing on interstate commerce as to exceed the power of the states.

(Continued on Page Seven.)

Committee Trying to Locate Lobby



Here's the senate tariff lobby committee, snapped as they interviewed senators as to the presence of a "powerful and insidious lobby" at the national capital. The committee is headed by Senator Overman of North Carolina. Left to right: Senator Thomas J. Walsh of Montana, Senator James A. Reed of Missouri, Senator Lee S. Overman of North Carolina, Senator Knute Nelson of Minnesota and Senator A. B. Cummins of Iowa.

COMMITTEE IS OFF TO PROSECUTE INQUIRY

BIG PARTY GOES TO PROBE CONDITIONS IN THE WEST VIRGINIA STRIKE.

Washington, June 9.—Armed with the authority of the legislative branch of the federal government, the senate sub-committee appointed to probe conditions in the West Virginia coal strike zone, left Washington for the strike district tonight. Senators Swanborn, chairman; Martine, Shields, Borah and Kenyon, and a corps of clerks, stenographers, deputy sergeants-at-arms and a squad of newspaper men were in the party.

About 100 witnesses are expected to be on hand at Charleston tomorrow to open the proceedings. The alleged existence of peonage among the mine-workers in the affected district will be the first subject taken up by the investigators, with Senator Borah in charge of that branch of the inquiry.

Among other things, the investigators are anxious to learn the exact status of the indictments returned against agents of the United Mine-workers of America, charging conspiracy under the Sherman anti-trust law with coal operators in other coal fields to embarrass the West Virginia operators by fomenting strife among the West Virginia miners.

Operators Favor Probe.

Charleston, W. Va., June 9.—Coal operators of West Virginia favor a thorough investigation by the sub-committee of the United States senate, due here tomorrow to begin an inquiry into the coal strike conditions on Paine and Cabin creeks, according to a statement made public today by Neil Robinson, secretary of the West Virginia Mining association, an organization representing more than 400 mines in the state.

REFUGEES ARRIVE.

Sanluis, Mexico, June 9.—More than 100 refugees, chiefly Americans and British, arrived today on a special train from Concepcion del Oro, in northeastern Zacatecas, about 87 miles from here. The party included Mr. Clapham, a mine manager, who was seriously wounded in a recent brush with the rebels.

The refugees were compelled to pay \$12,500 for the train and for permission to pass out.

BIG COPPER SHIPMENT.

Butte, June 9.—(Special.)—A carload of shining copper valued at from \$6,500 to \$7,000 was sent today from the Butte-Duluth Mining company's leaching plant near Columbia gardens to New York. The plant is being enlarged to handle a capacity of 1,000 tons a day. It adjoins the Bullyhacker ground and leaching plant, which is also enlarging its works and will be in operation July 15.

COLD IN NEW YORK.

New York, June 9.—Today was the coldest June 9 in the history of the local weather bureau, whose records go back to 1870. The temperature was down to 47 today. The nearest approach to this record was June 9, 1912, with 51 degrees.

WIFE IS PUNISHED FOR SHOOTING HUSBAND

Chicago, June 9.—Municipal Judge Mahoney declared a closed session on husband-shooting today so far as his jurisdiction extends. "Too many wives are shooting and wounding or killing their husbands and going free," declared the judge. "It will not be tolerated in my court at least" whereupon he fined Mrs. Dora Dwyer \$100 and sentenced her to serve six months in Bridewell. Earlier in the day the defendant, admitting jealousy as the cause, opened fire on her husband and wounded him in the arm. The latter pleaded that his wife be held guiltless, but the court declined.

KELLY KNOCKS OUT HIS SECOND NEW LAW

VOTERS MUST CAST BALLOT IN PRECINCT FROM WHICH THEY REGISTER.

Helena, June 9.—The law passed by the last legislature permitting electors to secure certificates of registration from the county clerk, and on the presentation of these, to vote in any precinct in the county, was declared unconstitutional by Attorney General Kelly in an opinion today to County Attorney Young of Sanders. This is the second act of the Thirteenth assembly to be knocked out.

The attorney general concludes: "The issuance of this certificate might be productive of great harm and injustice for, by its use, the colonization of voters would be rendered most easy."

Mr. Kelly advises Mr. Young in conclusion, "That it is the duty of the clerk to refuse to issue the certificate, and you are directed to so inform the county clerk."

PEARY IS HONORED.

Paris, June 9.—Rear Admiral Robert E. Peary was made a grand officer of the Legion of Honor today by President Edouard.

FAIR BOARD OUTLINES ITS PLANS FOR FALL

Helena, June 9.—(Special.)—Plans for the state fair this fall are being outlined by the board of directors which met here today and will conclude its labors tomorrow. Lewis Penwell of Helena was re-elected chairman. Resolutions on the death of Herbert Strain of Great Falls were adopted.

This afternoon the board inspected the grounds. It will meet the state board of examiners tomorrow and then conclude its business. The directors are Lewis Penwell, Helena; Sid J. Corfee, Missoula; O. S. Warden, Great Falls and Pat Curney, Waterloo.

MUCH LOWER RATE IN UNDERWOOD TARIFF

PROPOSED AVERAGE AD VALOREM DUTY WILL BE 32.99 PER CENT AGAINST 43.64.

Washington, June 9.—A table prepared by the senate finance committee showing comparative figures based on the Underwood tariff bill and the present tariff law shows the average ad valorem rate in the proposed law to be 32.99 per cent as against 43.64 per cent under the Payne-Aldrich law.

The estimated loss of revenue through the augmented free list in the Underwood bill would be \$24,718,929 on an import valuation of \$102,534,466. Revenue under the proposed bill exclusive of the income tax is estimated at \$266,701,130, as compared with \$304,216,094 under the present rates. With the income tax revenue estimated at approximately \$80,000,000, the total revenue under the proposed bill would aggregate about \$347,000,000.

In the sundries schedule, wherein the democrats have added many articles not heretofore taxed, the ad valorem equivalent shows an increase over the Payne-Aldrich rates from 24.72 per cent to 32.26, and the estimated revenue from this schedule is raised from \$27,000,000 to approximately \$60,000,000.

Big Wool Decrease.

Wool revenues, it is estimated, will decrease from \$27,000,000 to \$13,000,000. The sugar revenue would decrease from \$60,000,000 at the rate of \$20,000,000 a year until sugar goes on the free list in three years. The proposal of the sub-committee in charge of the agricultural schedule to put a countervailing duty on livestock, grains, and flour is to be discussed by the majority members of the finance committee.

With these products on the free list subject to a countervailing duty, cattle from Canada would be dutiable at from 2 1/2 to 35 per cent ad valorem, the Canadian tariff on cattle and meats would be dutiable at 2 1/2 to 3 cents a pound; wheat, 10 to 12 cents a bushel; oats and rye, 10 to 12 cents a bushel; flour, 50 to 60 cents a barrel; rice flour, 45 to 50 cents a barrel; oatmeal, 55 to 60 cents a barrel.

COURT MEETS IN VAULT.

Billings, June 9.—(Special.)—Because sessions of the federal court were being held in the district courtroom today, Judge Pierson convened court in the vault of the office of the clerk and there sentenced Bob Lafayette to one year in the penitentiary for stealing a horse from the rear of the city hall on the night of April 12.

GEORGE WYNDHAM DIES.

London, June 9.—George Wyndham, who was chief secretary for Ireland from 1906 to 1905, died today in Paris, according to private dispatches received here. He was in his 50th year.

WALSH ADDRESSES GRADUATES.

Washington, June 9.—(Special.)—Senator Walsh today delivered an address to the members of this year's graduating law class of Georgetown university.

NO CORRUPT LOBBY EXISTS OPINES MONTANA SENATOR

REPORT SUGGESTS DISMISSAL OF WALDO

New York, June 9.—By a vote of 5 to 4 a special committee of aldermen adopted today the Curran committee report on police conditions, concurring with it a resolution for the removal of Police Commissioner Waldo. The report was submitted in five sections, one of which charges that the members of the detective bureau were in league with thieves. The last section, submitted today, dealt with the appointment to the police force of men alleged to have been proven unfit for service.

T. J. WALSH SAYS HE HAS BEEN TALKED WITH BUT NOT IN IMPROPER FASHION.

PARTY PLEDGES BROKEN

Admits That in Past Two Campaigns in Treasure State Democrats Promised to Retain Revenue Duty on Wool and Sugar—Committee Strikes Scent of Much-Sought Quarry.

Washington, June 9.—(Special.)—In his testimony today before the senate committee investigating the "insidious lobby," Senator Walsh said all articles in which he is financially interested would be affected by the pending tariff measure. The bulk of the customs duties collected at Great Falls is on coal and coke shipped in from Canada. Montana has 5,000,000 sheep, and it is proposed, said Senator Walsh, to put wool on the free list. Sugar, of which Montana is a big producer, goes on the free list in three years. Meats and lumber go on the free list. Senator Walsh admitted that in the past two political campaigns, on the stump and in the press, he and his party in Montana had maintained that while duties would be reduced if the democrats obtained control, yet a revenue duty would be retained on wool and sugar.

Senator Walsh named as one of his callers in reference to tariff matters, Howard Elliot, president of the Northern Pacific Railway company, who said that Billings people had told him their sugar factory would not live under free trade, and he told Mr. Walsh he would not like to see the industry destroyed. "I assured him," Senator Walsh said, "that I shared his opinion."

Frank Lusk of Missoula told Mr. Walsh, the latter said, that a beet sugar factory had been promised that region, but it would not be built if the sugar tariff should be eliminated. Senator Walsh admitted without hesitation that he had talked with other senators and tried to bring them to his way of thinking. At a luncheon given by Senator Newlands to western democratic senators he had tried to influence them. He had talked in the same strain to Senators Simmons, Bankhead, Lee and others and considered he had done nothing improper.

The committee did not cross-examine Senator Walsh, who made it plain in his testimony that he did not entertain the view that any improper or corrupt lobby had existed in reference to the pending tariff bill.

On the Scent.

Washington, June 9.—Before turning away from the examination of colleagues who might have been influenced in matters of legislation, the senate lobby investigating committee late today began to inquire into the Washington pursuits of those who might have exercised influence. With only half a dozen senators yet to take the witness stand, the majority of the committee is convinced that it has seen a flash of the underground workings of a lobby and believes that only patient search is needed to reveal the trail that will lead to the quarry they are seeking.

The minority members apparently are not so certain that an "insidious lobby" will be discovered, but say they will use their ability as cross-examiners with every witness whose testimony proves encouraging.

One former senator and four men who sat at one time or other in the house of representatives were put to the test of the committee today. They all admitted more or less interest in legislation, but none would say that he considered his cause unjust or that he had done anything improper.

Senator Reed was the principal inquisitor and he apparently expected to show that many men spend most of their time in Washington with

(Continued on Page Six.)

ARSONETTE SAYS SHE SET FIRE TO HOUSE

Doncaster, England, June 9.—When the examination of a servant girl charged with an attempt to set fire to Westfield house was proceeding today, May Dennis, alias Lillian Linton, who was wanted by the police in connection with the Kew garden suffragette outrages last February, caused a sensation by entering the court and acknowledging that it was she who tried to burn the house. The servant girl was discharged and Miss Dennis was arrested. Harry Johnson, a young newspaper man, implicated in the same case, was committed for trial.

POSTOFFICE CLERK LOSES HIS LIFE IN FLATHEAD

W. H. HEDRICK OF KALISPELL DROWNS AND CLYDE COBB HAS A NARROW ESCAPE.

Kalispell, June 9.—(Special.)—W. H. Hedrick, a postoffice clerk, was drowned and Clyde Cobb, a taxidermist, nearly lost his life in the Flathead river at noon today when a canvas canoe in which they were paddling down the stream from Columbia Falls collapsed in a whirlpool three miles west of the steel bridge. Charles Lawrence, with the aid of a rowboat, succeeded in rescuing Cobb after heroic efforts, but Hedrick sank in view of Lawrence's wife before assistance could reach him. The body has not been recovered, and probably never will be, owing to the treacherous currents and many jams of drift that block the stream.

Sheriff Ingraham, George Cade and others who went to the assistance of Lawrence and Cobb succeeded in getting the men off a drift where they had landed. Cobb was exhausted and nearly dead from exposure in the icy waters.

Hedrick leaves his wife and two children to survive him. He came to this city several years ago for his health. Postmaster White has offered a reward for the recovery of the body.

WAR GROWS IMMINENT ON BALKAN PENINSULA

London, June 9.—With both sides refusing to make the slightest concession, war between the Balkan states is hourly becoming more imminent. If Bulgaria sends a negative reply to the Serbian note—and nothing indicates that she will answer otherwise—Serbia and Greece will proclaim the annexation of the occupied Macedonian territories, thereby establishing a definite casus belli.

The only hopeful feature of the situation consists in the belief that Bulgaria is lacking the sheens of war. Serbia and Greece are not only better situated in this respect, but also occupy superior strategical positions. These facts probably account for the calmness with which Serbia apparently regards the prospects of war.

CRACK SHOT FOUND DEAD.

Hannington, N. J., June 9.—Captain John S. Brewer, at one time champion wing shot of the world, was found dead today in his humble lodging in this city. It is not known what caused his death. The whining of one of his hunting dogs led to the discovery of the body.

LANE WINS BATTLE OVER INDIAN BILL

Washington, June 9.—The senate Indian affairs committee agreed today on an amendment to the Indian appropriation bill which would require a complete investigation of all expenditures of the Indian bureau, a detailed accounting for the coming year, and would revolutionize the method of administering Indian trust funds and annual appropriations in the future.

Another amendment agreed to by the committee, to prohibit any contracts with Indians relating to tribal funds or property in the hands of the government unless authorized by the United States, is expected to effect materially many contracts that have been made with the Cherokee and Chickasaw Indians by James F. McMurray of Oklahoma. It was asserted by Senator Ashurst before the senate "lobby" committee last week that Mr. McMurray's contracts carrying a 10 per cent contingent fee, would have

netted him \$2,500,000. Members of the committee were not certain tonight to what extent the contracts would be affected.

The demand for a detailed accounting of all Indian funds came as the result of persistent demands by some of the members of the committee for full information as to how the "humsun" Indian funds were expended. Senator Lane of Oregon, Saturday promised to go on the floor of the senate with a fight against the present bill unless such detailed information was produced.

A member of the president's economy and efficiency commission was called in today and with Senators Lane, Owen and Townsend prepared the amendment requiring detailed accounting of Indian affairs in the future. Senator Lane said tonight that the amendment met all of his objections and that he would support the bill in the senate.

When a Fellow Needs a Friend

LOST—ON WEST SIDE CAR TUESDAY, between Cedar and McCormick streets, \$29 in bills. Finder please return to Missoulian and receive reward.

When a fellow puts his hand in his pocket, expecting to pull out a roll of bills, and finds he has lost his money, he feels mean. If he is wise, however, he will lose no time in getting a Missoulian Class Ad at work on the job. Lee Dare, a week ago today, lost some money, as stated in the Class Ad which is quoted here. He tried to find the bills but was unsuccessful. Then he tried a Missoulian Class Ad. The ad was printed three times; the total cost was 65 cents. C. H. Wilson of Butte found the money and read the ad. He returned the bills to the loser. That's a good record. The Missoulian Class Ad is making good records every day. Why not let it find the man you are seeking? The cost is but one cent a word. If you are out of work and want a job, The Missoulian will print your ad for nothing.

DISSOLUTION ASKED OF "KODAK" TRUST

Buffalo, N. Y., June 9.—Dissolution of the so-called "Eastman Kodak trust" was asked in a civil suit filed here today by order of Attorney General McReynolds. The federal government seeks the dissolution by receivership, if necessary, of the Eastman Kodak company of New Jersey, and the Eastman Kodak company of New York, which are charged with monopolizing the trade in photographic supplies.

It is the aim of the government to obtain a division of the assets and business of the two companies, controlling 72 per cent of the business in the United States, into such parts as will destroy the alleged monopoly and restore competition. The petition in equity asks for an injunction forbidding the fixing of re-sale prices of cameras, films and other patented photographic supplies.

This marks the attorney general's first application of the recent decision

of the United States supreme court denying patentees the right to fix re-sale prices of retailers.

Following are named as defendants: Eastman Kodak company of New Jersey, Eastman Kodak company of New York, George Eastman, Henry A. Strong, Walter S. Hubbell and Frank S. Noble, all of Rochester, N. Y.

The bill filed by United States Attorney O'Brien is the result of an extensive investigation of the "trust" by James W. Fowler, assistant to the attorney general, and Clark McCocher, special assistant attorney general. Mr. McCocher is in immediate charge of the suit.

The alleged monopoly has been accomplished, the petition declares, by the Eastman companies absorbing or acquiring control of a number of great competitors in the United States and foreign countries.

(Continued on Page Seven.)