

CASE GOES OVER TO DECEMBER 15

Final Argument Over Distributive Rate Is Postponed.

O. R. & N. IS IN LIMELIGHT

Testimony Taken Before Interstate Commerce Commission Reveals Hidden History of Affairs of Line—Hugo Profits Paid.

Taking of testimony by the Interstate Commerce Commission in the Portland distributive rate case was concluded yesterday. Final argument made before the Commission in Washington, December 15. It was agreed that J. N. Teal, counsel for the Portland Chamber of Commerce and the merchants of this city, will file his brief by November 10, while W. W. Cotton, general counsel for the O. R. & N., is to submit his brief not later than the 15th.

As a witness for the defendant railroad, Mr. Cotton yesterday reviewed briefly the early history of the O. R. & N., including the reorganization of the corporation in 1896 and its subsequent operations. When the road was reorganized 13 years ago Mr. Cotton testified that it was operating 106 miles of track had a total bonded indebtedness of \$2,525,000, outstanding capital stock aggregating \$14,000,000 and fixed charges of \$2,525,000 annually. Today the company owns and controls 164.83 miles of railroad with a bonded indebtedness of \$2,022,000 bearing 4 per cent interest on \$1,000,000 of common stock and \$1,000,000 of preferred stock.

Paid a 79 Per Cent Dividend. Answering questions from Mr. Teal, Mr. Cotton admitted that the O. R. & N. in 1908 distributed a 79 per cent dividend and the following year paid a further dividend of 25 1/2 per cent. The witness further testified that the dividends on preferred stock since 1879 amounted to 14 1/2 per cent. This large disbursement of profits, he said, was due to the fact that it represented the dividends for a number of years. Mr. Cotton also testified on cross-examination that before the reorganization of the company in 1896 its capital was \$16,500,000 in stock and bonds. Following the reorganization, this was increased to \$25,000,000.

From R. E. Miller, general freight agent for the O. R. & N., who was recalled by Mr. Teal, it was learned that a change in the rate on salt from Salt Lake to Oregon points was not contemplated. He also declared that there was no intention on the part of the traffic department at the present time to change any of the existing rates. Mr. Teal also asked for an explanation from Mr. Miller why the rates on Portland merchandise eastbound advanced 64 cents in 100 miles after passing Arcadia. Answering, Mr. Miller said this unusual increase in proportion to the rates up to Arcadia was due to the fact that Arcadia is recognized as the point midway between Portland and Salt Lake and from which point rates governing the jobbing territory of the two cities are computed. Mr. Teal insisted that in the early history of the eastbound rates after reaching Arcadia seriously affected the business of Portland jobbers.

Reductions to Be Made. In connection with his questioning of Mr. Miller, Mr. Teal read figures from a new tariff issued by the O. R. & N. Thursday in which rates on salt and a few other commodities from Portland to points in the early history of the O. R. & N. were reduced. Mr. Teal said the O. R. & N. was deserving of credit for these reductions, which apply to certain rates which were included in the complaint of the Portland Chamber of Commerce in the distributive rate case.

During the concluding session of the hearing yesterday, Mr. Cotton referred to the purchase by the Oregon Short Line of \$14,000,000 of stock from the O. R. & N. and said that he had made a computation of the earnings of that stock, which had averaged only 6 per cent per annum. This was regarded by Mr. Cotton as the poorest investment that ever had been made in the early history of the development of the Pacific Northwest by any individual or corporation putting several millions into business here.

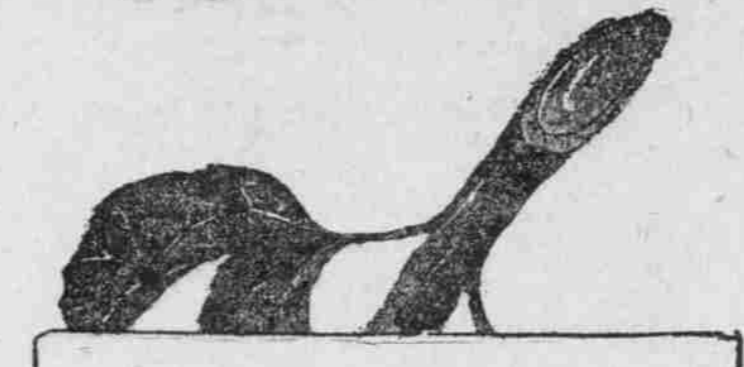
Big Discrepancy Shown. J. B. Pope and J. M. Willis, Jr., engineers employed by the O. R. & N., and H. A. Fairchild, chairman of the Washington Railroad Commission, were recalled as witnesses yesterday. They testified as to the difference of about \$2,000,000 which was disclosed in the estimates of the Harrison and the Portland Chamber of Commerce and the engineering commission as to the cost of duplicating the lines of the O. R. & N. in the State of Washington.

The members of the Interstate Commerce Commission left last night for San Francisco and other California points, where further rate hearings will be conducted. During the afternoon the members of the Commission were entertained with an automobile tour of the city, the guests of Mr. Cotton and Mr. Teal. Having been in continuous session since reaching Portland the first of the week, yesterday afternoon was the first opportunity the Commission had for seeing the city and admiring its beauties as they reflected on a matchless Oregon October day.

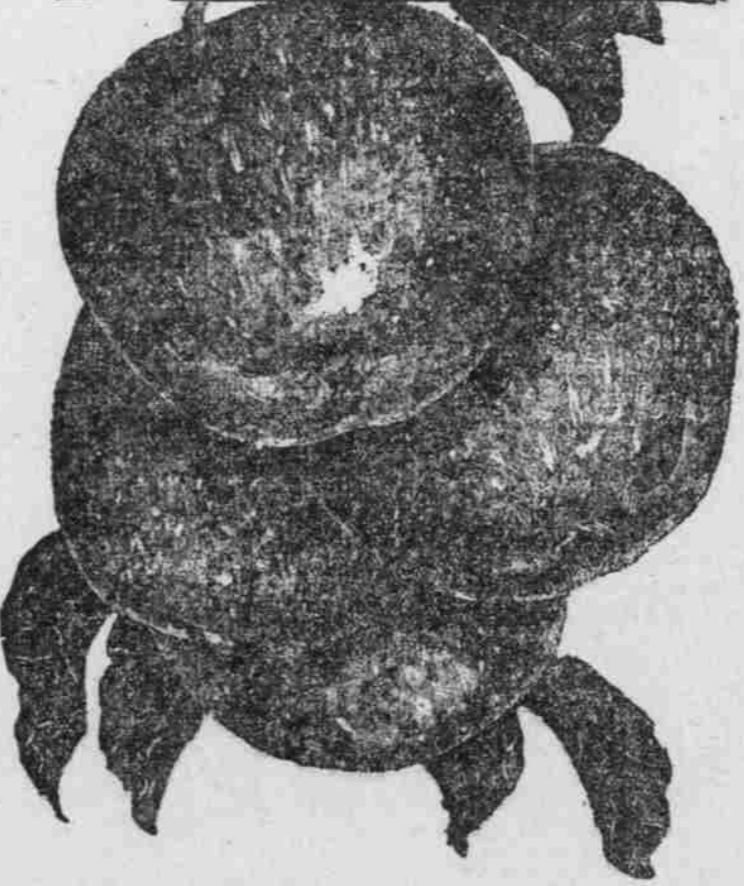
MEARS MAKES POSITION PLAIN Shows Basis of Jobbers' Contentment in Rate Case.

W. A. Mears, manager of the transportation bureau of the Seattle Chamber of Commerce, returned to Seattle last night after attending the Interstate Commerce Commission hearing in this city. It is the opinion of Mr. Mears that the jobbers of the North Pacific Coast made an effective presentation of their case for reduced distributive rates on both the Hill and the Harriman roads. "The railroad attorneys during the hearing of both the Seattle-Tacoma suit against the Hill lines and the Portland suit against the Harriman lines continually tried to beg off the issues in the cross-examination of the shipper-witnesses," said Mr. Mears yesterday. "All that Portland, Seattle and Tacoma are asking from the Interstate Commerce Commission is reasonable rates into adjoining states on the coast. My definition of a reasonable rate is a rate out of Pacific Coast terminal cities that will be somewhat proportional to rates out of cities east of the Rocky Mountains and approximately the same population and approximately terminal facilities of the same cost where the circumstances and conditions are as near as may be similar. "For this purpose we prepared tables showing the freight rates out of Portland, Seattle and Tacoma eastbound, mile rate, as compared with the rates out of St. Paul, Chicago, Omaha, Kansas City and Winnepeg westbound. We showed conclusively that our rates are, practically speaking, 100 per cent higher

Apples Are Making Oregon Famous



GO WITH US TONIGHT And visit these tracts. It is a beautiful trip and you will be well repaid. You will be back to Portland 7 A. M. Monday. When possible we prefer to have purchasers see the land. If you can't spare the time we will select for you, using our best judgment in every case.



OUR 10-ACRE ORCHARD TRACTS IN THE FAMOUS UMPQUA VALLEY ARE A FINE INVESTMENT

Visitors to Oregon always refer to our splendid apples. Without the slightest exaggeration apples are making the State of Oregon a household word throughout the United States. The immense profits from apples in this state seem incredible, yet the testimony of all apple raisers is to the same effect, that full-bearing orchards, properly cared for, will pay a net annual income of from \$500.00 to \$1000.00 per acre. We don't claim that the Umpqua Valley is the only place in this state where apple culture is made highly profitable, but we do claim that the climate and soil of this valley are ideal for the production of perfect Spitzenberg and Yellow Newtown varieties, the best commercial apple in the world. We make a business of apple culture and apple lands, and when you buy one of our orchard tracts you can feel assured that the land was selected by experts who have made a life study of soil and climatic conditions favorable to the best results in apple production. No other form of investment offers one half the inducements. The profits are enormous and will continue so indefinitely. There are no failures—with care the crop is certain. These tracts make most desirable home sites and if you don't wish to live on the ground, what a splendid provision it would make for your sons' future. We plant and care for the orchard for three years or more as desired.

FILL OUT THIS COUPON W. C. Harding Land Co., Portland, Oregon: Please send full particulars about ten-acre orchard tracts to: Name..... Street..... State.....

TERMS A cash payment, then monthly, quarterly or semi-annual installments. Write today and let us furnish you full information.

W. C. Harding Land Co. CORNER FOURTH AND OAK STREETS Board of Trade Building—Ground Floor PORTLAND, OREGON

WIFE HAS WORRIES

Mrs. Allen Finds Suspicious Theater Tickets. That she was greatly worried when her husband came home at midnight with the stubs of two theater tickets in his pocket, is the statement Georgia Allen makes in a divorce complaint against Fred Allen, which was filed in the Circuit Court yesterday afternoon. Mrs. Allen says also that her husband seemed to take delight in telling her that he was passing the time at the theater, and that he was drinking beer with a Mrs. Armstrong.

THINKS HUSBAND UNTRUE

Mrs. Armstrong Is Said to Have Played a Strong Part in Breaking Up the Domestic Happiness of This Particular Family. Mrs. Armstrong became so heated that Mrs. Allen says her husband seemed to take delight in telling her that he was passing the time at the theater, and that he was drinking beer with a Mrs. Armstrong.

VERY FEW DELINQUENT

Tax Roll Is Cut Down to \$109,000 According to Sheriff. Multnomah County's tax roll has been reduced from \$4,586,449.27 to \$109,539.27, according to figures given up by S. B. Martin, chief deputy in charge of the tax department of Sheriff Stevens' office. A large part of this unpaid balance represents personal taxes of citizens who have left the state since the assessments were made. On October 13 Deputy Martin turned over to County Treasurer Lewis \$99,821.82, in addition to the amount turned over to the County Treasurer formerly.

Bootlegger Is Fined.

LA GRANDE, Or., Oct. 15.—Thirty days in jail and \$50 fine was the sentence named by Circuit Judge Knowles today on Ralph Atkinson, found guilty of bootlegging. On another charge the jury disagreed this morning.

TO PREVENT WET FEET.

Rub a little Webfoot Oil Balm or Dressing (tan) on the shoes once or twice a week. This oil paste makes shoes last longer, too, besides keeping the leather soft and pliable. All dealers carry it.

ATWOODS TO TAKE MEDICINE

Alleged Physicians Willing to Serve Their Prison Term. Drs. C. H. and C. H. T. Atwood, convicted last January of maintaining a manly by conducting a maternity hospital at Tremont, on the Mount Scott carline, surrendered themselves to Sheriff Stevens yesterday, and will serve out their terms of five months each in the County Jail. They were sentenced by Circuit Judge Cleland, after having been convicted by a jury in his department on January 14 last. They were out on \$1000 bail each while their cases were on appeal in the Supreme Court. The tribunal confirmed the decision of the lower court about a week ago.

SAY THEY ARE INNOCENT

Alleged Footpads Deny They Committed Robberies. Fred Cobb and Bert La Barge, the young men arrested and charged by the grand jury with three holdups, were arraigned in the Circuit Court yesterday afternoon and informed by Circuit Judge Cleland that they are not guilty of any of the charges. It is alleged that they assaulted J. J. Crawford on September 25, intending to rob him, and that on the following night they held up and robbed A. B. Hutchins of a watch, chain, chain and \$24 in cash. On September 27 they are alleged to have held up C. M. Lee, relieving him of \$19 in cash and his gold watch and fob.

HEIGHTS HOME SCORCHED

Residence of Walter MacKay, on Park Avenue, Damaged \$5000. Fire, causing approximately \$5000 damages, occurred yesterday in the residence of Walter MacKay, 32 Park avenue, in the Kings Heights Addition. The blaze broke out in the parlor and was first noticed by a domestic who was in the sewing-room on the top floor. A telephone call was sent to the Fire Department followed by a box alarm, rung in from the corner of Park avenue and St. Clair street.

Four-Cent Fare Displeases.

SALLEM, Or., Oct. 15.—(Special).—Residents of Detroit, Or., have filed a complaint with the Railroad Commission against the four-cent passenger fare in April, 1908, and have not lived with her since. They were married October 11, 1908.

Maffet Wins Case.

In the suit of the Silverfield Company against William R. Maffett a jury in Judge Cleland's department of the Circuit Court returned a verdict for the defendant yesterday. The company sued for \$500.

TRAVEL TO KEEP UP

Charlton Says West Will Continue to Draw Heavily. Passenger Official on Return From East Gives Details of Service Over North Bank to Be Installed October 31.

NEW SERVICE DESCRIBED

A. D. Charlton, assistant general passenger agent for the Northern Pacific Railroad Company, returned yesterday from a business trip to Chicago, filled with optimistic predictions for another prosperous year for his company. When seen after his arrival, he gave additional details concerning the new modern train the company is to put into service on the smoking-car, first-class coaches, through dining-car, tourist and standard sleepers and an observation car. The train will be lighted throughout with electricity, and will contain every modern feature. The new train will leave Portland 3 o'clock in the morning, and will leave Chicago at 10 o'clock every morning.

Suicide Was Known in Albany.

ALBANY, Or., Oct. 15.—(Special).—Bert Adams, who committed suicide in the railroad yards at Ashland Tuesday by shooting himself in the head, worked as a painter in Albany this Summer. Among other work he assisted in painting the Linn County Courthouse. It is said he drank a great deal.

Alpha Zeta Ticket Wins.

PACIFIC UNIVERSITY, Forest Grove, Or., Oct. 15.—(Special).—After one of the most strenuous campaigns ever carried on at the university, Charles Ward, of Kelso, was elected president of the student body. The entire Alpha Zeta ballot was victorious in today's election. The following officers were chosen: President, Charles Ward; vice-president, Miss Dora Baker; secretary, Miss Grace Payne; treasurer, Archie Markow. D. J. Taylor, Miss Christine Wilson, Alex Robinson and Charles Ward were also selected as student representatives on the discipline committee.

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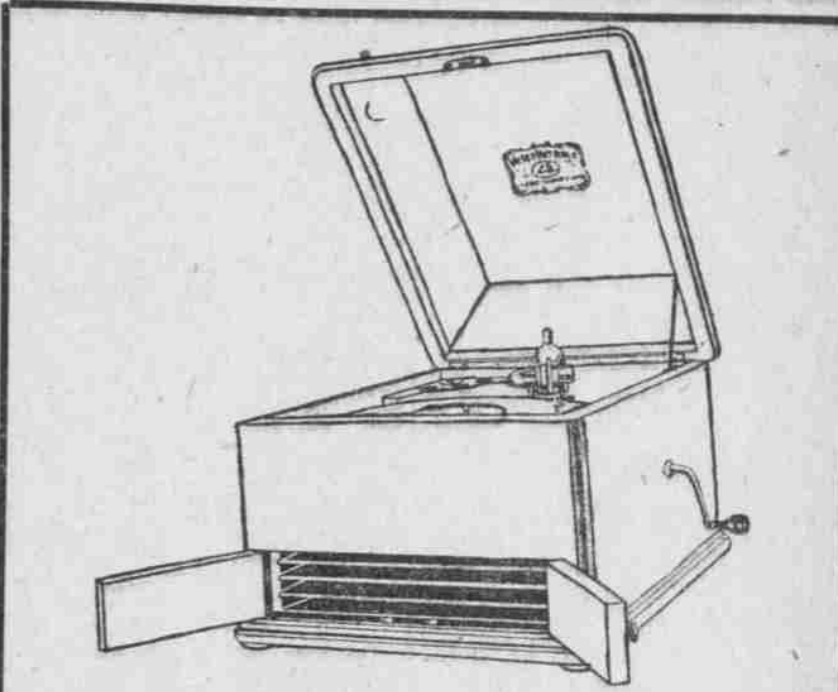
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Victrola XII--A Wonderful New Victor Talking Machine

Above we show the newest type of hornless Victor. An entirely new principle is involved in this handsome, compact instrument. Instead of a horn it has an amplifying sounding-board with quadrupled surface. This invention increases the volume of tone and gives it a mellow, natural quality not to be told from life itself. Victrola XII is in the form of a handsome and unobtrusive cabinet of finest piano-finished mahogany. When closed there is nothing in its appearance to suggest a talking machine. The records are placed on a turn-table, under the lid, which shuts in all sound of operation. The small doors in front are opened or shut to regulate the volume of sound from very soft to very loud. PRICE \$125; CASH OR INSTALLMENTS. Free Concerts Daily—Everyone Welcomes. Sherman, Clay & Co. Sixth and Morrison. Opposite Postoffice. Store Open This Evening. Wholesale and Retail Victor Machines, Records and Supplies.