

You'll Have to Make Good"
To make it pay, you will have to do your
part and "make good" to people who re-
spond to your "ads" in The Daily Review.

UPSETS 2 CENT LAW

Judge Says It Cuts Revenue In Missouri Below Just Level

Kansas City, Mo., March 8.—A notable decision in favor of the railroads was handed down today by Judge McPherson, of the United States District court, in the two cent fare and maximum freight rate cases, involving eighteen Missouri lines. The railroads contended that the rates fixed by the statutes of the state were not remunerative but confiscatory, and that the enforcement of the statutes be enjoined. The state brought proceedings to have them enforced.

THE DECISION.
"The question," said Judge McPherson in his decision, "is whether the traffic wholly within the state of Missouri generally referred to in the evidence as local traffic, can be carried under the freight rate statute of 1907 and the passenger fare statute of 1907 at such profit as will give a reasonable return after paying expenses upon the investment, or whether such traffic is carried at a loss or less than such reasonable profit. The court has reached the conclusion that upon this question the statutory rates fixed by either and both statutes are not remunerative."

REASONS.
In giving the reasons for such conclusions the decision says: "The unquestioned and undoubted rule is that there is a presumption both of fact and of law in favor of the validity of every legislative enactment. The railway companies have the burden of removing this presumption, and showing that the statute clearly, or as some courts say, palpably, and others say, beyond a reasonable doubt, that the statute is invalid. In these cases the court has recognized this rule."

NOT EARNING INTEREST.
"My opinion is that a railroad property, properly built, and properly managed, should over and above expenses make a return of 6 per cent. per annum. "Considering all the evidence the evidence fairly shows that all of these roads were properly and economically built and are being properly and economically managed, and that after paying the expenses for maintenance and operation, that there is less than 6 per cent. of returns, and not more than 3 per cent. upon any of them and as to some of them a deficit, taking the property as above stated within the state of Missouri at its fair valuation. And this is so without reference to bonds, because in no case do bonds bear 6 per cent. interest. But taking the bonds into consideration, there is still not to exceed 3 per cent. returns, and in many cases a deficit after considering all debts and credits, upon the true valuation for the state business."

FIXING VALUATION.
"In fixing the value the court has considered the evidence of witnesses as to the stocks and bonds, outstanding, and the state board for taxing purposes has valued these properties. SOME HAVE NO NET EARNINGS.
"The passenger earnings under the two cent fare law of 1907, allowing nothing for extra cost over interstate business, give no return whatever to Rock Island, St. Louis & Hannibal, Kansas City, Clinton & Springfield, and the Great Western. The other companies will have the following: The St. Louis & San Francisco between 3 and 4 per cent.; the Santa Fe between 4 and 5 per cent.; the Kansas City Southern a small fraction over 2 per cent.; the M. K. & T. between 2 and 3 per cent.; the Burlington between 3 and 4 per cent. But all this is arrived at by allowing no extra cost of service. To add the extra cost for freight and passenger, there are no earnings over expenses. This is confiscation under the constitution."

A JUST RATE.
"It being a legislative act, and not a judicial one, this court cannot fix rates. If it could, two and one-half cent passenger rates would be fixed for the stronger roads and three for the others. But that is for the legislature acting itself with experts, such as the state employed in these cases, or through a commission with like assistance."

AMOUNT OF TRAVEL.
Judge McPherson also says in the decision: "When the statutes in question were enacted, it was believed by many that by reducing the fare there would be much more travel. For a month or so this proved to be true. But with the novelty gone, the testimony shows that the increase has been less than 3 per cent. and more nearly one per cent."

He says further as to the abolition of passes that the evidence shows the passenger revenue is increased by reason thereof less than 1 per cent.

AFTER THE DECISION HAD BEEN HANDLED DOWN the views of the attorneys of both sides of the controversy were sought as to what immediate effect the opinion would have. While several railway attorneys intimated that individual railroads soon would go back to the 2 cent passenger rate, none was able to state that this would be done, or if done, when the action would be taken.

STATE TO APPEAL.
Jefferson City, Mo., Mar. 8.—Gov-

ernor Hadley did not appear surprised when informed that the two-cent passenger fare law had been knocked out by Judge McPherson.

"All I can say at this time," said the governor, "is that the decision is not a correct one. The state will surely appeal to United States supreme court."

AFFECTS KANSAS SOLONS.

Topeka, March 8.—The senate committee on railroads has submitted an adverse report in the two cent fare bill which had already passed the house. This came immediately upon the receipt of news of the decision of Judge McPherson holding the Missouri two cent fare law unconstitutional.

SUNDAY'S MEETINGS GATHERING POWER

Three Services Sunday Drew 22,700 People to the Tabernacle.

Springfield, March 8.—Estimates give 22,700 as the total attendance at the revival meetings Sunday. The largest crowd turned out for the evening service, the figure being 9,200.

NIGHT THE BEST.
The night meeting was the strongest of the day. Rev. W. A. Sunday's wrath fell particularly on vice. His sermon was "The Moral Coward." He used the matter of his set sermon for the fiercest and most telling attack on vice in general he has delivered.

POLITICS.
Mr. Sunday went after politics saying: "I love to see a brave man in the mayor's chair, too. That's the trouble with old Springfield; they've run along too long under a rotten political gang. I am not preaching partisan politics but political decency. I promise you if I were mayor and the law allowed saloons, they should be allowed to run, but so help me God, they should be closed and remain closed on Sunday."

TWO GOOD ONES.
The modern system of renting church pews, false respect and sham forms among church members came under the ban of Mr. Sunday's disapproval in the morning. Evolution also received a share of his attention. With the text "The hour is come for speaking plainly," Mr. Sunday gave a fine address in favor of outspoken revivals in the afternoon.

GET TO WORK TO RE-ELECT CANNON

Insurgents' Activity Causes the Speaker's Friends Apprehension.

Washington, D. C., March 8.—The tenacity of the insurgent members of the house and their confident expressions as to the outcome of their efforts are causing some little apprehension among certain of the Republican leaders.

James E. Watson of Indiana, whose term as a member of congress expired on March 4, will remain in Washington a few days to render aid to Speaker Cannon's forces in the line of maintaining the organization of the house and securing the reelection of Mr. Cannon to the speakership. Within the coming ten days a line of missionary work into the various states will be taken up which, it is hoped on the part of the Cannon forces, will result in driving the reactionists into line and heading off the delay in the tariff measure enactment which might be caused by their attempt to enforce a radical change in the house rules.

WASHINGTON NOTES.
Washington, March 8.—That Taft contemplates a trip through the south and west this autumn was indicated by him today when he said he would try to attend the G. A. R. encampment at Salt Lake, Aug. 9-14.

DO NOT DECIDE.
The supreme court failed to hand down a decision in what is known as the "commodities" case, involving the validity of the provisions of the Hepburn rate law, prohibiting railroads from holding interest in or owning commodities which products are shipped over their lines.

REVOKING ROOSEVELT.
The order of the secretary of the navy given at the direction of Roosevelt abolishing the navy yards at Pensacola and New Orleans, was today revoked by Secretary Meyer.

WICKERSHAM PRESENTED.
Attorney General Wickersham was today formally presented to the supreme court by Solicitor General Hoyt. The ceremony was simple and brief.

MEVAGH ARRIVES.
Franklin MacVeagh, secretary of the treasury, reached Washington late last night, stopping temporarily in a down town hotel.

NATIONAL EXPORTS ARE FALLING OFF

Washington, March 8.—In January there was a falling off of about \$50,000,000 in the total value of the country's exports, as compared with those of January, 1908; while for the seven months ending January, last, the total exports amounted to \$1,031,719,944, as against \$1,189,090,551 in the corresponding seven months of the previous fiscal year, a fall of \$157,000,000 in the seven months in question.

FACTS ABOUT KING ALFONSO

Couta, Morocco, March 8.—King Alfonso arrived here this morning from Algiers on board the Cruiser Extremadura.

Madrid, March 8.—There is no truth in the report published in the United States that King Alfonso was injured in an automobile accident near Seville.

FOUND DEAD; QUEER FACT

Battle With Holdup Man Is Reported in That Locality.

Chicago, March 8.—Hugh Hopkins, 37, son of the Superintendent of Stations of the South Side Elevated railroad, was found slain early today in a doorway at 3703 Wentworth avenue, after John Laterra, a bartender, had reported to the police that he had exchanged shots with a holdup man.

Laterra was detained pending an investigation.

DENEEN AGAIN IN THE CHAIR

Illinois State Officials Arrive at State Capital.

Springfield, Ill., Mar. 8.—Gov. Deneen and other state officials arrived from Washington this morning in good health. The governor again resumed the duties of his office.

DECATUR TO HAVE ANOTHER DOCTOR

Dr. S. O. Eads Buys a Farm Near Warrensburg at \$151.50 Per Acre.

Arthur, March 8.—Dr. S. O. Eads, of Harrodsburg, Ky., is here visiting his brothers. Dr. Eads was a prominent and successful physician in this city up to a few years ago when he was forced to quit practicing owing to overwork. It is said that his business here at that time netted him \$6,000 a year. He is now making arrangements to locate in Decatur and reestablish his profession. He last week bought a farm of 240 acres three miles west of Warrensburg in Macon county, for which he paid \$151.50 an acre.

CARLOAD OF MAIL BURNED

Boston, March 8.—A carload of west-bound mail was destroyed by fire in the Boston and Maine station here today. It is estimated that 800 packages of letters and a hundred and fifty packages of newspapers were burned.

FAIRFRANKS TO THE LEGISLATORS

Indianapolis, March 8.—Former Vice President Fairbanks today addressed the legislature. He was greeted with applause by a large assemblage when he said he was glad to be home again and able to take an active interest in Indiana affairs. He spoke informally and briefly.

THERE MAY BE A FOX HUNT

Clinton, March 8.—Many farmers in the vicinity of Prairie Center have for some time been losing large numbers of turkeys, ducks and chickens through the inroads made on these fowls by foxes. There are said to be several fox dens in that neighborhood.

Ed Tuggle said Saturday that he has left but a few chickens out of a bunch of more than 400 early in the fall. A flock of 75 turkeys has also been almost wholly destroyed. Traps have been set but the wary foxes refuse to be caught.

SIX DAY GO-AS- YOU-PLEASE RACE

New York, March 8.—But twenty-four of the teams which started at 12:05 today in a six day go-as-you-please race in Madison Square Garden were left in at the end of the eighth hour.

FIREMAN KILLED AT ROCKFORD

Rockford, Ill., March 8.—Captain Ernest Pearson, of the Rockford fire department, was caught by a falling wall yesterday and killed while fighting fire at the Rockford paper box factory. The fire loss was \$50,000.

SEVEN HURT IN HAT MAKERS RIOT

Woodbine, N. J., Mar. 8.—Seven persons were injured today in a riot growing out of a strike at a hat factory when a crowd set upon a dozen men who continued working. Stones and bricks were thrown.

\$803,000 ASKED FOR EPILEPTIC COLONIES

Big Plans of State Board of Charities.

Springfield, March 8.—The state board of charities will ask the legislature to provide three colonies for epileptics in the state. They seek appropriations totaling \$803,000 for this purpose.

SIX POINTS.

The forthcoming biennial report of the state board of charities will advance six arguments for the colonization plan. They are:

First—The possibility of the care of many epileptics not fit subjects for institutions of any other class.

Second—The other institutions are relieved and their possibilities increased along their proper lines of activity.

Third—In a special institution it is possible to utilize the labor of this class to a greater extent than in the general institution.

Fourth—The segregation of epileptics prevents to a certain extent the propagation of the disease by the marriage of epileptics.

Fifth—Study of the disease is encouraged.

Sixth—Restraint is possible when needed, and the greatest freedom at other times.

WHAT BOARD WANTS DONE.

These reasons will be advanced to the legislators in an effort to get them to follow the example of New York, Ohio, Massachusetts, Kansas, and other commonwealths in providing state epileptic colonies. The assembly has been asked:

First—To make provision in state colonies for all the epileptics now in the hospitals for insane, institution for feeble minded, the county almshouses, and improvable epileptics in private houses.

Second—To divide them into three classes and establish colonies for each, the first class to consist of the improvable epileptics, who may enjoy outdoor life, manual training, regular habits, wholesome food, and amusements; the second class to consist of the insane epileptics, to be segregated in two colonies, one attached to Kankakee and the other to Anna hospitals for the insane, and the third, the feeble minded epileptics, to be colonized at Lincoln.

SITES.

The state board of charities asks the legislature to appropriate \$110,000 to buy a large site for a colony for the improvable class. For the colony at Kankakee, where would be segregated the insane epileptics from Elgin, Kankakee and Dunning, \$258,000 is needed for the construction of buildings, furnishings, and maintenance. For the colony at Anna, where the insane epileptics at Watertown, Bartonville, Jacksonville and Anna hospitals would be segregated, \$435,000 is required.

List of Chairmen'sships.

The full list of the chairmen'sships named Saturday by the speaker is as follows: Agriculture—Black, Peoria county. Banks and banking—Petersen, Cook. Building, loan and homestead associations—Truby, Cook. Canal, river improvements and commerce (deep water way)—Smekal, Cook. Charitable—Kittling, Cook. Claims, Bluff, Jefferson county. Corporations—McLaughlin, Chicago. County and township organization—Reck, St. Clair county. Drainage and water way—Parker, Will county. Education—Behrens, Macoupin county. Elections—Fanning, St. Clair county. Enrolled and engrossed bills—Hope, Chicago. Executive department—Mills, Cook. Farm drainage—Hollenbeck, Clark county. Federal relations—Knapton, Cook. Fees and salaries—Admado, Chicago. Finance—Solitt, Chicago. Fish and game—Foster, Schuyler county. Fraternal and mutual insurance—Schumacher, Cook. Good roads—McMackin, Marion county. Horticulture—York, Saline county. Insurance—Kleeman, Cook. Judicial relations—Knapton, Cook. Judicial department and practice—Brown, LaSalle. Labor and industrial affairs—Curran, Cook. Land and water—Lawrence, Ogles county. Licenses—Wardell, Cook. Live stock and dairying—Tippit, Richland county. Manufacturers—Glade, Cook. Mines and mining—Terrill, McDonough county. Miscellaneous subjects—Cermak, Cook. Municipal corporations—Erickson, Cook. Parks and playgrounds—Troyer, Chicago. Penal and reformatory institutions—Dudgeon, Grundy county. Primary elections—McNichols, Cook. Printing—Abbey, Henderson. Public buildings and grounds—Nelson, Cook. Public charities—Irland, Marshall. Railroads—Bush, DuPage. Retrenchments—R. E. Wilson, Chicago. Rights of the minority—Browne, LaSalle. Roads and bridges—Duffee, Pope. Soldiers and sailors—English, Johnson. State and county fairs—Zinger, Tazewell. State and municipal civil service reform—Beck, Cook. State and municipal indebtedness—Milton, Cook. State geological survey—Hamilton, Iroquois. State institutions—Poulton, Cook. State treasury—Knapton, Cook. To visit charitable institutions—Adkins, Chicago. To visit educational institutions—Corcoran, Chicago. Warehouse—Gillespie, Carroll.

Chairmen of committees previously announced are: Appropriations, Shanahan; judicial relations, Knapton; appropriations, Crawford; rules, Shurtliff; contingent expense, Lewis.

How Factions Fared.

Of the twenty-five Republicans who voted for Shurtliff for speaker, twenty are rewarded with committee chairmanships. Of the four Democrats who voted for the speaker, fourteen are rewarded with chairmanships. Four of the six who voted for Troyer for speaker drew committees, as did also Troyer, who voted for Kleeman for speaker. These assignments disposed of thirty-nine of the sixty-two committee chairmanships. The other twenty-three chairmanships are distributed among the fifty-five who voted for King for speaker.

The twenty Shurtliff men who are given chairmanships are: Behrens, Black, Bush, Chipfield, Glade, Curran, Dudgeon, Erby, Gillespie, Glade, Gore, Ireland, Kittling, Lewis, Lawrence, Nelson, Parker, Schumacher, Shanahan, Smekal and Zinger.

PRICES CUT, SHEET MILL CLOSED

Zanesville, O., March 8.—The American Rolling company's sheet mill closed indefinitely Saturday night, throwing 290 men out of employment. The cause for the shut down is the general depression in sheet steel making, due to the cutting of prices by the United States Steel corporation.

TWO SENT TO SING SING

Officers of Gold Mining Company Stole the Cash.

New York, Mar. 8.—Convicted of the larceny of \$4,000 from the Eagle Savings and Loan company of Brooklyn, Colonel Edward E. Britton and Quarantine Commissioner Edward H. Schroeder, formerly president and second vice president respectively, were given indeterminate sentences in Sing Sing prison today.

Britton and Schroeder were charged in various indictments with larceny upwards of \$48,000 from the institution in furtherance of their promotion of the Homestake South Extension Gold Mining company in South Dakota. Both men were active in social and civic affairs.

BIG CROPS NOW ON HAND

Of Wheat 143,000,000 Bushels, and of Corn 1,000,000,000 Bushels.

Washington, March 8.—The department of agriculture today estimated that the quantity of wheat in farmers' hands March 1, was about 21.6 per cent, equivalent to 143,000,000 bushels of last year's crop.

Corn in farmers' hands is estimated at 39.9 per cent, equaling 1,048,000,000 bushels of last year's crop.

This compared with the year 1907 is as follows:

Wheat, 28.1 per cent.; bushels, 206,644,000.

Corn—per cent. 44.3; bushels, 1,298,000,000.

Oats—per cent. 39.8; bushels 384,661,000.

WHEAT DROPS.

Chicago, March 8.—Wheat on the board of trade today dropped sharply, May declining, 8 1/2 cents to 11.13 1/2. Amidst scenes of turmoil rare even on the easily excited floor.

The Longs sold heavily on the government report of unexpectedly large farm reserves.

ASK THAT MUNJI BEY BE DEPOSED

300,000 Say That He Is Over-Charging Countrymen.

Washington, Mar. 8.—Three hundred thousand erstwhile Ottoman subjects now living in the United States have petitioned Kaizim Bey, Turkish ambassador to the United States, to urge that Munji Bey, the Turkish consul in New York city, be deposed, alleging that the latter has taken advantage of the ignorance of Syrians, Greeks and Armenians seeking passports to their native lands by overcharging them for his official signature and stamps essential to those documents.

The ambassador declared he would take decisive action.

DESIRES PEACEFUL SETTLEMENT

Belgrade, Mar. 8.—Count Forgach, Austria-Hungarian minister here, today formally presented Serbia a note from his government expressing a desire for a peaceful settlement of the dispute between the two countries.

NEW CHIEF CHOSEN BY THE APACHES

Lawton, Okla., March 8.—At an informal meeting of more than half the Apache prisoners of war at Fort Sill, eligible to vote for chief to succeed the late Geronimo, Asa Dudgeon, a son of Whoa of the Nedni branch of the tribe, was chosen chief yesterday.

PRIMARIES ENDED SEVERAL CONTESTS

Clinton, March 8.—The Republican primaries, held Saturday afternoon, saw some spirited contests. The chief fight was upon supervisor, collector and commissioner of highways. The result was as follows:

Supervisor—E. L. Hoffman, 182; F. C. Taylor, 216.

Assistant supervisor—H. C. Cline, 354.

Town clerk—W. W. Graham, 336.

Assessor—J. E. Johnson, 339.

Collector—Jackson Adams, 29; B. F. Henry, 136; Norton Rowley, 131; James Bird, 98.

Commissioner of highways—E. L. Debo, 218; H. C. Griffin, 140.

Justice of the peace (five to nominate)—Michael Donahue, 281; C. W. McCord, 248; A. J. Morlan, 224; William Nebel, 258; Lewis Chenoweth, 275; R. P. McHenry, 283.

Constable (five to nominate)—E. L. Swisher, 282; Joseph Morse, 299; Edward Moffat, 245; George Geer, 276; A. E. Stone, 257; T. G. Murphy, 215.

CENTRAL STATE MEN ON HOUSE COMMITTEES

Two Bement Representatives Are Honored by Important Posts.

Springfield, March 8.—Speaker Edward D. Shurtliff has announced the house committee assignments which will be read when the house convenes Tuesday. The Republican and Democratic steering committees are yet to be named.

One of the highest honors to a Central Illinois man goes to Charles A. Adkins of Bement, who is named to be chairman of the committee to visit charitable institutions, succeeding Representative Zinger. Homer B. Shaw, also of Bement, leads the representatives from this district with eight assignments to committees. Mr. Adkins is put on seven committees.

C. E. Perkins of Lincoln gets six appointments and B. F. Staymates of Clinton, five. J. R. Robinson of Farmer City has been placed on six committees. Robinson, Perkins and Staymates are on the following committees:

Robinson, Dewitt county; agriculture, banks and banking, elections, fish and game, soldiers and sailors, labor and industrial affairs and visit educational associations.

Perkins, Logan; county and township organization, good roads, miscellaneous subjects, printing, roads and bridges, state geological survey and statutory revision.

Staymates, Dewitt county; agriculture, claims, executive department, good roads, horticulture.

Other representatives from central Illinois have been assigned as follows:

Adkins, agriculture; Shaw, banks and banking; Shaw, Building, Loan and Homestead association; Adkins, county and township organization; Adkins, federal relations; Shaw, finance.

Clark, elections; Richardson, farm drainage; Richardson, fees and salaries; Richardson, horticulture; Richardson, libraries; Clark, municipal corporations; Richardson, primary elections; Clark, printing; Clark, revenue; Clark, rights of minority; Clark, roads and bridges; Clark, visit penal institutions; Brown, fish and game; Shaw, good roads; Brownback, insurance; Adkins, mines and mining; Shaw, municipal corporations; Brownback, primary elections; Shaw, primary elections; Brownback, railroads; Shaw, revenue; Shaw, rights of minority; Adkins, sanitary affairs; Adkins, state and county affairs; Perkins, statutory revision; Brownback, warehouses.

PROHIBITIONISTS AND STUDENTS

The Law as to Their Right to Participate in City Primaries.

There has been considerable discussion about prohibitionists and students voting at tomorrow's primaries.

PROHIBITIONISTS.

Section 44 of the primary law has this: "And no person shall be allowed to vote who shall have signed the nominating papers of an independent candidate and participated in the primaries last August, as primary elections in behalf of the prohibition party, are not qualified to vote in the primary, for either Democratic or Republican candidates. The same rule would apply to Socialists or others who come within the above provisions of the law."

LAW AS TO STUDENTS.

As to the position of students in either the university or the business college the supreme court a decision handed down in 1908, Welsh vs. Shumway, 232 Ill., page 88, says:

"A student in a college town is presumed not to have the right to vote, if he attempts to vote, the burden is upon him to prove his residence at that place, and it must be done by other evidence than his mere presence in the town. The fact that a student has resided in a college town the necessary length of time does not, of itself, entitle him to vote there. If he supports himself entirely by his own efforts, is not subject to parental control, regards the place where the college is situated as his home, even though he may at some future time intend to remove, has the intention of making it his present abiding place, and has no positive and fixed intention as to where he will locate when he leaves, he is entitled to vote; and this may be true even though he borrows money from his parents to help him through college. This latter fact, however, will greatly weaken his claim to a residence in a college town, unless it be shown to be purely a business proposition between himself and his parents, very like what it would be if he borrowed from an entire stranger."

POTTS TO GO TO KANKAKEE

Springfield, March 8.—Sherman Potts, the man who attacked Rev. W. A. Sunday with a whip over a week ago, has asked that he be sent to the asylum at Kankakee.

The state board of charities has granted his wish and he will be taken there.

"NIGHT RIDER" ESCAPES FROM JAIL

Union City, Tenn., March 8.—Hirschel Hogg, a confessed member of the band of "night riders," who murdered Captain Quentin Rankin at Walnut Log, in October, escaped jail at Dresden Saturday night and has not been recaptured. He is supposed to be hiding in the lake region.

JUDGE WARNS SPECTATORS

Would Have No Demonstration In Cooper-Sharp Murder Trial.

Nashville, Tenn., Mar. 8.—An immense throng was present today when Captain Fitzhugh began his argument for the state in the Cooper-Sharp murder trial. Many women, including Mrs. Carmack and Mrs. Sharp were in attendance.

Judge Rank warned the audience against any demonstrations, saying if any one applauded, hissed, or commented upon the argument he or she will wish they had never done it."

QUIT CHURCH OR SOCIALISM

This the Way a Priest at Manitowoc Talks to Parishioners.

Manitowoc, Mich., March 8.—Members of the Roman Catholic church who are affiliated with the Socialist party must choose between that party and their church. This was broadly intimated by Rev. Kubiszewski of St. Mary's Polish Catholic church Sunday in an address from the pulpit.

The priest read a circular letter from the pope which he said was the basis for his statement. Similar addresses will be made by all Catholic priests in the state.

3,000 HAVE WAGES CUT