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Keokuk, Iowa, October 25, 1916

I once learned the new testament by rote, and I cannot discern the beauty of those sweet old Saxon phrases in which I have thought so long. Full of the light that never was on sea or shore—the light of the happiest, holiest, and best recollections—I seem to bring them to mingle a new element with earthly speech, and relieve, in some sort, with their glory, the dreary lifelessness of words.—Sydney Dobell.

TODAY'S BIT OF VERSE

LET SOMETHING GOOD BE SAID. When ever the fair form of friend or foe, The shadows of distress shall fall, instead of words of blame or proof of thine and so, Let something good be said.

Forget not that no fellow-being yet May fall so low but love may lift his head. Even the cheek of shame with tears is wet, If something good be said.

No generous heart may vainly turn aside In ways of sympathy; no soul so dead But may awaken strong and glorified, If something good be said.

And so I charge ye, by the thorny crown, And by the cross on which the Savior died, And by your own souls' hope of fair renown, Let something good be said! —James Whitcomb Riley.

I would establish but one general rule to be observed in all conversation, which is this, that men should not talk to please themselves, but those that hear them.—Steele.

REGISTER TOMORROW.

"If you do not register you cannot vote." "Old stuff," say many. "We've heard that preached every two years just before election. It's threadbare; give us something new."

And yet—again—"If you do not register you cannot vote." Carelessness, forgetfulness and inattention to a civic and political duty are sins of commission and omission that surely will garner their full measure of payment. Good government administered by clean men is the stake to be fought for in state and nation. It is better to register and thus insure your vote rather than neglect to register, lose your vote—and regret it afterward.

The registers of election of the city of Keokuk will be in session tomorrow for the first time during the present campaign, and on the following Friday and Saturday and on Saturday, November fourth, and citizens qualified as electors may at those times enter their names on the registration lists.

Also, the registers will meet on election day for the purpose of granting certificates of registration to legal voters who were absent from the city during the days fixed for registration, or to foreigners who may have received their final papers since the last preceding day for registration, or to any person whose name was on the list the preceding Saturday and in the absence of such person stricken from the registration.

American citizenship must be measured by the earnestness with which its component units endeavor to play their part toward electing proper men to office. The issues of the present campaign have been clearly defined. Certainly there has never been greater need for each citizen to take sober counsel regarding the welfare of the country. Do not wait until Friday or Saturday of this week or Saturday, November fourth; register tomorrow.

WOMEN'S INGENUITY.

A political development reported from Boston is interesting as showing that the feminine voter is as full of resources as before she was enfranchised. Test cases are said to be before Massachusetts courts.

Women who have voted in states that have extended suffrage to them, such as California, Colorado and Oregon, have made demands in various cities in Massachusetts where they now reside, that they be registered as legal voters. Their claim is that a woman who had qualified as a legal voter in one state cannot be disfranchised by moving to another state, even though woman suffrage has not been established in the latter.

It is all very interesting, the cumulative evi-

dence that women are quite as much concerned in sharp political practice as any male politicians could be. It is a great pity, but a lamentable fact, that the political studies of women seem to be so concentrated upon political trickery. Instead, such students should show a genuine wish to gain a knowledge of great public questions, of broad political policies, of all sorts of interests which affect the whole public. Intense leaning toward the single question of woman suffrage, and conspicuously refusing to be interested in anything else, is a poor recommendation of a woman's intellectual honesty.

REGULATION OF RAILROADS.

Discussing the railroad problem in the United States in an article entitled "Railway Regulation and Locomotor Ataxia," Frank Trumbull, chairman of the Chesapeake and Ohio and, also, of the railway executives' advisory committee, says: "The carriers and the public have suffered because they have not really obtained regulation according to the intent and meaning of that much-used word."

It is a fact that railroad regulation enactments have all been of a piecemeal and patchwork character—court plasters, not blood remedies—and railway legislation has been more conspicuous for quantity than for quality. Legislation and regulation are not synonymous terms.

"The fact is," says Mr. Trumbull, "we haven't had regulation at all. It is locomotor ataxia. Congress can and should—without any constitutional amendment—act in these matters in behalf of all the states and 'co-ordinate' the railroads."

Such a step as Mr. Trumbull suggests might be accomplished by federal regional commissions, comprising some of the most capable of our present state railroad commissioners. If we can mobilize the strength of the banks regionally, why not also the railroads? The people care nothing for state lines on the map, or for theoretical state rights, when they want to do business with each other. The transportation question is a national problem—not a local issue.

Mr. Trumbull enumerates many disadvantages imposed upon the railways under our dual system of national and state regulation, among which are the cost of making over 2,000,000 reports annually to the several regulating commissions; the variations in passenger rates; the conflict in headlight, boiler-inspection, extra-crew and other laws; the inability of carriers to increase their rates when they increase the wages of their employes or meet increased prices of material; and the cost of submitting "wagonloads of testimony to various state tribunals."

"In consequence of these wasteful things," says he, "millions upon millions of dollars are going over the dam every year, and warrant the query whether there is any more wisdom in disembarking railroad corporations at state lines than there would be in disembarking passengers and freight or changing wages at state lines. Who, for example, would think of advocating a postoffice department for each state in the union?"

The Washington correspondents are busy choosing, in advance of the election, the next president of the United States. Some of them, of course, are guessing aright. After the election they all will get busy again in selecting the president's cabinet for him. Should Mr. Wilson be re-elected, the correspondents will overhaul his cabinet and designate the members who are to be dropped and those who are to stay. Should Mr. Hughes be elected, the correspondents will have the task of naming the cabinet complete.

The one idea campaign pursued by C. W. Storms never yet landed a candidate from this district in a seat in the state legislature. There are issues and issues, and the political solo played by this separatist longing for office strikes a false note. The leader in this 1916 concert has an ear for harmony and frowns on discord. Mr. Storms' playing is that of an amateur in the band of general good. He was marked for retirement when the first note was struck.

The shorter railway ticket recommended in the railway officers' convention will leave the ballot as the only extant rival of the stock market ticker tape for the long distance record.

Greece is in the position of the urchin who had his clothes stolen while lingering overlong in the old swimmin' hole.

If you would vote you must register. Look to it either tomorrow, Friday or Saturday. But better tomorrow.

The reason why some books are published is not obvious.

The hinges of the "open door" in China are becoming rusty.

IOWA PRES. COMMENT.

Waterloo Courier. It seems that the "forged telegram" of John Kelly about the desirability of keeping Sioux City in the wet column five years ago has turned out to be genuine after all. But as Mr. Kelly is not running for governor, it is hard to see just what connection the message has to do with the present political situation.

Sioux City Tribune: A despatch from Washington says that the federal trade commission advises publishers to reduce the size of the Sunday papers. Why not eliminate them altogether and give the newspaper man as well as the public a rest?

Rock Rapids Reporter: It may be a little old fashioned to talk tariff, but it is one of the big issues just the same.

Mason City Globe-Gazette: From the successful manner in which it can perch on opposite banners at the same time, victory must be twins.

Sioux City Journal: Just what did Meredith expect to gain politically by deuring that he drank beer, after owing up to having drunk champagne?

Burlington Hawk-Eye: Conceding, merely for the sake of argument, that the Adamson bill is an eight-hour law and not a wage-raising law, still the question remains, how the congress of the United States can make a law for part of the employes of the railroads, and a small part at that, and do nothing for the vast majority of the men in the railway service, who are not members of brotherhoods, and many who have never been members of any kind of an organization? Some day, there will be much talk of class legislation. Surely, there was never a more glaring example of class legislation than this Adamson bill.

Marshalltown Times-Republican: The house of bishops at the P. E. general convention at St. Louis denied women the right to sit in convention as delegates. However, there was no protest offered against women going most of the church work.

Manchester Press: The Des Moines Register will find after the votes are counted on November 7 that a sure way to elect a candidate in Iowa is to shower him with vituperation.

Anita Record: If Harding was ever guilty of horse stealing, the fact has not yet been made public by the Des Moines Register.

EPISCOPAL CONFERENCE

No New Business Can be Taken Up Now, But There is Plenty of Work to Do.

[United Press Leased Wire Service.] ST. LOUIS, Mo., Oct. 25.—With the time limit for the introduction of new measures expired yesterday, the Protestant Episcopal church conference settled down to hard work today to dispose of business put on the calendar during the two-week session.

Probably the most interesting sight still remaining in the house of deputies is the memorial of the common prayer book which will be presented to the lower house some time today. Unless there is immediate tabling of the document, a lively debate is assured. It urges an "optional" use of the book of common prayer in the interest of "unity with variety as distinct from uniformity." Certain doctrinal changes also are involved as an objection to "vague emphasis upon human nature as 'the earth' and 'miserable sinners'" and the phrase "conceived and born in sin."

Among the notable names signed to the memorial is that of Rev. Howard Melish, of Brooklyn, who has been the moving point in all hot debates to date. It was the Brooklyn socialist minister who started the debate on the divorce question which ended in its defeat in the deputies and who fourthly hard for the introduction of a "pacifist" prayer for the army and navy.

The report of the committee on the state of the church showed that the Protestant Episcopal church has more than 1,080,000 communicants, and 5,750 clergymen.

Cotton Report.

[United Press Leased Wire Service.] WASHINGTON, Oct. 25.—Cotton ginned in the United States from the 1916 crop prior to October 18, amounted to 7,291,723 bales, against 5,708,790 for 1915 and 7,819,767 in 1914, according to the census bureau today. Round bales (counted as half bales) included this year, are 123,659 against 54,783 in 1915 and 15,235 in 1914. Sea island cotton this year, 64,521 bales for 1915, 40,438 bales and for 1914, 36,078.



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DIRECTS VERDICT IN DAMAGE SUIT

Judge Hamilton Sustains Motion of Defendant in Case of Cutshall vs. the City of Keokuk.

OBSTRUCTION VISIBLE

Question of Contributory Negligence Was One Which the Court Must Consider.

The motion filed by the attorneys for the defendant in the case of Mrs. Julia S. Cutshall vs. the City of Keokuk to take the case from the jury and to direct a verdict for the defendant was sustained by Judge Hamilton in the district court this afternoon. Accordingly, a verdict for the city was signed by W. H. Home, at the instruction of the court. The ruling on the motion was about to be given this morning by Judge Hamilton but attorneys for Mrs. Cutshall asked to introduce more evidence and placed Mrs. Cutshall on the stand. The city re-argued its motion which was ruled on at 2 o'clock.

In ruling in the case Judge Hamilton said: On the 24th day of September, 1914, and the day previous thereto, the city of Keokuk was engaged in paving Eighth street between Bond and Main and as one of the instrumentalities which the city made use of in doing this work, a hose was attached to a hydrant which is located at the curb on the south side of the sidewalk and somewhat easterly from the corner of Eighth and Main streets. This hose, which was of a grayish color, ran diagonally across the said sidewalk and up and along the said Eighth street. On the 24th day of September, 1914, at about the hour of 1:00 p. m., the said hose was thus being used and at the time was being used with water and while thus inflated was about three inches in diameter, and the plaintiff and her daughter were on their way home on the north side of Main street, which is one of the main traveled thoroughfares of the city of Keokuk, and were walking upon a smooth cement sidewalk about seventeen feet in width, over which the plaintiff had frequently passed. At or about the instant when the plaintiff was in the act of placing a powder box, which she had just shown to her daughter, in her pocket book, and then and there tripped upon said hose, falling to the pavement and being seriously injured. The day was a bright sunny day. Over the sidewalk there was an awning supported by iron posts attached to and projecting from the building on the opposite side of the sidewalk from the hydrant. The plaintiff says that she could have seen the hose, when approaching the same, at any time when within one hundred feet thereof. It was plainly visible and so far as shown by the evidence in this case, she was not obstructed by other pedestrians passing by, or otherwise. During the time the plaintiff was approaching the hose, she was engaged in conversation with her daughter, and she states that she did not see the hose until after she fell. These are, succinctly stated, the facts as shown by the evidence at the time plaintiff rested her case, and upon these facts the defendant moves the court to direct a verdict, among others, for the following reasons:

1st. That there is no evidence showing, or tending to show any negligence on the part of the defendant. 2nd. That the plaintiff has failed to show due care on her part and that the fact she affirmatively stated she was guilty of contributory negligence. 3rd. That there is no evidence showing, or tending to show any negligence on the part of the defendant. 4th. That the plaintiff has failed to show due care on her part and that the fact she affirmatively stated she was guilty of contributory negligence.

Principles of Law.

The following principles of law are applicable to the facts in this case: 1st. While not an insurer against accidents the city is held to the duty of keeping its sidewalks in a reasonably safe condition for travel. If it fails to do so after it has knowledge of defects therein, or of illegal use thereof which renders the same dangerous or unsafe for travel, it will be held guilty of negligence. 2nd. The city has the legal right to use the sidewalks of the city in the performance of its other duties, using only such precaution against injury to persons using the street as ordinary prudence would indicate under the circumstances. 3rd. That it is incumbent upon the plaintiff to show that she was guilty of no negligence which contributed to any extent to her injury. 4th. A pedestrian upon a sidewalk may assume that no defects exist therein and need not be on the lookout therefor, but as to proper obstructions on the sidewalk the rule is different, and sidewalks may be temporarily obstructed and the pedestrian must be on the lookout for such obstructions. As to the first ground of defendant's motion, as heretofore stated, it is sufficient to say that it would be a question for the jury to determine whether or not under all the circumstances of this case the defendant had used such precaution against injury to persons using the street as ordinary prudence would dictate under the circumstances. As to the second ground of the defendant's motion, this court recognizes how careful the court should be in taking from the jury the question of contributory negligence, but, if the facts are undisputed and the whole testimony and the inference that may be drawn therefrom show that the injury occurred by reason of

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want of ordinary care, the question of negligence is one for the court.

In Plain Sight. The obstruction complained of was in plain sight and might have been seen by plaintiff had she been using her eyes. Plaintiff's counsel seeks to meet this with claim that her attention was diverted by the act of showing her daughter a powder box which she had taken from her pocket book and replacing the powder box therein, and that this excused her from what might otherwise have been contributory negligence on her part. The supreme court of this state has, it is true, recognized the rule that where one's attention is diverted for the time being, and through this diversion he is led into a dangerous opening, for instance, in the sidewalk, the jury may find his conduct excusable. In the case of Bender vs. the Town of Minden the court considers what will constitute such a diversion as will excuse the party injured. The where they stopped and talked fifteen or twenty minutes. When the conversation was concluded, plaintiff saluted his companion, turned around and re-entered the doorway and fell into a hole in the sidewalk. In that case plaintiff's counsel contends that the diversion was caused by conversation with the traveling man, and that excused him. In that case, the supreme court says, what will constitute such a diversion as will excuse him. This is the pivotal question on this branch of the case. If the diversion is self-induced that is to say, due to inattention and heedlessness, it is not a diverting cause. Indeed, we have expressly held that the presence of other parties with whom injured person is talking is not a diverting cause.

Clearly Distinguishable. Counsel for the plaintiff contends that in a recent decision the supreme court has not followed the rule as to diverting cause. The case which they seem to rely upon is that of Enright vs. Dubuque. But to my mind the case is clearly distinguishable. We must bear in mind that this case differs from one where there is a defect in the sidewalk itself. For, as heretofore stated, for a defect in the sidewalk the traveler need not be on the lookout, for he may assume that no defect exists, but as to proper obstruction the rule is different. If this were not so, one might blindly walk into an obstruction and say that he is not obliged to look out for it and therefore not negligent. In the Enright case the covering of a manhole in the cement sidewalk had been removed. It was a case of defect in the sidewalk. Again, the defect was not visible. In the case at bar the obstruction was plainly visible. Again the diverting cause was a special exigency arising by reason of the plaintiff having missed her car and being required to make a change in her plans.

In the opinion of this court the case is clearly ruled by the principles of law laid down in cases heretofore cited and other rulings of the supreme court. I feel constrained, gentlemen, to sustain this motion, accordingly it is ordered that defendant's motion be sustained and plaintiff be granted an exception. Resume Work Tomorrow. The jury was ordered to report to-

NO STRIKE OF CANADIANS

Conference Last Night Results Agreement Being Made at Eleventh Hour.

[United Press Leased Wire Service.] WINNIPEG, Man., Oct. 25.—There will be no strike of Canadian men today, D. C. Coleman, assistant to General Manager Grant Hall, the Canadian Pacific, declared early today, after a conference with trainmen which lasted most of the night. The strike order of the trainmen scheduled to become effective at 6 o'clock this afternoon. Hall and Coleman represented the railroads while the men are represented by James Murdoch and S. E. Berry. The conferences were to be resumed today.

All Danger Over. OTTAWA, Ont., Oct. 25.—Minister of Labor L. W. Crothers received a telegram at noon today announcing that all danger of the Canadian Pacific strike was averted and that an agreement between the Canadian Pacific and its employes would be signed in a few hours.

PRESIDENT GOING WEST

Mr. Wilson Will be Busy for Several Days, But Not Making Political Speeches.

[By Robert J. Bender, United Press Staff Correspondent.] LONG BRANCH, N. J., Oct. 25.—President Wilson left Shadow Lawn at noon today for Cincinnati on his final swing into the middle west before election. His train will pass through West Virginia and Ohio on the way and the president will continue his practice of greeting crowds but will adhere strictly to his determination not to make political speeches.

In Cincinnati he is scheduled for four speeches—one in response to an address of welcome, another at luncheon, a third at dinner and last and most important, a night address. It is expected in one of these speeches Wilson will devote considerable time to the hyphen issue, taking a cue from the interest in Cincinnati's large foreign population in such a topic.

Returning from Cincinnati, the president will not make any further trips prior to November 7, except to New York state. Administration leaders here were elated today at Republican Candidate Hughes' hyphen speech in New York last night. They regarded his utterances as evidence that the demagogue had "smoked him out." But he held he has delayed speaking so long in reply to the charge that his speech will be ineffective. Entering into the last ten days of the campaign, President Wilson is feeling entirely confident of his reelection.

TWO OFFICERS WERE KILLED

American Marines Met Resistance When They Went to Arrest Dominican Bandit.

WASHINGTON, Oct. 25.—A navy report from Colonel Pendleton, commanding American marines at Santo Domingo, today, stated that Captain W. W. Lowe and Sergeant Frank Alwood were killed and First Lieutenant John Marston was slightly injured when marines went to arrest Roman Battisti, a Dominican bandit. Battisti, according to the report, was killed.

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