

City Briefs

Car Entered — Lyndon Har-nish, 3316 Oakland road NE, reported a tape player valued at \$119 was stolen from his car over the weekend.

Choral Director opening, local church, 895-8922.—Adv.

Crocheted ponchos and beret sets, also large selection of afghans, 393-1570.—Adv.

Garage Entered — Robert Canfield, 1801 Second avenue SE, reported tools valued at \$150 were stolen from his garage over the weekend.

Nelson's stuffed pork chops, 98c lb. every Tues, Nelson's Meat Market, 362-4211.—Adv.

Reports Theft — Charles Kuenzi, 3920 Sherman street NE, reported a tape player, two speakers and four tapes stolen from his car over the weekend. They were valued at \$123.

John Oberthien Returns Papers For Safety Post

John D. Oberthien, incumbent Cedar Rapids public safety commissioner, filed nomination papers Monday for re-election. Oberthien, 50, is the fifth person to qualify for candidacy to the post. He will be seeking his third consecutive term.

Born and reared in Blainston, Oberthien has been a resident of Cedar Rapids 23 years. He majored in business administration at Coe college, St. Olaf college in Northfield, Minn., and the University of Georgia.

He served four years in the navy during World war II.

Before going to work for the city in 1956, he worked for the department of the interior, the Iowa highway commission, Northern Natural Gas Co. and Howard R. Green Engineering Co. He was director of public works for Cedar Rapids for five and a half years. During 1966 and 1967 he worked for Happel and Sons as a salesman.

Oberthien is a member of El Kahir Shrine, Mizpah lodge, the American Legion, the Cedar Rapids Chamber of Commerce, the Cedar Rapids Art Assn., the Iowa Assn. of Chiefs of Police, the International Assn. of Chiefs of Police, the International Municipal Parking Congress, the Industrial Safety Assn. of Iowa and the Jefferson High Hooster club.

He is married and has three children.

"I pledge our continued fight against crime and narcotics, a continuing of the upgrading of traffic flow and an assurance that any action I may take I will do with the thought of what is most needed by the majority of the people of Cedar Rapids," Oberthien said.

Three Charged With Safe Theft

Two hunters were responsible for giving a tip to police Sunday which led to recovery of a safe containing \$9,500 in cash and checks and the arrest of three men.

The safe was stolen Saturday night in a breakin at the Kacena Co., 829 Second avenue SE.

Linn deputies and Cedar Rapids detectives said the safe was located by the hunters a mile north of Mt. Vernon road SE, on Rosedale road in Linn county.

Detectives and deputies hid in the cornfield and surrounding woods Sunday evening and three men came to the scene and reportedly attempted to open the safe, officials said.

Taken into custody on charges of breaking and entering were David A. Slickley, 21, of 1340 E. avenue NE; Gary A. Taber, 26, of 1611 Second avenue SE, and Edwin L. Clary, Central City.

Each was being held in the city jail Monday morning pending arraignment on the charges.

Police Seeking Information on Victim's Actions

Cedar Rapids police issued a plea Monday for anyone with information on the death of Maureen Farley, 17, found dead last Friday in southwest Cedar Rapids, to come forward and report it.

Assistant Police Chief Kenneth Vanous said the department is particularly interested in the girl's actions on Sept. 17, the day she apparently disappeared.

Mrs. Farley, 522 Tenth street SE, was found dead Friday evening by two boys who were hunting on Ely road SW. Death was caused by a severe blow to the right side of the head which caused a skull fracture, the Linn county medical examiner ruled.

Police still have not termed the death a murder, but have said foul play is involved. Officials said there are no suspects.

A doctor thinks he has developed the perfect cure for a nagging wife. Gene Barry and Peter Falk star in "Prescription: Murder" on the TV 9 MONDAY NIGHT MOVIE at 8. It's high-voltage tension when the perfect alibi meets a cop who won't quit.

Commission Rate Power Is Upheld

By Cheryl Arvidson

DES MOINES (UPI) — The Iowa supreme court Monday upheld the authority of the Iowa Commerce Commission to regulate rates charged by utility companies as a means of protection of captive customers.

In doing so, the high court affirmed a Scott county district court decision that said the Davenport Water Co. proposed an unreasonably high rate increase in 1968. The decision, in effect means that water customers in Davenport and Bettendorf will receive about \$1 million in rate refunds, plus five percent interest, on bills paid since 1968.

The opinion upheld all but one of the findings of Scott County District Court Judge Nathan Grant. The point of reversal, came on the decision by the commission to estimate the amount of property tax paid by the water company in 1966 rather than using exact figures, and the case was sent back to the commission for minor readjustments based on exact property tax figures.

The water company, in June of 1966, proposed a 50 percent increase in rates and put the new schedule into effect under bond on Nov. 18, 1966. After nearly five years of hearings and appeals, the Iowa supreme court affirmed the

commerce commission's findings that 50 percent was far too high a figure and the company should be allowed only a 23 percent rate hike.

In the precedent setting 6-3 decision, the high court said the Iowa legislature clearly intended the commission to use its expert legal and technical staff members to determine what is a fair and just rate of return for monopoly utility companies.

The court ruled out the company's contention that its rate increase should be calculated on the "fair value" of its capital facilities.

The "fair value" doctrine was first spelled out by the courts in a 1937 decision involving utility rates in Ft. Dodge. "Fair value" means that a rate base used in figuring a just profit involves the replacement cost of plant facilities rather than the original outlay.

However, the commerce commission refused to accept "fair value" figures and based its decision on the original cost of facilities operated by the Davenport Water Co. This action was the major determination in reducing the water company's request for an increase from 50 to 23 percent.

Justice Maurice Rawlings noted that the earlier decision

Attorney General To Appeal Ruling On Grand Jury

IOWA CITY — The Iowa attorney general's office will appeal a Sept. 3 district court decision invalidating actions of the 1970 Johnson county grand jury to the Iowa supreme court.

That information was contained in a notice filed in district court here Monday morning, informing the eight persons indicted by that grand jury of the attorney general's intentions.

Originally, the grand jury returned indictments against two present Johnson county supervisors, an assistant county engineer and five representatives of private firms.

They were charged with offering or accepting a gratuity. Judge Harold Victor ruled Sept. 3 that the grand jury's actions were illegal because it extended its tenure into the 1971 calendar year.

Bert L. Koch, 69, Dies; Rites Tuesday

MT. VERNON — Bert L. Koch, 69, died Saturday at his rural Mt. Vernon residence.

He was born June 13, 1902 at Albany, Ill., and was married to Charlotte McMahon at Lyons on Feb. 1, 1923. He lived and

worked in Clinton before moving to Mt. Vernon two years ago.

He is survived by his wife; a daughter, Jeanne, at home; his mother, Mrs. Eoom Koch of Clinton; two brothers, Ernest of Fulton, Ill., and William of Albany, Ill.


Services: Tuesday at 10:30 a.m. at Baxter Memorial chapel, Marion. Burial: Mt. Vernon. The casket will not be opened after the service.

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