

ROAD FIGHTS HARD TO ROAD TO GOVT

Three Federal Judges Hear Southern Pacific Argue for Injunction.

DECISION EXPECTED SOON

Attorney Teal for Interstate Commerce Commission Contests Fenton's Plea Against Reduction of Charges.

OPPOSING CLAIMS OF ATTORNEYS IN RAILROAD COMMISSION CASE.

For years, the Southern Pacific has been operating the line of the Oregon & California Railroad Company in Oregon at a loss, and is just now beginning to reap a legitimate profit.

Two Questions Involved.

"Council says, 'Why don't you make an interstate rate for these shipments a point south of Portland and at the same time put into effect the local rates?'

Apparent Discrepancy Cited.

Attorney Teal called attention in his argument to an apparent discrepancy between the estimate of the loss which would be sustained by the railroad under the new tariff as given in this mission from enforcing the reduction in the tariff, which was made on class freight September 21, last.

TRUST CHANGE IS MADE

UNITED TELEPHONE CANNOT DISCONNECT LINES. Bell Company Is Accused of Using Unfair Means to Drive Out Competition From Field.

Dividends Are Given.

For the fiscal year ending in June, 1910, he said the railroad could have declared a dividend of seven per cent on preferred stock and five per cent on common stock, and still have had \$73,833 of the earnings on hand, or four per cent of the capitalization.

Double Change Not Needed.

"They say in the complaint that a reduction of the local rate will mean a reduction also of the through rate. But they may reduce the local rate, and it is not necessary to make the through rate a part of it.

Investment Is Factor.

"The amount of money invested in a railroad is a very important thing in determining rates, but one class of railroad economists takes into consideration the cost of reproduction. I do not claim that the \$26,000 or \$28,000 reduction in rates would confiscate the property of the railroad, but if this property is

worth, as we say, \$43,000,000 and we are entitled to a net return, exclusive of the amount as should not be charged to capital, and then if we are entitled to 6 and 7 per cent upon our investment, if the proof should show that we are only receiving 2 or 3 per cent, then it is manifest that any reduction would be confiscatory of the use of that property plants. It is a question for your honor whether or not we are taking property without due process of law and therefore in violation of the Constitution of the United States.

"I do not see why a railroad should not be entitled to make 10 or 15 per cent in its business, if the rates it fixes are not excessive. In the gas case, however, it is not found that it is reasonable. In the Minnesota case it was found that 7 per cent was reasonable.

"The Oregon & California is not operating this property. The Southern Pacific is, as it were, a clearing-house. The Oregon & California, under its agreement with the Southern Pacific, is to pay all the disbursements and have all it put into the property in the way of betterments.

"They had access to our books. They sent their representatives to San Francisco to look over our books. They placed their finger on an item which they say should have gone into the operating expenses."

"The records show nothing has been paid on this stock since the \$12,000,000 construction history that the \$12,000,000 of preferred stock represents the original \$10,000,000 of German money and floating indebtedness which total \$10,000,000 of this road, and the \$2,000,000 stock represents the accrued interest of the German bondholders."

Man Recens Hotel's Protest Against Entertaining Woman in Room.

L. D. Smith, of Eugene, collected a "gang" and attempted to start a "rough house" in the Oregon Hotel at 539 Broadway street, Eugene, last night.

ROUGH HOUSE ATTEMPTED

In the meantime, two policemen had been summoned from Washington and Seventh streets. By the time they arrived, the fight had stopped, but the gang remained ready to start another conflict.

YOUR KIDNEYS WILL SURELY ACT FINE AND MOST SEVERE BACKACHE SIMPLY VANISHES

Into Dropsy, Gravel, Diabetes or Bright's Disease. Pape's Diuretic acts directly upon the kidneys, bladder and urinary system; cleanses, heals and regulates these organs, ducts and glands and completes the cure within a few days.

Just a Few Doses of Pape's Diuretic Regulates the Kidneys and Ends Bladder Misery.

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MINISTERS DISCUSS PICTURES

Stand Taken by Chief Cox Is Both Praised and Questioned. The moving pictures of the Johnson-Jeffries fight were "roasted" by the ministers at their meeting in the Y. M. C. A. building yesterday morning, the matter being placed in the hands

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A family can suffer no greater affliction than to have a child subject to fits or epilepsy. Many a father or mother would give their all to restore such a child to health.

"I am heartily glad to tell you of our little boy who was completely cured of fits. He commenced having them at four years of age and had three doctors and one specialist but of them said he could not be cured."

Dr. Miles' Nervine

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POLICE SPPPPSS FIGHT PICTURES

Exhibition to Newspapermen and City Officials Not Allowed by Chief Cox.

BAKER BECOMES ANGERED

Councilman and Lessee of Bungalow Theater, Dislikes Action of Cox and Says He Has No Intention of Showing Films.

The moving pictures of the Johnson-Jeffries fight, which took place at Reno, Nev., July 4 last, were not shown at the private exhibition announced for the city officials and the newspapermen last night by Walter Reed, manager of the Bungalow Theater, for Chief of Police

George L. Baker, a member of the City Council and lessee of the Bungalow Theater, where the pictures were to have been shown, returned to Portland yesterday and hearing of the controversy over the films, held a conference with Mr. Baker and refused to alter his decision made Saturday, when the pictures were advertised to be shown, and Mr. Baker assured the Mayor that the pictures would not be displayed at his theater if they were considered objectionable. Mayor Simon assured Councilman Baker that the pictures issued orders at the Bungalow Theater that they be not shown.

Promptly at 8:30 o'clock a crowd of something like 200 persons, including newspapermen, city officials and a squad of police under the command of Captain Bailey, were at the theater entrance waiting to see the show.

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of the law and order committee, of which Rev. Benjamin Young is chairman. The ministers commended the stand taken by Chief of Police Cox in prohibiting the pictures, but some of them declared they thought it an advertising scheme, believing that although the pictures are temporarily under the ban they will be shown. When asked about the matter last night Rev. W. F. Reager, president of the Ministerial Association, said that "that game has been played in other cities, and will probably be played here."

AUTO SPEEDERS ARRESTED

James Keep Tried to Take "Drunk" Home 40 Miles per Hour.

Arrested for speeding an automobile, James Keep had the novel experience of being hauled to police station on an improvised patrol wagon, being the motor-cycle of Patrolman Sims, who made the arrest.

Keep, in company with another chauffeur, was taking home an intoxicated man and the job required dispatch, so they were "hitting it up" 40 miles an hour across the Burnside bridge. Leaving one chauffeur with the car, Sims arrested and mounted him behind the saddle of the motor-cycle for a swift trip to the jail, where he was released on bail.

Maximum penalty will be urged by Police against a driver for the Montavilla garage, whom he accused of speeding past the school on Belmont street at 35 miles an hour. In the face of recent warnings from the Chief of Police and vehement protest against the custom on the part of the Mothers' Club.

H. E. Humphrey was arrested for speeding at Third and Taylor streets within the fire limits, and is accused of going at the rate of 25 miles an hour. He attempted to refresh Sims' memory concerning the occasion by telling Smith that he, alleged, had accepted a drink and a cigar from Sims and that he had refused to overlook an infraction of the speed laws. Sims refused to remember the occurrence and placed Humphrey under arrest.

E. T. Beveridge was arrested for going at the rate of 25 miles an hour on Washington street. R. Larson, driving a motor truck, is accused of making a speed of 30 miles an hour on the same street. S. C. Brown will answer to a charge of traveling at the rate of 25 miles an hour on Alder street and the Morrison bridge.

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ALL WHO delight in a clear skin, soft, white hands, a clean, wholesome scalp, with live, glossy hair will find that Cuticura Soap and Cuticura Ointment more than realize every expectation. No other emollients do so much for distressing, disfiguring skin eruptions.

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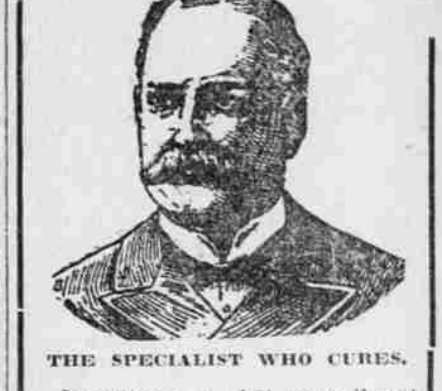
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VARICOSE VEINS Weak, swollen, sagging, knotted, Worn-like Veins, Clotted Stagnant Pools of Impure Blood, Weak, Nervous, Low Vitality, etc.

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Rupture or Hernia, Piles, Blind, bleeding, itching or protruding, Prolapsed Uterus and etc.

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