# SERVICE GIVEN TO BE THE BASIS

## Commission Struggles to Get Equitable Adjustment of Rates.

## ADOPT UNIFORM SYSTEM

### Three Classifications of Freights in United States Thought Too Many. Much Confusion Exists From One State to Another.

OREGONIAN NEWS BUREAU, Washington, Oct. 20.—During the discussion of the subject of rate regulation at the convention of State Railway Commissioners held in this city, there was more or less difference of opinion as to the method to be pursued in so regulating intrastate and interstate rates as to yield the roads a fair return and at the same time prevent the enforcement of unduly high rates. It was the contention of Chairman Fairchild, of the Washington State Commission, that the value of the service should be made the basis of such computations, rather than track mileage or constructive mileage. Mr. Fairchild alluded to the recent decision in the case of Smyth against Ames, which he believed to be based on sound law. He said:

At first blush it would appear from that decision that a railroad doing an intrastate business is entitled to earn two returns upon its property invested in the public service—namely, that an intrastate rate must be so regulated that it will provide a reasonable return on the investment in the property used in the service, and that when you come to consider the interstate rate the same considerations must apply. But that was never the intention of the court, I apprehend, when you read that decision and consider what the court has in mind. The effect of the decision is that the rates must be so adjusted by the tribunal fixing them that the railroad will receive a reasonable return on the value of the property used by it for the benefit of the state. That is what the court had in mind; and when you have that you have harmonized the decision. The interstate rate must be so adjusted that the railroad will be entitled to receive from its entire rate such a sum as will net a reasonable return on the value of the property used by it in the conduct of the interstate business. There is nothing in that decision to indicate that the tribunal called upon to ascertain that value should not divide the value of the use of that property in the manner in which it is given by the use for the conduct of the two classes of business.

**Northern Pacific Is Example.**

To illustrate, the Northern Pacific Railroad Company passes through our state. Its property has a value, we will say, of $100,000,000. If 60 per cent of the use of that property, or rather 60 per cent of the value of that property, is given up to interstate business, then the interstate business ought to receive a return on $60,000,000, and its intrastate business ought to receive a return on $40,000,000. Then it has received its complete return. I believe that when you have ascertained that proposition the condition presented by our distinguished friend from Illinois is answered. It is not mileage, but it is the value of the service that you should be entitled to receive and have credit for. I think that ought to go without saying.

If, in the state of Illinois, it is necessary for the Pennsylvania system to have terminals worth $100,000,000, or, to put it a little differently, say $180,000,000, and it has only 18 miles of line in the state, then the question is, What is the value of the service that is rendered to the intrastate business? It is the same proportion of the value of the property that is used in that state as compared with the value of the property used in the adjoining states. There is a value to that service because it is necessary to have a terminal to use in that state in order to transact its interstate business. Start in at the beginning and divide your values between state and interstate business and you have solved the entire problem. Then work it down to the question of the value of the service rendered by the corporation.

For illustration, take the Northern Pacific Railroad, which travels the states of Washington, Idaho, Oregon, North Dakota, Minnesota and Wisconsin. There may be a law by which each and every one of these states will ascertain, under some harmonious action, the value of the properties of that road in these states. That those states, then, under some flexible provision of the law, should meet at some central point with the Interstate Commerce Commission to ascertain the value of the system, with the assistance of the facts that the different state commissions have ascertained. You will then reach the total value of your system, and then you are, it seems to me, in a position, having your terminal values and your other values ascertained, to find the value of the service rendered to the intrastate business and to the interstate business.

I may be wrong in my views with regard to this matter, but I believe I am right. I do know that track mileage will not answer the purpose and I do not believe that constructive mileage will answer the purpose. If it will, then may I ask who is going to fix the constructive mileage? Is it the railroad or the state commissions? I do not believe it can be worked satisfactorily, and I do believe that the question of the value of the service is what we have got to come to ultimately.

**Uniform System of Rates.**

Later on the discussion turned to the adoption of a uniform system of classification of freights. It was contended by commissioners from the West that with three classifications in effect in the United States there was considerable confusion, a great deal of apparent unfairness, and a consequent delay in the handling of freights passing from one territory to another, with change in classification. Commissioner Lawrence, of Washington, took part in this discussion, saying:

In a rapidly growing state like Washington there are a good many shipping points growing into importance that have not yet been provided with a station agent, so that they are prepay stations. Shipments coming from a territory having the official classification to such points must come prepaid, and moving from one group, as the official classification, to the western classification, it is very difficult indeed to secure the exact amount necessary to prepay the shipment, and when the shipment reaches the western classification and passes into that different classification there is a little change in the rates, there is a little insufficiency in the prepaid amount, and the shipment is suspended in its transit, and weeks and sometimes months will elapse before the consignee can receive his goods or locate them.

That is a specific illustration of one of the evil results growing out of a lack of uniform classification, and it seems to one that this association should go clearly on record as favoring that plan which will bring about uniform classification, to which of course there may be many exceptions. I think we are not prepared to say that there shall not be commodity rates which will be exceptions from the classification.

Mr. Fairchild asked if the resolution offered by Commissioner Aitchison, of Oregon, would not have the effect of preventing improper manipulation of classifications by railroads, the resolution in the nature of an amendment does not fully cover that—to authorize a change in the law so that no rate can be raised without the consent of the Interstate Commerce Commission if objection is made. Now, there is no question but what a change in classification raises the rate. I think that amendment absolutely protects people against the injustice that you fear.

**Aitchison's Amendment Not Enough**

Commissioner Burr, of Florida, did not agree with this suggestion. He said:

I believe that simply means the rate itself. The Hepburn law does not include classification. I do not believe the amendment offered by the gentleman from Oregon will reach it. I believe his amendment covers that, but I do not believe it covers the question of taking out from a lower classification and placing an article in a higher classification for the reason that the law does not include classification.

Mr. Fairchild then added:

It is a very simple matter, then, to so provide. In Washington we attempted to regulate general distance tariffs that we had in force there. We received a plain intimation that they would acquiesce in that and probably would recoup by raising some of the commodity rates that were in force upon which a great bulk of the goods moved. In putting in our order we provided that there should be no change made, either in the rates or classifications, affecting the other tariffs, and from that portion of the order an appeal was taken. At the next session of the Legislature we simply had this amendment reintroduced in our law, that the commission on investigation should have the right to declare that any existing rate or classification was sufficiently remunerative and that the same should not be changed without the consent of the commission.

Now, such an amendment would be put into the Interstate Commerce law to cover that entire question, and it seems to me the spirit of the amendment covers it.

**Wreck That Did Not Occur.**

When the convention was discussing safety appliances, Commissioner Lawrence, of Washington, was recognized and told an interesting story of a wreck that did not occur in Washington—one that might have resulted in the greatest damage had it not been for a peculiar chain of circumstances. He said:

On one of the roads out in Washington recently—we learned of it since we left there—there was a heavy freight train going up a mountain grade. In that freight train, owing to some defective couplers there were a number of chained-up cars, which is in violation of our state law as well, I understand as of the National law. Those freight cars were not properly equipped with air brakes, which was a violation of the state law as well as of the National law. The trainmen had been on duty for 40 hours, which was a violation of the state law as well as of the National law; and, as we will all admit, it was just a little bit too long to require a man to remain in continuous service.

While climbing that heavy mountain grade a chain broke, and the caboose, with a number of heavily loaded coal cars, started down a 2 per cent grade on the time of a transcontinental passenger train, one of the most important passenger trains that cross the continent, due to leave a certain station was a special train, against which the tail end of this train started at a speed of 60 miles an hour. Fortunately the transcontinental train was late. Fortunately the special train did not pull out of the siding at this intervening station until after the tail end of this train dashed down the mountain side and, striking an adverse grade, eventually stopped, and a section man came along and wakened up the conductor and brakeman, who had been found asleep in the meantime.

**Curious Clock Run by Geyser.**

American Home Monthly.

One of the most curious clocks in the world is said to be that which tells the time to the inhabitants of a little American backwoods town. The machinery, which is nothing but a face, hands and lever, is connected with a geyser which shoots out an immense column of hot water every thirty-eight seconds. This spouting never varies to the tenth of a second. Every time the water spouts up it strikes the lever and moves the hands forward thirty-eight seconds.

**Games for Albany College.**

ALBANY, Or., Oct. 20.—(Special.)—Manager Cushman, of the Albany College football team, has scheduled a game with the Eugene High School to be played in Eugene next Saturday. A game has also been arranged with Columbia University, of Portland, to be played here November 9 and a return game with the Chemawa Indian School will be played here November 16.

**Consonants in Cold Climates.**

London Echo.

In a recent book by Colonel L. A. Waddell on "Lhassa and Its Mysteries," he puts forth the theory that the excess of consonants in the Thibetan, Russian and most Arctic languages had its cause in the cold climate, which leads the people to keep their mouth closed, while talking, in order to exclude the cold air.


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# QUICK DEATH FROM MYSTERIOUS SHOT

## Lawrence J. Martin, Marion County Farmer, Is Instantly Killed.

## ACCIDENT IS INEXPLICABLE

### With Four Others, Martin Goes Shooting—Picks Up Hammerless Safety Gun by Muzzle—Discharge Instantly Follows.

SALEM, Or., Oct. 20.—(Special.)—The most shocking hunting accident that ever occurred in Marion County was recorded this morning, when Lawrence J. Martin, one of the best-known farmers of this vicinity, was instantly killed, the entire top of his head being shot away.

The cause of the accident is as mysterious as the results were appalling. Four men stood by and saw the shooting and none of them can account for it.

Yesterday Martin, who lives five miles east of Salem, invited Deputy Postmaster John Farrar, his brother, Dee Farrar, and Dick Chittenden to hunt on his farm today. Early this morning the men drove out to the Martin ranch, taking with them their shotguns, that of Chittenden being a double-barreled hammerless with a safety appliance of the latest pattern.

Upon reaching the farm they were met by Martin and his son, Ernest. The Farrars leaned their guns against the barn and Chittenden laid his upon the ground while the team was put away. Then all returned where the guns were left.

Martin remarked "You have a new gun, Dick," and picked up the hammerless weapon, taking hold of it near the muzzle.

As he lifted it toward him one barrel was discharged, the shot narrowly missing his head. Almost instantly the second barrel went off. In the meantime the position of the gun had been changed just enough so that the charge struck Martin in the left side of the head, above the mouth, ranging upward and back. It tore away nearly all the top of his head.

The other four men were standing within a few feet of him at the time, and all were looking at him or the gun when the accident occurred.

They agree that Martin did not touch the trigger and that the trigger did not come in contact with anything. They also agree that the safety appliance had been set at "safe."

Examination of the gun fails to disclose any possible cause for the accident. The weapon was loaded before reaching the barn, and had been carried around a field in exactly the same condition in which it was when it went off. There was no brush or wire or any other obstruction near upon which the trigger could have caught.

Martin was 52 years old and had been a hunter all his life. He was perfectly familiar with all kinds of guns, and had been known as a careful sportsman.

He leaves a wife, one son and two daughters—Nina and Marie. All the children are grown. He was a brother of Mrs. Ruth Sayre. The funeral will occur at 1:30 P. M. Tuesday, at the family residence.

**NORTHWEST BREVITIES.**

Aberdeen, Wash.—William H. Hart, of Rochester, has been elected secretary of the Chamber of Commerce, to succeed W. L. Crisey, of Portland, who resigned.

North Yakima, Wash.—Charles Matsui, accused of the murder of Frank Polaski, who entered a plea of guilty, has retracted his plea and accepted services of an attorney.

ALBANY, Or.—Albany people have been tasting elk meat, some of them for the first time, the past week. Local hunters who succeeded in killing an elk during the brief open season, have had the meat jerked and cut up into very small slices to give their friends a taste of the rare meat.

**Ready to Oblige Her.**

Home Magazine.

The story is told of a young Oregon girl, a favorite in society, but who was poor and had to take care not to get her evening gowns soiled, as her number was limited. At a dance not long ago a great, big, red-faced, perspiring man came up and asked her to dance. He wore no gloves. She looked at the well-meaning but moist hands despairingly, and thought of the immaculate back of her waist. She hesitated a bit, and then she said, with a winning smile:

"Of course I will dance with you, but, if you don't mind, won't you please use your handkerchief?"

The man looked at her blankly for a moment or two. Then a light broke over his face.

"Why, certainly," he said.

And he pulled out his handkerchief and blew his nose.

**AT THE HOTELS.**

**The Portland**—B. Lichtig, San Francisco; N. Bardien, Vicksburg; J. R. Anderson, New Orleans; J. M. Walter, E. W. Hammer, H. H. Hickeny, Tacoma; G. W. Furey, E. H. McChurg, New York; A. D. McLachlin, Cleveland; D. C. Whitney, Michigan; A. H. Bailey, Wayback; M. C. Lowenstein, New York; C. B. Shane, Chicago; J. T. Baker, Brooklyn; J. C. Goodwin, Boston; A. Ray and wife, St. Louis; H. R. Lloyd and wife, Chicago; H. H. Tuck, Louisville; S. H. Dailey, Columbus; R. J. Callen, St. Louis; G. W. Dehaven and wife, Chicago; F. Roe, M. Spelburg, H. E. Bischoff and wife, New York; B. Lindenberger and wife, Astoria; S. Strauss, San Francisco; R. C. Dahyell, Wheeling; C. U. Brady, Washington, Pa.; D. B. Ferguson, New York; W. F. John and wife, Seattle; B. Hirschfield, St. Louis; C. H. Tucker, St. Louis; E. Gardner, Spokane; E. J. Coyle, Seattle; E. G. Galt, San Francisco; D. Carlton, Los Angeles; W. T. Kutner, Medford; P. R. Armstrong, Detroit; S. Cohen, San Francisco; H. B. Harris, New York; J. A. Goldberg, Baltimore; R. F. Lytle and wife, Hoquiam; E. A. Ward, Sierra Madre; Mrs. M. E. Adkins, Kansas City; M. L. Smith, Hot Springs; M. L. Hyde, St. Paul; A. M. Gardine, Oakland; L. E. Dodge, Detroit; H. S. Hagan, San Francisco; A. H. Clayburg, S. Fewels, Chicago; J. Coughlan, Vancouver; M. Hanah, New York; R. Murr, Chicago; P. Thatcher, Los Angeles; W. M. Harvey and wife, Tennessee; J. E. Pierce, Texas; J. L. Pierce, Texas; Mrs. A. J. Smith, Philadelphia; A. R. Crumen, T. Mullin, Boise; E. G. Johnson, London, Can.

**The Oregon**—W. H. Eccles, Hood River; F. L. Stewart, Kelso; L. M. Gleason, Louisville; A. J. Kroha, Milwaukee; Mrs. L. E. Stiles, Mrs. A. M. Gillmore, Chippewa Falls; Mrs. H. W. Sproul, Stanley, Wash.; W. J. Reynolds, Salem; J. S. Cornish, Henry Cane, Newberg, Or.; W. Handy, R. T. Douglas, St.; John; F. A. Kurtz, S. Dunne, C. E. Spring, Salem; C. L. Halaper and wife, Oulonogan, Mich.; Mrs. Edith Clash, Miss J. Clash, Boise; Leslie L. Hope, Fruit Grove; J. W. Denning and wife, Tacoma; W. Starr, Chicago; R. S. Wilcox, Ione; J. H. Bowman, Fossil; D. S. Kenney and wife, Antelope; W. A. Messner, Independence; A. Kaswin, F. P. Redgrave, Astoria; Bert Stanhope, Hood River; W. Brown and wife, Hillsboro; E. G. Lawey, Grants Pass; J. L. Corbett, La Grande; Geo. DeBox, Pomeroy, D. J. Eaton, Clifton; J. F. Barnhill, Elgin; D. McDonold, Butte; T. H. Selsage, Eureka, Cal.

**The Imperial**—P. K. Parkhurst, Portland; B. D. Smalley, Seattle; F. H. Mackie, Ottwa; W. C. Mermand, Pe Ell; A. D. Knapp, Seattle; T. S. Robertson, San Francisco; M. H. Robin, Oregon City; J. W. Hawkins, Hoyt Patten, Condon; Luther Newhall, Berkeley; G. F. Schultes, Portland; P. D. Cochran, Medford; F. H. Randall, Saginaw; H. J. Powell, Portland; T. Murray and wife, Seattle; Mrs. H. Ellis, Mabel Smith, Salem; Mrs. G. T. Brown, Corvallis; Mrs. E. M. Young, Independence; W. E. Halery, Ontario; Geo. W. Coover and wife, Jackson; E. Harris, Victoria; Z. M. Coulter and wife, Chenoweth; A. B. Mann and wife, Tacoma; B. G. Balderee and wife, Eugene; E. P. Ash, Stevenson; J. W. Cusick and wife, Albany; C. W. Stipp, Chenoweth; A. J. French, Gresham; M. Mendle, Munich, Germany; M. Lewinger, Springfield; Fred Shorden, J. Rock, Alaska; Thomas R. Kent, San Francisco; S. R. Hardenberger, Frank M. Brown, Salem; J. M. Harden, Coburg; Miss Angie Purdi, M. Purdin, Medford; Mrs. A. Mundy, Oakland, Or.; J. L. Page, Eugene; Walter S. Brown and wife, Canyon City; Frank Gilliam, Heppner; C. A. Ingle, E. D. Barger, Wasco; Walter Lyon, Coos Bay; J. S. Cooper, Independence; J. L. Jones, Tillamook; L. C. Trask, Jordan, Or.; C. R. Greisen and wife, Hood River; George F. Schmidt, Olympia; R. E. Williams, Dallas; C. M. Flesher, Olympia; F. E. Bailey, Frank Engleman, Ione; Charles Gilchrist and family, Wasco; A. H. LaCrosse, O. G. Schellberg, Salem; J. S. Turner, Astoria.

**The St. Charles**—F. Farmer, city; C. S. Mullen, St. Paul; T. J. Shultz, Troutdale; W. K. White, I. Moare, Ed Anderson, city; Fred Miller, D. Curtis, Hillsboro; C. Hatch, Ridgefield; A. Bryant, W. W. Hammond, Forest Grove; A. Williams, M. M. Rose, city; James D. Eaton, Welser; F. Williams, Toledo; W. H. Rombin, Mill City; Will Kelly, Oakman; Mrs. W. A. Smith, D. M. Tomson, Will Martin, Salem; O. Durah and wife, Bridal Veil; M. Pearson, St. John; F. Spares, Albany; H. C. Varrag and family, Nebraska; C. McRae and wife, city; J. M. Chrisbead and wife, Ashland; O. E. Schwartz, Sacramento; I. Leavy, Seattle; J. Murphy, Stevenson; N. Wilson and wife, Kalama; W. B. Spencer and wife, Englewood; G. Swenson, Spokane; N. H. McKay, D. McKay, Hope Sd.; H. M. Ray, St. Paul; Mrs. W. H. Grass and danughter, Colton; E. L. Barton, Kingsley; G. S. Allen, Fishers; H. Wilkins, Carrie Wilkins, Olex; M. A. Woods and wife, Moro; P. J. Dillinger and wife, Marshland; Mrs. H. Mines, Goble; O. M. Clark, Astoria; H. C. Watt, Aumsville; H. Woolmer, T. Sweeney, Camas; G. A. Waddle, Prineville; T. J. Schwartz, Troutdale; Mrs. E. J. Howarth and family, Troutdale; W. E. Neff, Hood River; I. B. Harnay, Sandy; W. C. Mahon, Joe Dupont, H. F. Manner, C. T. Irwin, city; B. W. Bamer, Oakland; W. J. Swetland, Grants Pass; W. D. Eckert, Skamakawa; L. G. Koenig and wife, Roseburg; R. Kydern and wife, Dalton; W. E. McDonough, A. H. Wright, Kelso; U. B. Miller, Mount Dale.

# POETS, POETRY AND POTPOURI

BY J. HENNESSY MURPHY.

POETRY, we are told is "the quintessence, or rather the luxury of all learning." Very well. But who are the poets and what is poetry?

Recently, Ambrose Bierce, he of the caustic pen and a poet withal, declared that George Sterling, author of "The Wine of Wizardry," is a very large poet—incomparably the greatest we have on this side of the Atlantic, and that not in a lifetime have we had such ardent gems that burn and sparkle in the poem aforesaid; while the adorable Ella Wheeler Wilcox, with true womanly confidence, characterizes the said poem as one of "Long lines wherein colossal vacuums reel" and the doughty Ambrose as "an umpire yawning on his self-made throne" who "cuddles a large conceit." It would appear now as it did in Lord Byron's times that there are some differences among the poets as to who are it.

Again, we who are not poets are reminded that we are swallowed up with schemes for gain, and engrossed with the earth earthy, hence we cannot grasp the majesty of the poet's intellect; that we have earth-creeping minds that cannot look up to the sky of poesy. But we of the vulgars have this defense: that if we employed our leisure moments in studying the mechanism of the poets coop, we would have to forego that of the politicians and preachers, both of which are pressing and important. Moreover, when we do essay to get inside of the poets roof, we are not infrequently confused, bewildered and bedazzled. Witness this from one of yesterday's (Sunday) papers: "Now hear me, Central Oregon, that wants the iron rail:

Immediately call the parson, bring babes to every vale."

Now, say, what do you think of that? I fancy if a Central Oregon parson could swing an iron rail, 'twould be requiescat in pace in some green poetic vale.

One of the ancients has warned us "That there are many mysteries contained in poetry, which of purpose were written darkly, lest by profane wits it should be abused."

This may be the case with the above quoted lines or that of the Rose Poet, who a few days ago discovered that Portland's roses were so rare that one could find them everywhere. But roses are a devilish ticklelsh thing for the poet to monkey with. Few poets can do the roses justice without writing darkly.

The poet Laureate, of Astoria, the Hon. Mr. Dealey, ex-officio Astoria's City Treasurer, is one of them. Dissect this: "Astorian's roses, whose buds discloses, The blushing tints upon our noses."

This is pile-driver poetry, every word and syllable are hammered down into the foundation of fact. But the Hon. Mr. Dealey is a true poet, he can look out from his studio windows, while mama is cooking breakfast and gaze upon, "The placid bosom of Young's Bay, Where the sportful salmon shoot and play, To the greenish envy of Coos Bay," et cetera.

Nay, when the spirit moves him, he can seat himself on a salmon box and reel off a yard and a half of the divine afflatus, welter in the ethereal realms and calmly descend to things mundane and deprecate the vicissitudes of life with an "Ode to a Skunk."

I trust Brother Dealey will not wish unto me the ass' ears of Midas for my appreciative appreciation.

The poets should cut out the mysteries and write less darkly if they would be understood. Here is something may be studied with profit:

"The pup, the pup, the beautiful pup!
Drinking his milk from an old tin cup;
Scamping around so merry and free,
First gnawing a bone, then biting a flea,
The beautiful pup!"

This may send a convulsive shudder through the roots of the dreamy whiskers of our cultured townsman, Colonel Wood, and cause him to beat a hasty retreat toward his bookish den to commune with the Grecian divinities, or arouse the pious editor of the Catholic Sentinel to exhort the agony of his soul:

"From these reeking lunacies and heretical conceits, O Lord, deliver us," but it will find a responsive chord in the breasts of those who have ever owned a frolicsome pup and a pair of lace curtains. But there are times when the poet is accused of writing, or speaking darkly, when he is astonishingly luminous. For example: During the recent municipal campaign a Democratic poet and orator was appealing to his compatriots to eschew internal discussions; his eyes fell upon Mount Hood, and with that fine frenzy known only to poets, he pointed toward the mount and exclaimed:

"Look! there it stands, with frosty brow and scars,
Within its breast the fiery ructions roar."

Now, your purist would treat these lines somewhat after this fashion: "Pooh, pooh! What nonsense! Who ever heard of a mountain flying? This poet's license ought to be revoked."

Forsooth the couplet is not within the purview of your latter day standards of literary criticism at all. The lines are a psychological study, for it is a common observation, if not experience, among those who have given any attention to the problem of brain storms, that two jolts of the red juice of the pure democracy will make the earth reel, the skyscrapers stagger and the mountains take on wings and soar.

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