

La Grande Evening Observer

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LONG, SHORT HAUL ACT RIGHT

COMMERCE COURT IS GLAD TO UPHOLD VALIDITY OF ACT

COMMERCE COMMISSION OVERSTEPS ITS JURISDICTION

Decision Explaining Injunction Issued a Few Days Ago Comes From Commerce Court Today—Commission Has No Right to Determine Fairness of Rates—Hurts Interior.

Washington, Nov. 14.—Constitutionality of the long and short clause of the act to regulate interstate commerce was established today by a decision of the court of commerce. In a written decision in the Spokane-La Grande et al rate case published today, the court explains that it enjoined the reduction of rates, as the interstate commerce commission ordered from going into effect tomorrow, because the court disagreed with the commission's methods in making rates but that "it found satisfaction in upholding the long and short haul clause of the law."

The court's statement said: "Insofar as the interstate commerce commission attempts to determine the relation of the long and short haul rates irrespective of absolute rates, it exceeds its authority for it is not within the power of the commission to say that 100 per cent or 107 per cent or any given percentage of an unknown or less than a reasonable rate to the coast, is necessarily a maximum, reasonable and non-discriminatory rate from the same point of origin to an interior point."

"Though this decision enjoined the reducing of rates in the intermountain cities as the interstate commerce commission ordered, the court has found satisfaction in upholding the long and short haul clause of the law."

Exceptions Are Taken.

The commerce court emphasized its authority under the law to grant exceptions to the application of the long and short haul clause, declaring its belief that the cities having water traffic are entitled to low rates than cities where there is no water competition. This is a serious blow to Spokane, La Grande, Reno and other intermountain cities.

Dr. Kirby Out.

Dr. Kirby of Elgin is able to leave the Grande Ronde hospital after seven weeks spent there while recovering from very severe injuries sustained while alighting from a buggy near Elgin. He must still use crutches but he is so near full recovery that he is glad to be out even though hampered with crutches.

Rogers Explains Fall.

Pasadena, Nov. 14.—"I must have been asleep on the job," said Rogers today, discussing the fall from his aeroplane. He said he would complete his flight when he recovered.

FATHER BERNARD VAUGHAN

London Charity Worker Now on Visit to United States.



COURT SCOLDS LECOMPTE DAVIS

MORNING SESSION SURCHARGED WITH FRICTION.

Court Assailed and Counsel on Both Sides Reprimanded.

Los Angeles, Nov. 14.—Because he asserted that his associate counsel, Lecompte Davis, had been discriminated against in the ruling by the court and because he attacked District Attorney Fredericks, for, as he alleged, "refusing the defence a privilege he himself had demanded only yesterday, Joseph Scott, associate counsel for the defense was sharply reprimanded by Judge Bordwell and the entire morning session was charged with electricity. Friction between the court and counsel for both sides was many times manifested. As a result of the morning session William Andre, a carpenter, qualified as a tentative juror although the defense tried to disqualify him.

Sixteen of 40 of the sixth panel qualified today in the McNamara trial. The court opened with three permanent and six temporary jurors in the box. It is expected that three at least of the temporary jurors will become permanent.

Educational Day Here.

Education day, being observed throughout the state today, will be signaled in La Grande by a very delightful party this evening at the home of Mr. and Mrs. Turner Oliver. The evening will be devoted to informal programs and social affairs at which several especially invited guests will be present in addition to the Neighborhood club membership.

TUG RESCUES 48 PASSENGERS

LOUD CHEERING WHEN WASHINGTON'S RESCUE OCCURS.

NONE DROWNED AS FIRST BELIEVED AT ASTORIA

Steam Schooner Washington Not Badly Damaged—Bravery of Tug Captain and Crew Commended—Passengers Proud of Their Captain's Behavior During Trouble.

Astoria, Ore., Nov. 14.—Rescued from death by the bravery of Captain Buck Bailey and his crew who on the tug Tatoosh late yesterday afternoon, nosed over the breakers of Peacock Spit, and passed a line to the schooner Washington, and towed it here last night, 48 people are safe today. They had been given up as lost by those ashore and when they arrived at Calender dock they cheered vociferously.

The Washington had seven feet of water in her hold, taken in through the hatches, but was not leaking and the report that two sailors were on board was erroneous.

Except for the deckload the cargo was intact. The vessel is undamaged except the cabins. Part of the bridge and the wheelhouse are gone, windows and doors are broken.

Passengers speak highly of Captain Winkel and his crew. It is believed the chain dragging alongside when the deck load went overboard, choked the propeller, rendering the engines useless.

IMPERIALIST SHIPS SURRENDER

Land and Sea Attack on Nanking to Follow Capture.

Shanghai, Nov. 14.—It was learned today that rebels will send 13 warships which were surrendered yesterday to them by Admiral Sah, to Nanking. Then simultaneously an attack by land and sea is to be made on the imperialists. Martial law is declared in Canton, as robber chiefs practically control the city, and pirates and brigands have been made policemen.

5000 CHILDREN HONOR FARLEY

OUTPOURING OF CATHOLICITY AT NEW YORK BIGGEST

CARDINAL DESIGNATE ON WAY TO ROME COLLEGE

Splendid Farewell Accorded American as He Leaves for Rome to Become Cardinal—Archbishops Officiate at Mass Where Only Children Attend to Pay Farley Tribute.

New York, Nov. 14.—One of the greatest outpouring in the history of Catholicity in New York occurred today when a farewell mass was celebrated in St. Patrick's cathedral in honor of Cardinal Designate Farley who sailed for Rome this morning to take up his new duties in the college of cardinals. He was accompanied by Cardinal designate Falconio, former apostolic delegate to the United States. Both were recently appointed to the college of cardinals by the pope.

At 8 o'clock 5,000 children gathered at the cathedral and a half hour later the two cardinals designate left the arch-episcopal residence and passed along streets lined with representatives of every church to the cathedral. No adults were admitted. Children only attended.

Sixty priests and other dignitaries of the New York archdiocese attended, archbishops conducting the mass.

BEATTIE HAS NEW HOPE.

Cousin Paul Thought to Have Changed His Testimony.

Washington, Nov. 14.—Attorney Walter Balderson admitted today that Paul Beattie, a cousin of Henry, made affidavit recently repudiating the main feature of his testimony on which Henry was convicted of wife murder. The affidavit was presented to Governor Mann today, and the governor postponed his decision on Beattie's appeal for a commutation of the death sentence.

Brennan Monorail Train Shown Members of British Parliament

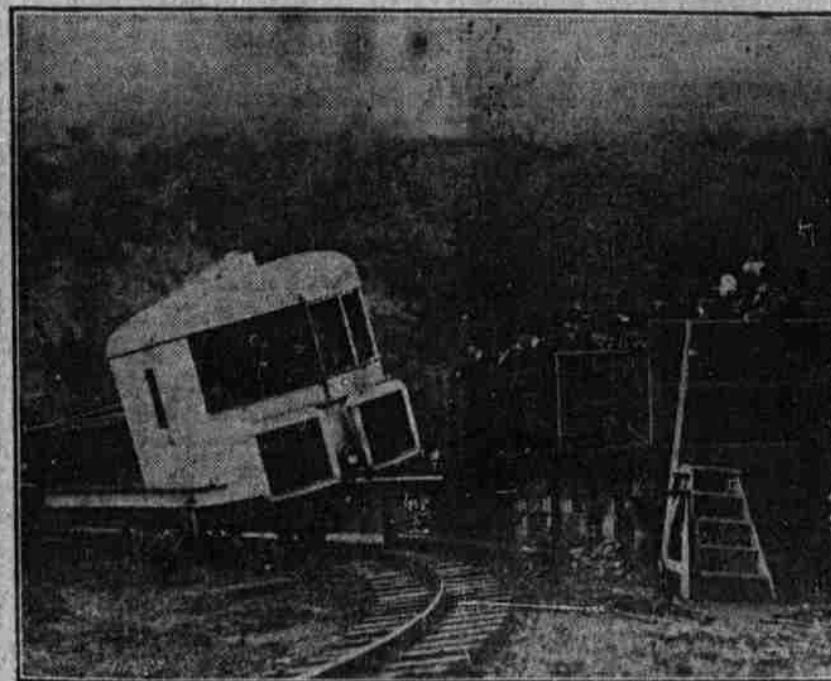


Photo by American Press Association.

SEVERAL members of the British parliament recently went to the White City, an amusement place near London, to witness a demonstration of the Brennan Monorail railway. They included Premier Asquith, Right Hon. Lloyd-George, Mr. and Mrs. Winston Churchill, Sir George Gibb, Sir Ernest Cassel, the Earl of Crewe and other distinguished persons. The Brennan car is held on its single track by means of a gyroscope. It journeyed back and forth along its crooked and uneven course as steadily as if traveling on a perfect roadbed supporting two rails. The invention has so far been little more than a toy, though great things have been predicted for it. So long as the gyroscope, which is merely a heavy wheel kept revolving at high speed, is kept going the car will maintain its balance, even on a swaying rope. It works on the principle of the familiar gyroscope top, which scientists pretend to understand, but which puzzles the laymen even after scientific explanations.

MRS. WILLIAM LOEB, JR.

Wife of Collector of the Port of New York.



University Library

LOST SETTLERS NUMBER 200,000

GOVERNORS' SPECIAL MOVE TO STOP THE FLOOD NORTH

AROUSED, NORTHWEST STATES SHOW FIRM DETERMINATION

Popular Special to the East of Northwest Governors Will Be Run With Intention of Stopping Influx to Canadian West—Canadian Immigrationists Advertise Well.

(P. H. Doyle.)

Idaho, Nov. 14.—Special—roughly aroused at last, through immigration reports of the Canadian government, showing conclusively that the tide of immigration that early helped to populate and build our American west has been diverted, and is flowing to the Canadian west, in ever increasing numbers, the states of the American northwest have at last decided upon concerted action looking toward checking this startling exodus from the eastern states to the Dominion.

With this end in view, practically every western and northwestern state is participating on a larger or smaller scale, in the many land shows that are being held in the east at this time. Through the medium of the excellent exhibits of the states' resources, as ocular substantiation of the claims set forth in the literature and statistics distributed at these shows, the individual states hope to prove to the people of the east, that the opportunities presented to them in their own west, are greater than those offered to the homeseekers who move to Canada.

Immigration statistics show that the United States is losing its population at the rate of 200,000 persons each year, this being the number of homeseekers who are drawn from the crowded centers of population in the eastern United States, to western Canada, by the glittering promises of marvelous harvests on cheap lands, offered by the Canadian immigration agents.

This is the state of affairs which has led to the holding of the numerous land shows. As a fitting climax to the advertising campaign inaugurated by the west, the northwestern states, and Colorado and California, have united in what is said to be the most unique method of advertising their resources, that has ever been conceived. The plan is the sending of a special train, bearing comprehensive exhibits of each state participating, on a tour of the principal cities of the east, at each of which stops will be made for the purpose of displaying the exhibits, and telling of the progress of the west, both from

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WILSON SURE OF NOMINATION

THUS OPINES SENATOR GORE OF OKLAHOMA.

Also Admits Taft Is Certain of Republican Nomination.

Portland, Nov. 14.—Senator Gore of Oklahoma before leaving for Salem where he speaks tonight, said a large majority of the democrats in 27 states he has visited, favor Woodrow Wilson for the presidential nomination. He said Taft's re-nomination is almost certain. Gore is a strong advocate for Wilson.

Taft Campaign Changed.

Washington, Nov. 14.—The republican national leaders are planning to win Wm. H. Taft's renomination by strategy. They are shifting the battleground of the campaign to a question of enforcement of the Sherman anti-trust law making President Taft's anti-trust record an issue upon which to base the fight. Mr. Taft is devoting much time and space to the subject in his message to congress. He will dismiss the tariff questions with a mere recommendation to the tariff board and endeavor to force an active discussion to the government's attitude toward trusts, claiming credit for the trust prosecutions.

Recital Ticket Sale Opens.

Tickets for the Beatrice Dierke recital here November 20th at the Baptist church go on sale at Silverthorne's tomorrow morning. The adult tickets are \$1.00 and children's tickets are 50 cents.

UNCLE SAM TO BE PEACEMAKER

ITALY SAID TO HAVE ASKED FOR MEDIATION.

Government at Washington Said to Be Willing to Officiate

Rome, Nov. 14.—It is authoritatively stated that Italy has sounded Washington regarding the willingness of the United States to mediate between Italy and Turkey in Tripoli and that the Washington administration has expressed a willingness to act.

BIG HARVESTER TRUST OUSTED

MISSOURI FOLLOWS PRECEDENT OF OIL OUSTER.

Company Enjoined From Doing Business in State and Is Fined.

Jefferson City, Mo., Nov. 14.—The supreme court today issued a writ of injunction and enjoined the International Harvester company from doing business in the state and fining the trust \$50,000.

The state was the first, also, that ousted the Standard Oil company from the state as a combination in restraint of trade.

JEWELRY STORE ROBBER IS NABBED BY BAKER AUTHORITIES

What is believed to be in line with ultimate punishment for the burglary of the Love Jewelry store Friday night, and is also destined to return to the jeweler at least a portion of the \$900 in jewels looted that night, has transpired at Baker in the arrest by the chief of police there of a man who undoubtedly was one of the burglars. Brief messages from Baker to the sheriff's office here this afternoon

say one man is already in jail as a suspect and one more is being run down. At the time of the arrest a say one man is already in jail as a watch, four rings, a pair of opera glasses and other small articles were on his person and the messages indicated that more of the jewelry will be uncached. Sheriff Childers will go to Baker tonight to bring the suspect here. By that time it is also possible the accomplice will be in rons.