

7-CENT FARE UPHELD FOR VALLEY RAILWAYS

(Continued from First Page.)

crossing on the People's bridge or for a Carlisle line since abandoned and a trestle at Lemoyne. It is declared that the company has modern and good equipment and the operating efficiency up to 90 per cent.

The opinion dismisses complaints of S. T. Moore, West Shore Firemen's Union, Council and citizens of the borough of West Fairview, Scott J. Hake, Robert E. Cahill, Galen L. Naylor, borough of Carlisle, R. M. Weidner, J. C. Strickner, et al., John H. Roth, et al., and J. Fred Hummel, et al.

Mr. Clement, says: "The Valley Railways Company is an interurban system operating a street railway starting in the City of Harrisburg, Dauphin county, Pennsylvania, and extending into Perry and Cumberland counties, Pennsylvania. There were eleven complainants, and as they were all heard together they will be disposed of as one case."

"The complainants allege: "First—That the increased rate of fare from five to seven cents per zone, effective October 1, 1918, was unjust and unreasonable.

"Second—That the service rendered by respondent was inadequate.

"Third—That the respondent's equipment and property were not kept in good repair.

"Fourth—That the new tariff had not been properly posted and published in accordance with the Public Service Act, and with the rules of the Public Service Commission.

"The borough of Carlisle, in its complaint charged that the fare increase on that part of the respondent's system known as the Carlisle Shore Line was in violation of the agreement embodied in the ordinance under which a franchise was granted to the respondent company to construct and operate its lines in said borough.

"The complainants withdrew the charges against the respondent with Just Like Stepping on Gas

Wonderful How Stuart's Dyspepsia Tablets Speed Up the Stomach to Take Care of Any Excess of Food or Unusual Fatigue, Sour Stomach and Cheese, Beans and Other Palate Ticklers

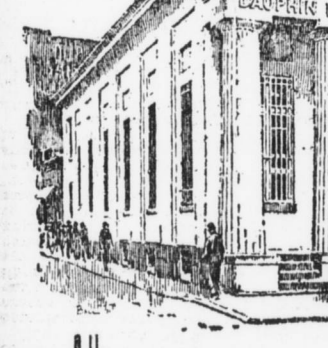
If you belong to that timid class that shies at a doughnut, just try Stuart's Dyspepsia Tablets and see how they speed up the stomach. It's like stepping on the gas. You begin to eat things that used to worry you even to think of them, the savory things of the banquet, the home-made sausage, the toothsome pies and puddings and all the balancings of a long list of eatables that so many stomachs have been strangers to.

Stuart's Dyspepsia Tablets after meals relieves gasiness, rumblings, drowsiness, sour risings, heartburn, indigestion, and the feeling of being "stuffed." They contain harmless ingredients which act with an alkaline effect just as the stomach does when perfectly healthy. Thus instead of milk or cheese curdling into a lump that you can't taste all day, it is broken up and converted into a substance for quick and easy assimilation. It's the same with those other foods which your weak stomach has had trouble with. Get a 50-cent box of Stuart's Dyspepsia Tablets at any drug store, speed up your stomach and thoroughly enjoy what you eat without distress.

"Am On My Way, Hillly, at Top Speed, That's What Stuart's Dyspepsia Tablets Do For Me."

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ON the fifteenth of September many Harrisburg people will be clipping the six months' interest coupon from their Liberty Bonds of the third issue.

If you are one of them, our suggestion to you is that instead of spending the money you bring the coupon to us and start an account with it in our Savings Department.

Then deposit all future coupons here in the same way, thus supplementing your regular savings deposits and compounding your Liberty Bond interest.

Don't part with your Liberty Bonds unless absolutely necessary, and continue the habit of thrift you acquired in buying them by becoming a regular savings depositor at the

Dauphin Deposit Trust Company

MEMBER FEDERAL RESERVE SYSTEM Harrisburg, Pa.

respect to inadequacy and inefficiency of service.

In Good Condition "It is clear from the testimony of the engineers that the property and equipment of the respondent company was in good condition on October 1, 1918. The track construction being mostly T-trail. The company had thirty-nine passenger and four service cars all in good condition.

The complaint of the borough of Carlisle that the increase in rates was in violation of the provisions of the ordinance will dismiss, as the Commission declined in the case of Wilkinsburg vs. the Pittsburgh Railways Company, P. U. R., 1918, P. 121, that an ordinance granting a franchise to a street railway company and prescribing the rate of fare to be charged does not preclude the Commission from inquiring into the reasonableness of any rate and from determining the rate of fare a railway company is entitled to receive.

This decision of the Commission was affirmed by the Superior Court in an opinion filed by Judge Trexler on July 17, 1919, in which he said:

"The exercise of the police power of the State shall never be abridged or so construed as to permit corporations to conduct their business in such manner as to infringe the equal and general well-being of the State. Where the rights of individuals under a contract which would be equal and general well-being of the State the rights of individuals must give way to the general welfare. It, therefore, follows that when, as in this case, the parties enter into a contract with a public service corporation relating to rates with the State to exercise its police power in the future is expressly reserved and that where the common demand that the interest of the public contract thus entered into shall be modified it can be done without any violation of the provisions of any Constitution of the State with reference to the impairment of the obligation of contracts." (See also opinion of the Superior Court by Judge Trexler in the matter of Charles S. Foltz, appellant, vs. Public Service Commission, filed July 17, 1919.)

"It is clear from the evidence that the respondent has complied with the Public Service Act and the rules of the Public Service Commission in the posting and publishing of the new tariff.

The Seven-Cent Fare "This leaves one question remaining: Was the increase in rates by respondent from five to seven cents per zone unjust and unreasonable? It is clear from the testimony taken in this case that the equipment of the respondent company is modern, of good quality and that the operating efficiency of the system is up to at least ninety per cent. The electric current used by the respondent company in the operation of its system is furnished by the United Electric Company. All of the capital stock of the United Electric Company is owned by the respondent company, the Valley Railways Company, with the exception of the shares necessary to qualify directors.

The stock of the United Electric Company has not been treated in this case by the respondent as an asset nor as an item of property used or useful in the transportation business of respondent and the dividend received by the respondent company from the ownership of this stock are not included in the income of the respondent. The respondent company paid to the United Electric Company five cents per K. W. H. for power. Respondent contends that in determining the net revenue the power should be charged for at what is reasonably worth. It is clear from the record in this case that five cents per K. W. H. is below the cost of this power and is entirely too low a rate and the power should be charged at what is a proper and reasonable rate. The testimony submitted by the respondent shows the rate charged by various electric companies for power from 1.28 cents to 2.24 cents per K. W. H. The Commission considers that a rate of 1.5 cents per K. W. H. would not be excessive.

"The testimony clearly shows that the operating expenses of the respondent company have increased rapidly. The expenses, including taxes, for the year 1914, were \$181,556; for the year 1915, \$172,654; for the year 1916, \$194,879; for the year 1917, \$218,428; for the year

1918, \$248,755. The accounts for the respondent estimate that the operating expenses for the year 1919 would be \$310,571. Taking the month of October, 1918, and comparing it with December, 1918, the wages of motormen and conductors show an increase of 33 per cent to 100 per cent of from 20 and 23 cents per hour to 40 and 42 cents per hour, and that the wages of track foremen, laborers and repairmen were increased in amounts ranging from 88 per cent to 125 per cent. The testimony further shows that the net operating revenue of the respondent property applicable to the payment of return upon the investment of its owners was, for the year 1914, \$68,814; for the year 1915, \$69,478; for the year 1916, \$72,107; for the year 1917, \$79,405, and upon the same estimate if 5-cent fares had been charged during the year 1918, the net operating revenue would have been for that year \$56,965. The expert accountants employed by the respondent testified that they estimated that the net operating revenue had been continued during the year 1919, the net operating revenue applicable to return upon investment would have been \$71,716.

Valuation Made "The respondent company employed a firm of engineers and accountants to value the physical property of the Commission in determining the fair value of that property for ratemaking purposes.

"The respondent company was formed July 27, 1912, through the merger and consolidation of several smaller street railway companies. The engineers and accountants of the respondent testified that vouchers, records, books and other data of these companies, that were merged in 1912, were not preserved and that the engineers found it impossible to determine the original cost of the physical property. They further testified, however, that the accounts and records of the Valley Railways Company since 1912 were complete and intact and they made an analysis of all the vouchers. The engineers therefore directed their efforts and attention to a calculation of the reproduction cost of the property. An estimate of the value of the property of respondent was made as of October 1, 1918. They testified that by using the costs of material and labor in the construction of the property during the 1917-year period, from 1912 to 1918, both inclusive, the estimated reproduction cost would be \$2,500,000. The respondent did not introduce any evidence with respect to the value of respondent's property for ratemaking purposes that is less than \$2,500,000, and that in fixing the fair value of the property nothing should be deducted on account of accrued depreciation and that the respondent should be allowed an annual return of 8 per cent on whatever value might be fixed by the Commission.

Valuation Declined "We cannot agree with these propositions. The Commission will be guided in determining the fair value of the property by the opinion of the Superior Court in the case of Ben Avon Borough vs. Ohio Valley Water Company, 250 Pa. 289, in which the following language was used:

"The ascertainment of the fair value of the property for ratemaking purposes is not a matter of physical property value, which calls for the exercise of a sound and reasonable judgment under a proper consideration of all relevant facts. The Commission is not bound to adopt any one method to the exclusion of all others. It may take into consideration various methods and use its judgment as to the extent to which either shall be employed. The original cost of the property is not to be taken as controlling, for there may have been extravagance in purchase or had management and, on the other hand, there may have been an actual increase in value since the original purchase or construction. Then again the reproduction cost less depreciation may not give the present fair value of an old property, for it may not now be desirable to produce the old type of plant. Improved machinery and better methods of operating machinery may have come into vogue which would make it true

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to relegate much of the physical construction of the old plant to the scrap heap. Much must be left to the sound discretion of the present body, the tribunal appointed by law and informed by experience, in the discharge of these delicate and complex duties."

"Applying the principles thus laid down to this case, it will be observed that the two concluding items in the estimates of reproduction costs submitted on behalf of the respondent provoked considerable discussion at the argument and require careful consideration at our hands. These items are listed under the heading: "Other elements of value." The first consists of the aggregate of expenditures made in the past for property which does not appear in the inventory taken as of October 1st, 1918, principally a trestle at Lemoyne and Carlisle, the former of which were subsequently abandoned and for work done in shifting lines under the requirements of the Public Service Commission. We do not consider there is sufficient evidence in this case to justify us in allowing these items to be considered in reproduction cost of the property.

"There is another item which the respondent claimed of \$100,000.00 equity in the Susquehanna and Brains d'Alleud, a village on a few miles from November Waterloo. Typical of the heroism of King Albert's countrymen, this physically frail but intellectually powerful prelate of the church stirred the whole world to admiration of his courage when, on the first day of Christmas, 1914, with Germans everywhere in Belgium, he issued his famous pastoral letter, denouncing the invader and urging his people to resist in these words:

"Germany has violated her oath. We can neither number our dead nor compute the measure of our pains. Occupied provinces are not conquered provinces. The authority of the invader is no lawful authority. Therefore, in soul and in conscience you owe it neither respect, attachment nor obedience."

Later, in protesting against the deportation of the Belgians for forced labor, he threatened Germany with "the reprobation of the civilized world, the judgment of history and the chastisement of God."

Fifteen thousand copies of the Cardinal's letters were seized and destroyed, the printer was arrested and fined and the brave priest was kept a prisoner in his palace by order of General von Groener until a retraction of the pastoral had been signed."

He was given his liberty, finally, and continued to use his voice and pen against the "mailed fist" in crystallizing world opinion against the Central Powers. All during the war, however, he was subjected to petty persecutions and his secretary and other aids were thrown into jail. He went through the bombardments of Antwerp and Malines and braved the perils of the common soldier.

Cardinal Mercier was created and proclaimed a member of the Sacred College on April 15, 1907. Before that he was professor in the University of Louvain, which was repeatedly pillaged and desecrated in the war. The prelate's distinguished service for Belgium throughout the

war has been told in frequent news dispatches. Less is publicly known of his early record as a churchman. The Cardinal studied at St. Romuald's College, Malines, and the diocesan seminary in the same place. He was ordained to the priesthood April 4, 1874, entered the seminary at Malines in 1877 as a professor of philosophy after taking a course in theology at the University of Louvain and five years later was called to the University of Malines as professor of Thomistic or liberal philosophy. In 1886 Pope Leo XIII appointed him a domestic prelate, with the title of monsignor.

He comes of a distinguished religious family, other members of which have won honors in the church. One uncle, the Rt. Rev. Adrian Croquet, born in 1818, was a pioneer missionary among the Indians for thirty-eight years in the Canadian Northwest. He died in Belgium in 1902 and it is the Cardinal's wish to visit the scene of his uncle's labors.

Cardinal Mercier's visit to the United States is largely the result of importunities from all sections of the country. As President Wilson is absent from Washington, the Cardinal will pay his first respects to Cardinal Gibbons in Baltimore and visit the White House later in his tour. According to present plans, the noted Belgian prelate's itinerary will include, besides the cities mentioned, Philadelphia, Pittsburgh, Scranton, Albany, Boston, Providence, Hartford, Springfield, Mass., Detroit, Cincinnati, St. Louis and Chicago.

ETIQUETTE OF SNUFF-TAKING "The taking of snuff, which was indispensable to its period, has died out. The taking of snuff had a peculiar etiquette. A pinch pointed an epigram it symbolized indifference, contempt and on the other hand, the box extended in a friendly manner expressed admiration, a desire for better acquaintance. The box was a refuge from idle questioners. A vigorous rap on the closed box put an end to argument.

The box itself was a work of art. It was adorned with precious stones or paintings, or quaint mottoes. When a monarch wished to show his appreciation of a musician, artist, poet, he presented him with a gold snuff box filled with louis d'or. When the practice was at its height, an Earl Stanhope reckoned that if a minister took snuff for forty years, 150 years of his life were spent in tickling his nose and two more in the blowing of it.—Detroit News.

THE SIMPLE BEAUTY of the stones shown here will surely appeal to the sense of good taste of those who visit God's Acre. We are quite ready and more than willing to show designs of monuments which vary from the very simple to the most ornate and to arrange for the erection of the one selected for a moderate consideration.

I. B. Dickinson Granite, Marble, Tile and Bronze 505-13 N. THIRTEENTH ST. Harrisburg, Pa.

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per cent upon the fair value of its property. We are not prepared to say that this method is unworkable, but the net revenue available from a seven cent fare would not produce 8 per cent and we do not consider that the fare should be more than seven cents.

"Taking into consideration all the various items of respondent's tangible and intangible property and giving due weight to all facts disclosed in the evidence and through the investigations of our own bureaus, we have reached the conclusion that the present value of the Valley Railways regarded as a whole for the purpose of rate regulation is \$2,550,000.00. We further conclude that respondent is entitled to an allowance of \$210,571.00 for operating expenses, including taxes, and to an allowance of \$39,976.00 for annual depreciation. Having heretofore found the total of gross annual operating revenue upon a fare of seven cents per zone would be \$461,000.00 and deducting the operating expenses and taxes of \$310,571.00 the annual depreciation of \$39,976.00 leaves a net return of \$110,453.00 for the owners of the property, and having the fair value of the property at \$2,550,000.00, it will be seen that a seven cent fare will produce a return of 4.35 per cent upon the fair value of the property, which is manifestly not more than the owners are entitled to receive.

"We find therefore that the rate of seven cents for each zone is not unjust and unreasonable and that it will not produce more than sufficient revenue to give a fair return upon the fair value of the respondent's property, and we conclude therefore that the complaints in these cases should be dismissed and an order will be entered accordingly."

Trades Union Would Admit Germany to League of Nations

By Associated Press. Glasgow, Sept. 10.—Co-operation with international laborites in their campaign to procure Germany's admission to the League of Nations and for an immediate revision of the harsh treaty provisions, which are inconsistent with the statements made on behalf of the Allies at the time of the armistice, was overwhelmingly pledged yesterday by the Trades Union Congress in session here.

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CARDINAL MERCIER, WHO BECAME FAMOUS DURING WAR, ON VISIT TO U. S.

New York, Sept. 10.— Cardinal Mercier, Belgium's beloved spiritual guide, guardian of the welfare of 2,500,000 Roman Catholics in the little kingdom, whose first fierce resistance stayed the German avalanche, is to-day in America. He arrives here yesterday on a visit to the United States.

Cardinal Desideratus Mercier was born on November 22, 1851, in Braine d'Alleud, a village on a few miles from November Waterloo.

Typical of the heroism of King Albert's countrymen, this physically frail but intellectually powerful prelate of the church stirred the whole world to admiration of his courage when, on the first day of Christmas, 1914, with Germans everywhere in Belgium, he issued his famous pastoral letter, denouncing the invader and urging his people to resist in these words:

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He was given his liberty, finally, and continued to use his voice and pen against the "mailed fist" in crystallizing world opinion against the Central Powers. All during the war, however, he was subjected to petty persecutions and his secretary and other aids were thrown into jail. He went through the bombardments of Antwerp and Malines and braved the perils of the common soldier.

Cardinal Mercier was created and proclaimed a member of the Sacred College on April 15, 1907. Before that he was professor in the University of Louvain, which was repeatedly pillaged and desecrated in the war. The prelate's distinguished service for Belgium throughout the

war has been told in frequent news dispatches. Less is publicly known of his early record as a churchman. The Cardinal studied at St. Romuald's College, Malines, and the diocesan seminary in the same place. He was ordained to the priesthood April 4, 1874, entered the seminary at Malines in 1877 as a professor of philosophy after taking a course in theology at the University of Louvain and five years later was called to the University of Malines as professor of Thomistic or liberal philosophy. In 1886 Pope Leo XIII appointed him a domestic prelate, with the title of monsignor