

TEXT OF DECISIONS OF INTERSTATE COMMISSION ON SUITS INVOLVING FATE OF PRINCIPAL INDUSTRY OF PACIFIC NORTHWEST

OREGONIAN NEWS BUREAU, Washington, June 21.—Because of the extreme length of the decisions of the Interstate Commerce Commission in the Pacific coast lumber cases, the bureau has decided, and reviewed in these dispatches, it is impossible to quote the findings of the Commission in full. However, the following liberal summary of the text of the decisions in the "Portland Gateway" case:

Synopsis of Decision.

1. The lumber and shingle producing and shipping interests of Western Washington brought proceedings to the Interstate Commerce Commission and the Great Northern railways to establish a through route and a joint rate applicable to the lumber and shingle traffic through Portland, Or., over the lines of the Union Pacific system to Eastern points, but the assumption is clearly of the opinion that a satisfactory route exists from the Washington points to Colorado common points and to destinations east of Colorado common points, and that this commission has therefore no jurisdiction to establish a route asked for to the extent of the Interstate Commerce Act.

2. The present routes from Washington to certain Utah points are not satisfactory. A circuitous route involving a longer haul and therefore greater delay is required, and the direct route is not satisfactory.

Hill Roads Originate Traffic.

The lumber produced in these mills of Western Washington is mainly consumed in the East. It is probable that the average consumption is 2500 miles from the point of production. The Northern Pacific and the Great Northern extend from these forests 200 miles to the coast, and the branch lines which are of no value except as they originate this traffic. They have put themselves in shape to carry the entire length of their lines. They have done this upon the theory that they were to be allowed to carry this traffic and to construct their originating railroads and to establish and maintain the rates which have been maintained unless they be permitted the right to haul upon this business. They could not afford to operate upon the same basis if they were obliged to deliver it over to the Interstate Commerce Commission.

Joint Rate to Utah.

"Before this report had been promulgated it came to the attention of the commission that rates from Pacific Northwest to Utah points were being advanced, and that it did not seem best, in view of this fact, to attempt to fix a joint through rate for the lumber and shingle traffic. Later, the advances were made, and proceedings were begun before the commission in consequence. As a result of those proceedings the commission established a rate of 7 1/2 cents per 100 pounds on fir and spruce from Portland to Salt Lake and Utah points, and 4 1/2 cents per 100 pounds on cedar and shingles. This would be a joint rate from the Washington points of 40 cents upon fir and spruce and 50 cents upon cedar and shingles.

Gateway Not Permanently Open.

"The confidant opinion was expressed by the officials of the Northern Pacific that in a year at most the line would be in shape to handle the lumber offered. As already said, it is handling this traffic today, not because its facilities have increased, but because of the circumstances which it hardly seems to us that we ought to open this Portland gateway as a permanent feature of our interstate traffic, for it is, since, within the fair meaning of that provision, there is already in existence a reasonable and a satisfactory route to the Utah points, and such provision in the statute, if this commission were left entirely free to exercise its judgment it would be a demand to grant the prayer of this petition.

Case of Willamette Valley.

Harriman Cannot Rely Established Industry Arbitrarily, Is Ruling.

OREGONIAN NEWS BUREAU, Washington, June 21.—Appended is virtually the complete text of the decision rendered by the Interstate Commerce Commission in the case of the Willamette Valley and Southern Oregon lumber manufacturers against the Oregon Railway & Navigation Company in raising the rate on lumber and lath from \$3.10 to \$5 a ton.

Open Gateway to Utah.

"Utah points, of which Ogden and Salt Lake City are the principal ones, are reached by either the Spokane or Silver Bow gateway. In both cases the traffic must move through Pocatello, and the relative distances to these consuming points. From Tacoma to Pocatello via the Spokane is 125 miles, while the entire distance is 135 miles. The difference in distance by the two gateways is not great, and in the case of Colorado common points. The testimony also shows that the service by this route even under favorable conditions is not satisfactory, and that the present routes from Washington to Utah points are not reasonably satisfactory, and we are of the further opinion that the route prayed for via Portland to these destinations should be established.

Different as to Passengers.

"Attention should be called to the fact that a wide difference exists in the reasonable through route for the movement of freight and one for passenger traffic. There enters into the passenger service a personal element which does not exist in the case of property. We might well say that a passenger should have the right to journey from Seattle to Omaha via Portland with the conveniences of a through service although a carload of lumber was not entitled to that privilege.

Objections of Oregon Men.

The Oregon & Washington Lumber Manufacturers' Association, representing the lumber and shingle interests in the State of Oregon, intervened in this proceeding against the prayer of the petition, appeared by counsel at the hearing, introduced testimony, and most vigorously protested against the opening of the route asked for. This intervenor put its objection upon the ground that Oregon mills were dependent upon the Northern Pacific System; that these facilities were already overtaxed and utterly inadequate, and that if that system were required to devote a portion of its capacity to the service of the complainants.

son is only about one-half that produced in Washington, being, approximately, 2,000,000 feet board measure, as against 4,000,000 feet in Washington. These two mills produce the bulk of the lumber largely in the same markets with the Washington mills. The only avenue by which they can reach these destinations is the Interstate Pacific System, starting from Portland over the line of the Oregon Railway & Navigation Company. A certain amount of lumber goes south by the Southern Pacific to San Francisco and California points, and it was said that as an emergency route it might be shipped to Sacramento and thence east over the Southern Pacific, but the quantity so handled is small and may be disregarded. Practically the only avenue to Eastern points is the Oregon Railway & Navigation Company from Portland.

Wants to Meet Water Rate.

The rate of \$3.10 was intended to meet the water rate from Portland and applied only at San Francisco and other bay points which could be reached by lumber from the Willamette Valley. Interior destination must be loaded upon the cars at the water line and transported by rail to the interior point. Lumber from the Willamette Valley to the same interior point was charged the \$3.10 rate to San Francisco plus the local rate from San Francisco to destination, but the intervenor who has invested his money must suffer.

Oregon Facilities Bad.

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The total cars of lumber delivered by the Oregon Railway & Navigation Company to the Oregon Short Line in the year 1906, the total number of loaded cars delivered by the Oregon Railway & Navigation Company to the Oregon Short Line in 1907 was 3,754, of which more than one-half were lumber and shingles. It was said that the capacity of the road was fully taxed, the handling of this traffic, and that it was impossible to greatly increase the amount. While every effort was being made to improve its track and add to the handling of this traffic, and that it was impossible to greatly increase the amount. While every effort was being made to improve its track and add to the handling of this traffic, and that it was impossible to greatly increase the amount.

The railroad of the Oregon Railway & Navigation Company to the Oregon Short Line, which is the only route to the Utah points, is a joint rate to Utah. The rate is 40 cents upon fir and spruce and 50 cents upon cedar and shingles. This would be a joint rate from the Washington points of 40 cents upon fir and spruce and 50 cents upon cedar and shingles.

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operations of these larger companies and would probably drive out of business for the time being many of the smaller ones. This locality is not today dependent upon the San Francisco market to the same extent that it was in 1888, for other markets have been developed; but that is still the only available market for any considerable quantity of the lower grades of lumber. The intervenor who has invested his money must suffer.

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ed upon that rate. Such a course would deprive that company of immediate traffic, but would in the end give to it a much larger measure of profit from the handling of the traffic. It might, in the second place, establish the low rate and develop the industry at once in competition with the other mills upon the Pacific Coast. It elected to adopt the latter policy. It so announced to the public and to individuals who were concerned with the construction of mills in this section. It inaugurated that policy by the putting in of the rate itself. Having maintained that rate for five years, it withdrew it, but upon further consideration announced once more that it would adhere to its former policy and would restore the rate, which it did.

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The rate of \$3.10 was intended to meet the water rate from Portland and applied only at San Francisco and other bay points which could be reached by lumber from the Willamette Valley. Interior destination must be loaded upon the cars at the water line and transported by rail to the interior point. Lumber from the Willamette Valley to the same interior point was charged the \$3.10 rate to San Francisco plus the local rate from San Francisco to destination, but the intervenor who has invested his money must suffer.

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established from mills in the Willamette Valley should be extended to Portland. It has been seen that originally the \$3.10 rate was intended to meet the water rate from the Willamette Valley to San Francisco, but that since August, 1903, this has not been true. During a portion of the time the rate from there to San Francisco has been higher than \$3.10, but that since August, 1903, this has not been true. During a portion of the time the rate from there to San Francisco has been higher than \$3.10, but that since August, 1903, this has not been true.

Portland's Superior Location.

The considerations which induce us to adopt the former policy are not in issue in this section. It inaugurated that policy by the putting in of the rate itself. Having maintained that rate for five years, it withdrew it, but upon further consideration announced once more that it would adhere to its former policy and would restore the rate, which it did.

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