

ROADS OPERATED AT LOSS IS REPLY

O. R. & N. Attorneys File Answer to State Railroad Commissioners.

WHEAT RATE NOT TOO HIGH

Grain Hauled to Portland for Same Rate That It Is Brought Down by Open-River Transportation Company's Steamers.

SALEM, Or., Aug. 26.—(Special).—W. W. Cotton and Arthur C. Spencer, attorneys for the O. R. & N. Company, today submitted their brief in the case of the Railroad Commission vs. the Oregon Railroad & Navigation Company.

This case is known as the Eastern Oregon grain rate case, which is an investigation by the commission on its own initiative into the freight rates on grain from Eastern Oregon to Portland and elsewhere. Several pages of the brief are devoted to a scathing arraignment of F. W. Gaines. "If this man were a shipper," comments the brief, "there might be some excuse under the law to justify the railroad commission, or a court, in giving him a hearing in this matter, but it is farcical to say that even under the Oregon Commission Law a man who has never shipped a carload of grain in his life, can back out of the door of his wife's little millinery shop, in some little town in the Pacific country, and light in the heat which growing belt in Oregon and there pose as the emancipator of the grain-growers of the state, with the alleged mission of freeing them from the greed of a railroad company, and incidentally, by any order the commission might possibly make reducing grain rates, to end an unimpressive career with several hundred thousand dollars' take-off."

Gaines Admits Money Contract.

Gaines admits that he has made contracts with growers by which he is to secure one-half of any reduction in freight rates brought about by any order of the commission. The brief asserts that the rates of the Open River Transportation Company and the O. R. & N. are substantially the same, notwithstanding that the river and portage railroad line is kept up by Portland shippers and by the state, and is a losing proposition so far as an investment is concerned.

The claim is made that the land barons of Eastern Oregon are getting richer and increasing their holdings every year; that there is less population in the grain belts than there was ten years ago, owing to the alleged fact that the large landowners are acquiring so much land and rearing it on shares, and that there is no demand among the shippers of Eastern Oregon for a reduction of rates, which it is maintained are now reasonable. It is claimed that the rates on various small independent lines like the Oregon Electric, the Salem, Falls City and Western and others, are as high or higher than the local rates fixed by the tariff on the branch lines of the O. R. & N., but that because the branch lines happen to be operated by the parent company it is proposed to make them put in rates that will not leave them self-supporting, but will make them a charge upon the parent company.

Branches Operated at Loss.

The statement is made that several of the branch lines do not pay any substantial returns on the investment and that the Pilot Rock and Wallawa branches afford absolutely no return whatever over operating expenses and fixed charges. It has been estimated that it would cost \$75,000,000 to reproduce the physical properties of the O. R. & N. The road and its branches are capitalized at \$65,500,000. Its net earnings during the past ten years, not including taxes, amount to \$5,215,000 per year. The annual taxes for this period averaged \$13,574.77, making the average net returns per year \$4,900,225.23.

CURRY "WET," JUDGE SAYS

Recent Circuit Decision Upsets Prohibition Election.

MARSHFIELD, Or., Aug. 26.—(Special).—Local men connected with a court case in Curry County returned tonight and state that according to a recent ruling of Judge Coke, in the Circuit Court, Curry County is not dry, but is wet, and that there is nothing to prevent the selling of liquor there. At the recent election the county went dry. Recently John R. Herron, of this city, was charged with selling liquor in a dry territory. After the case was heard, Judge Coke decided that the election at which the dry decision was voted, was illegal, because the proper order of the court for the election had not been made. The result of the election was no restrictions on selling liquor. Attorney McKnight, of this city, who appeared for the defendant and made this plea, holds that the Curry County people thought they were in a dry territory, while, according to the recent decision, liquor could have been sold. Whether the result of the election is a higher court is not known. The decision was a surprise to the people.

TAP TILL DURING PARADE

Thieves Operate in Salem, Securing \$16 in Coin.

SALEM, Or., Aug. 26.—(Special).—During the parade of Ringling Bros circus today, thieves entered the furniture store of L. U. Joss, on Court street, and took \$16 from the till. The job is believed to have been done by local talent.

HOP-PICKER SETS RECORD

Aged Veteran Has Gathered Crop for 24 Consecutive Years.

LEBANON, Or., Aug. 26.—(Special).—In a few days Samuel Hawken, a veteran of the Civil War and pioneer of Lincoln County, will make his 24th annual pilgrimage to the hop yard of George Gentry near Brownsville. Personally, Mr. Hawken has little inclination to wander so far away from home, his 72 years and the three rebel bullets which he carries in his left hip having deprived him of much of the vigor of his younger days. Mr. Gentry, who owns a hop yard one mile east of Brownsville and for whom Mr. Hawken has picked hops for 24 consecutive years, is very anxious that

WASHINGTON COUNTY FRUIT BIG BURDEN FOR LIMBS.



Branch 14 inches long bearing 76 ripe plums.

H. J. Sward, of 424 East Couch street, was the recipient yesterday of an elegant branch of Damsen plums shipped to him from the farm of J. W. Merrill, in Washington County, near the town of Cornelius. The branch is 14 inches long and on it were 76 ripe plums. All the trees in the orchard, it is said, are similarly loaded with fruit, and moreover, the branch is a fair sample of the way all the plum and prune orchards in the county are bearing.

the quarter century shall be completed and as an inducement he has offered the aged veteran an oyster supper and medal if he returns this year and rounds out the 25 years work.

Mr. Hawken was born in Pennsylvania, but spent most of his boyhood days in Missouri. He enlisted in the Fourth Missouri Cavalry and served during the Civil War. He moved to Oregon 27 years ago and settled upon the present homestead near Mr. Howe schoolhouse, 10 miles east of Lebanon. His family consists of a wife and five children, all of whom are grown and scattered throughout different parts of the state.

SCIO READY FOR FAIR

RACING WILL BE STRONG FEATURE OF BIG SHOW.

Entries in All Departments Are Large and Competition Will Be Sharp for Premiums.

SCIO, Or., Aug. 26.—(Special).—Preparations are now complete for the third annual Linn County Fair, which will be held Monday, Tuesday and Wednesday of next week at the fair grounds near this city. From present indications it will be the best and biggest fair ever held in this part of the state, and probably the leading county fair in Oregon this year. The fair grounds are in better shape than ever before and everything will be in readiness for the opening of the fair next Monday morning. The two large pavilion tents and the big restaurant tent have been stretched and ready. The large new barn for the track horses has been entirely completed. The big sheds for hogs, sheep and goats are also ready and the long rows of box-stalls on the east and south sides of the ground are prepared for the reception of stock. The chief feature of the 1909 fair will be the racing. Scio is now on the circuit of the Willamette Valley Racing Association, and some of the best race ever pulled off in this part of the state will be presented. Entries in the stock department are large and there will probably be a splendid exhibit and a sharp contest for prizes. The cattle department will show a large number of favorite breeds. The \$50 premium for the best milk cow, to be tested on the fair grounds, is bringing out a large number of cows which will fill a milk pail twice daily. The exhibit of farm vegetables and fruit will also be good, though it is not expected to be large on account of the backwardness of the season and the early dates for the fair. Yet the \$50 prize for the best individual farm exhibit has attracted a number of contestants. A number of special premiums have been offered for exhibits which will attract attention. A splendid cabinet of tools to be awarded to the boy of 14 years of age or under for the best specimen of woodwork, and a sewing machine to be given to the girl of like age for the best specimen of needlework, will furnish strong competition. The management of the Linn County Fair Association is doing everything possible to arrange in advance for the successful entertainment of visitors. Everybody in the "forks of the Santiam" is planning to be here, and big crowds will come from Albany, Lebanon, Brownsville and other parts of the county. A large attendance is also expected from Jefferson, Stayton, Linnville and the entire southeastern part of Marion county.

DE SAGANS ARE ROBBED

Thieves at Rheims Relieve Them of \$15,000 in Cash.

PARIS, Aug. 26.—A local newspaper publishes a statement that Princess Helie de Sagan was robbed of \$500 during her recent stay at Rheims, and her husband, the Prince, was at the same time relieved of \$10,000. The robbers have not been apprehended.

PEACE DOVE REIGNS

Conservation Congress Has Calm Session.

PINCHOT IN ATTENDANCE

F. H. Libby, of Clarkston, Presides, and in Opening Address Insists Organization Is Not Mingling in Political Matters.

SEATTLE, Aug. 26.—The National Conservation Congress, which, it had been predicted, would witness a personal controversy between the Chief Forester of the United States and the Secretary of the Interior, opened very pleasantly in the Alaska-Yukon-Pacific Exposition auditorium today, with Gifford Pinchot on the platform applauding the peace declaration and Secretary Ballinger in the Kittitas Hills, 125 miles away, studying an irrigation project. The fact that charges affecting the present public land administration are receiving personal investigation at the hands of President Taft inclines the radicals in the congress to adopt a pacific attitude.

When E. H. Libby, of Clarkston, Wash., president of the Washington Conservation Congress, called the congress to order, he pointed out that the congress is held for the sole purpose of benefiting all the people of the United States and not for the purpose of exploiting any policy of any set of Washington officials. We are here to try to work out a policy for the people, and not to support or condemn any man or set of men. There is nothing political in this meeting. There must be nothing political. Should there be, the objects of this meeting would be lost and its efficiency sadly diminished. Mr. Pinchot, who sat on the platform with President Libby, was one of the leaders in the applause that greeted the chairman's declarations of peace for the congress. John Barrett, director of the International Bureau of American Republics, presided at the afternoon session which was given over to a symposium of addresses on "What Conservation is Doing in My State." Among the speakers were: Alaska, Royal A. Gunnison; British Columbia, H. M. Huxford; Hawaii, F. D. Knudson; Louisiana, John E. Hardter; Pennsylvania, A. B. Raruber; Rhode Island, Henry A. Barker; Utah, Governor William Spry; Washington, Joe Shinkamaker; Nebraska, Professor G. E. Condra; Colorado, Professor Louis G. Carpenter; New York, R. E. Pearson; California, Alexander Mackintosh; Maryland, Bernard N. Baker; Oregon, J. N. Teal.

The only reference to the possibility of a controversy was contained in a lengthy message from Governor Hay, of Washington, which was read to the congress by the secretary. In his message Governor Hay said: "I am glad to see that the discussion of the problems of conservation should be invited. The Federal Government has already entered upon a policy of conservation as respects our timber resources. If abuses have grown up in carrying out that policy, let just criticism have ample opportunity to point out these abuses, so that they may be corrected. This congress, if it hopes to be of real and enduring service to the cause it has adopted, must not blind itself to wrong in the administration of a department that directs the first Government attempt at conservation. If there be wrong, it must not be a governmental bureau, else for all practical purposes it will become impotent to do good. Neither must it lead itself to furthering the interests of one departmental head at the expense of another."

The reading of the message from Governor Hay caused no comment, the work of the convention being resumed without discussion.

GRAIN HAULED TO RIVER

Umatilla Farmers Find Advantage in Water Competition.

PENDLETON, Or., Aug. 26.—(Special).—Because wheat delivered at Cold Springs landing on the Columbia River is worth three cents more per bushel than that delivered at any railroad station in the county, not on the river, double the amount of grain usually hauls to that place will be taken there from the fields of Umatilla County this fall. The advantages offered by the Cold Springs landing were brought strongly to the attention of the farmers by Rowley E. Smith, a representative of the Open River Transportation Company, who has been here for the past two or three days. It is seen that the O. R. & N. has been granting a freight rate on grain from Cold Springs to Portland that is lower than that granted the stations in the county which do not have the advantage of river transportation by a cent and a half. Now Mr. Smith announces that the Open River Transportation Company is willing to do still better and is quoting a rate which is exactly a cent and a half lower than the railroad's rate from that point. This gives the farmer who can ship from Cold Springs an advantage of three cents per bushel, or nearly seven cents per sack, over the farmer who is compelled to ship from some railroad station, not on the river. One wagon and a "trailer" drawn by six horses or mules transports about 50 sacks at a load so the grain growers figure that if they can only haul one load per day that it is better to do that than to haul to some railroad station.

RAIN STOPS THRESHERS

Heavy Showers Soak Grain in Palouse Wheat Fields.

GARFIELD, Wash., Aug. 26.—(Special).—Copious showers of rain have been falling over the Palouse wheat fields today and the threshing machines have closed down until the weather clears. This is the first rain since harvest began, and if the showers stop now they will do no damage. Continued rains would insure the wheat a new shock. The harvest is the largest in the history of the country and wheat is averaging 40 bushels an acre. The wheat is plump and is all No. 1 in quality.

VETERANS FORM SOCIETY

Civil War Survivors in Yamhill County Organize.

NEWBERG, Or., Aug. 26.—(Special).—Veterans of the Civil War residing in Yamhill County met in Newberg today and organized the Yamhill County Vet-

Windup Days Clearance Sale

Specials For Boys

\$6.50 Buster Brown Suits, strictly this season's styles, special at \$3.85

\$2.50 Cowboy Hats, with fancy carved leather band, special at \$1.60

50c Laundered Shirts, with 2 collars, neat color effects, special at 25c

HOP PICKERS' SPECIAL

Fancy Mexican Hats, Scotch plaid effects, straight 50c value, now 25c

Lion Clothiers

166-170 Third St.

eran Association. Speeches were made by Attorney Clarence Butt, of Newberg; Colonel J. C. Cooper, of McMinnville and George Allen, of Newberg. The military band of the detachment of Regular Army soldiers in camp in town furnished music for the occasion. The officers elected: President, N. E. Britt, Newberg; vice-president, Robert Butcher, McMinnville; secretary, H. P. Hevlund, Newberg; treasurer, H. P. Winlow, Sheridan. The first regular meeting of the association will be held in McMinnville during the week of the school fair in September.

PLUCKY GIRL WINS OUT

Tacoma Schoolteacher Fights Hard for Her Land.

NORTH YAKIMA, Wash., Aug. 26.—(Special).—Mary Alice Cole, a Tacoma schoolteacher, has been given a patent to her homestead near Mabton, southeast of here, after struggling against the hardest circumstances for nine years. She took up the claim on sagebrush land, when in poor health and endeavored with the care of a crippled father. There was no water on the land, but she planted crops, hoping for rain. None came, and a well, too, was a failure. After building a hut, in which she lived with her father for seven years, she was forced to leave to gain money to keep herself alive and returned to Tacoma to teach. Then she returned to the claim, and though her entry had been cancelled, she again took up her fight. Two years later irrigation was procured, and prosperity came to her. The Sunnyside Water Users' Association petitioned the Government to reinstate her claim and her faithful struggle so impressed Fred Dennot of the Land Office that she has been granted full patent.

LUMBAGO IS EPIDEMIC

Firemen on Cascade Division of the Northern Pacific Afflicted.

NORTH YAKIMA, Wash., Aug. 26.—(Special).—An epidemic of lumbago is reported among the firemen on the Cascade division of the Northern Pacific, from Ellensburg to Tacoma, and so serious has been the complaint that the company is trying to get men from other divisions to replace those laid off. The heavy grades and the prevalence of the epidemic, however, have failed to whet the men's enthusiasm, and now extra pay is being offered. The company physician at Ellensburg, the division point, says the excessive work and the constant balancing of the firemen on the footboard as the heavy engines pitch and roll on the grade, has proved too great a strain for their nerves, and brought on a nervous trouble closely resembling lumbago.

MOTHER INSANE, MAN GONE

Family at Sara, Clark County, in a Sorry Plight.

VANCOUVER, Wash., Aug. 26.—(Special).—Mrs. Sarah Stumpf, wife of S. S. Stumpf, of Sara, was adjudged insane this afternoon by County Health Officer R. G. Black and Dr. Chalmers. The unfortunate woman has been suffering for some time. Recently she locked two of her children, aged 8 and 11 years, in the smoke house, tied the door shut and went away. Her husband has left for parts unknown and has not been seen for days. The son, Robert Stumpf, was compelled to swear to the complaint against his mother. The woman threatens to smother herself if forced to remain in confinement.

Coos Bay Couple Marry.

MARSHFIELD, Or., Aug. 26.—(Special).—Friends here were surprised at the announcement of the marriage of Albert

To give the biggest possible cake of the best possible soap for the least possible money.

That is and always has been the policy of the manufacturers of Ivory Soap.

That it is the right policy is proven by the fact that the sales of Ivory Soap grow greater, year by year.

Ivory Soap 99 1/2 Per Cent. Pure.

3000 PAIRS SAMPLE SHOES MY SAMPLE SHOES ARE SUPERIOR SHOES, THEY ARE THE PICK AND CREAM OF THE SHOE WORLD. WRIGHT'S FOR WOMEN \$2.00 A PAIR PORTLAND'S BUSIEST SHOE SHOP POSITIVELY NO BRANCH HOUSES IN PORTLAND THESE SHOES ARE REGULAR \$3.50 TO \$6.00 VALUES FOR MEN \$2.50 A PAIR NEVER PAY MORE THAN THESE PRICES POSITIVELY NO BRANCH HOUSES IN PORTLAND

Wright's SAMPLE SHOE SHOP OPEN DAILY 8 A.M. TO 6 P.M. SIXTH FLOOR OREGONIAN BUILDING ROOMS 600-601 TAKE ELEVATOR

Selig and Miss Ellen Johnson of this city, which took place at Coquille City.

The couple went to Portland. Mr. Selig is a well known young business man of Marshfield.

shipment will employ about 25 people and will be operated for about two months.

Bible "Cribbed" From Pagans.

CHICAGO, Aug. 26.—The Bible is not original with its supposed compilers, according to opinions expressed yesterday by Professor Gerald B. Smith, of the faculty of the Divinity Department of the University of Chicago. "The story of the creation and the deluge appeared long before the Bible was written," the speaker declared. "Both these stories were traditional in the early literature of the Babylonians. The theologians of today is acquainted, not with the reality and vitality of the non-Christian religion, and in the investigation of the Old Testament religion it has been found that many of the elements were derived from Israel's contact with Babylon. There are elements in every pagan religion which every Christian is compelled to recognize as truth." The United States is the world's largest consumer of coffee and cocoa. Last two days Rosenthal's shoe sale.

Columbia D.S. Gov. Inspected Est. 138 Lard This brand stands for the highest degree of lard excellence—it is the best for all purposes, and the only lard for fine cooking. DEMAND THIS BRAND Union Meat Co Pioneer Packers of the Pacific PORTLAND OREGON

IMPERIALES CIGARETTES Imperiales Cigarettes are so mild—so pure—so delicate—the most sensitive throats are soothed—never irritated. There's all the rich, full-bodied, satisfying tobacco taste of the finest tobacco blended to perfection, yielding a fragrance that never tires. Imperiales Cigarettes are rolled in a rare quality of thin mair paper—crimped, not pasted; and through the mouthpiece at the end comes smoke clean, cool and satisfying. The very first puff tells the whole story. 10 for 10c Sold Everywhere THE JOHN BOLLMAN CO. Manufacturers, San Francisco