

FORCE FAIR SERVICE FROM THE RAILROADS

What Approval of Commission Bill by Governor Will Mean to Shippers.

NO DISCRIMINATION AND NO REBATES

Tariff Schedules Must Be Posted Where Public Can See Them—

Negligent Shipper Will Also Be Compelled to Do His Part.

If the Chapin railroad commission bill is approved by Governor Chamberlain, as is generally expected, railroads will be regulated in Oregon in a manner similar to the control exercised by the states of Texas and Wisconsin. Provisions regarding publicity of rate schedules are similar to those of the interstate commerce commission, and have already been complied with by the Southern Pacific and O. R. & N. companies in Oregon in conformity with the federal law effective since last August. Many other interesting provisions of the Oregon law will go into effect as soon as the governor's signature is attached.

On application of a shipper or on the initiative of the commission, a rate may be reviewed and changed pending appeal by either party to the courts. A demurrage charge of \$5 per day may be collected by a shipper failing to receive a car within the legal time, or a railroad may collect the same fine from a shipper failing to load a car on time or from a consignee who is similarly delinquent.

What New Law Covers. All hearings will be open, and any person may attend and be heard, or may appear by attorney. A railroad in the hands of a receiver will be subject to all the provisions of the law the same as if owned by a corporation or individual.

The transportation of passengers and property, receiving and delivering freight, refrigeration and icing, storage and transfer, and all charges in connection with these services, are subject to control by the commission. It will also have jurisdiction in the regulation of practices and charges of terminal companies, tank line and oil companies, sleeping car companies, private car companies, express companies, fast freight lines, so-called, and any association or corporation assuming duties of a common carrier on any railroad within the state of Oregon. This includes interurban electric roads, but not companies that do an exclusive street car business on city streets. Neither does it include logging roads that are not doing business as common carriers.

Post Rate Schedules. The railroad freight traffic departments, and also the passenger departments, will immediately prepare to conform to the law's provision requiring the posting in all railway stations of schedules of charges for the carrying of freights and passengers. It is made the duty of every railroad company to do

this prior to the first day of April of this year. All schedules and rates of charges for every kind of transportation, and for switching, transfer, storage and all other services by the railroads and their subsidiary companies, must be displayed in a public place in every station where an agent is maintained. Joint rates whenever made with any connecting company must also be similarly posted, and in a manner convenient for the public's inspection. Ten days' notice must be given of any change in existing schedules, by the filing of the new schedules in a public place at every station, unless the commission shall on hearing prescribe a less time.

The railroad companies or subsidiary companies are prohibited from charging or collecting from any person any greater or less compensation for the transportation of passengers or freight, or for any service, than is printed in the schedules which may be at the time in force and posted for public inspection in the stations of the company.

Rebates Prohibited. Under the law a railroad must furnish to the shipping public "reasonable adequate" service, equipment and facilities for the moving of the commerce of the state, and the transportation of all passengers. All rebates to shippers, or discrimination between shippers or passengers is prohibited. The charges made by the railroad or subsidiary companies for carrying passengers and for all services in the receiving, switching, storing, transfer and refrigeration of freight, shall be "reasonable and just, and every unreasonable charge for such service is prohibited and declared to be unlawful."

This in the language of the law, and pursuant to it the commission, on hearing complaint of any person aggrieved, may abrogate or modify the unlawful rate or practice of the railroad company, or impose a fine of not less than \$100 nor more than \$10,000 for each offense, to be paid by the railroad company into the state treasury.

Special Rates Permissible. Nothing in the act is meant to be construed to prevent concentration, commodity, transit and other special contract rates, provided all such rates are open to all shippers for a like kind of traffic, under similar conditions and circumstances, and such rates shall be always under supervision and regulation of the commission. Free or reduced rates may always be given to the United States, or to the state of Oregon, or any municipality, or for any charitable purpose, exposition or fair, or for property or commodities of railway employees.

Reduced rates, commutation tickets or mileage may be sold to anyone, provided all persons applying therefor under similar conditions are given the same rates. That is, to say, a special rate to any convention, or a low excursion rate, or a cheap mileage book or commutation ticket, sold to any person under certain provisions, must be sold to anyone willing to comply with the same conditions.

The Possible Free List. Free transportation or reduced rates may be given employees, officers, surgeons or attorneys of the company, and members of their families, or to former railway employees who may have become incapacitated for service and their families, or to state or district officers, county judges and sheriffs, ministers, railway Y. M. C. A. secretaries, inmates

of persons engaged in work of hospitals, charitable and eleemosynary institutions, officers and agents of incorporated colleges, destitute persons, employees of car lines and telegraph or telephone companies, United States reclamation service and livestock industry, United States inspectors, newsmen on trains, witnesses in any legal investigation in which the railroad is interested, persons or attendants in cases of railroad wrecks, and in cases of epidemic or calamity.

Free transportation may also be given a shipper for any man he may designate to accompany him by rail to stock, fruit or property requiring an attendant, provided there be no discrimination between shippers.

Must Provide Good Facilities. Adequate sidetracks, spurs, depots, buildings and terminal facilities must be built and maintained by railroad companies to render reasonable service to shippers and public. On complaint of any person interested, the commission may order such facilities put in. Stations houses and connecting tracks at railroad crossings may be required by the commission, to be built and maintained at joint expense by the railroads, for convenience of passengers and for the receiving and transfer of passengers, baggage and freight, and adequate service at such places.

Grade crossing disputes may be settled by the commission, and it may designate safety appliances to be constructed and maintained. The commission is empowered to impose and collect into the treasury of the state a fine of \$200 per week from railroad companies that refuse to comply with the commission's orders under this head and covered by the law.

Shipper Also Regulated. In the furnishing of cars to shippers on demand no discrimination can be made in favor of any person or place or for any commodity, excepting for livestock or perishable property. If application is for five cars, they must be furnished within five days; if for more than five and not exceeding 20 cars, the railroad company has 10 days; if for more than 20 cars and less than 50 cars, the railroad company has 15 days; if for 50 or more cars, they must be furnished within 30 days.

The application must be made in writing by the owner, manager or shipper of freight, and the cars must be furnished at a place convenient for loading, at the point required by the shipper, but must be at some switch or siding on the line of the road to which application is made. Any application for cars must be made to the railroad on which the shipment originates. The application must state the number of cars wanted, the time and place desired, and the kind of freight to be shipped and its destination.

But was to the shipper who calls for more cars than he can load within 48 hours, for at the expiration of that time he begins paying \$2 per day demurrage per car not so loaded to the railroad company. If the railroad company, on the other hand, fails to deliver to him at the time and place desired the number of cars applied for in writing, he may collect from the company \$2 per day for each absent car. The time in each case begins to run from 7 o'clock a. m. the day following receipt of application or car. The shipper who fails to receive a car or cars on time may also hold the railroad company liable for actual damages sustained by reason of inability to ship his commodity. The shipper, in suing to recover damages, must show that he had on hand at the time the kind and amount of freight for which the cars were required by him. No car demurrage can be collected from a railroad company when delivery of the cars was prevented by strikes, washouts, accidents or public calamity. But lack of sufficient motive power, cars, equipment, terminal facilities,

terminals or repairs shall not exonerate the railroad company from furnishing cars to the shipper, nor for payment of demurrage or damages.

The railroad commission is given the power, on hearings, to suspend for continuous periods of 30 days those sections of the act relating to demurrage, but no part of the law shall be suspended unless good and sufficient cause is shown. It is on this provision that the small railroads of the state will hang their hopes. In order to receive any consideration from the commission, they probably will first have to get a reasonable amount of equipment to carry on independently the business of their lines, irrespective of the equipment that has heretofore been furnished by the trunk lines.

After they have secured reasonable and adequate equipment, and should their cars be drawn off of their lines in the service of the shippers of the state for transcontinental or state traffic, they will have under the suspension section of the law a protection from unreasonable demurrage penalties, as it is believed they will not be held to pay demurrage under conditions that would be ruinous to a small railroad that is adequately equipped.

Must Report Accidents. A shipper who may by any untoward event have been rendered unable to meet the law's requirements as to loading or unloading also has recourse to the commission to absolve him from paying demurrage charges and for a suspension of the provisions of this section of the law for a period of 30 days.

No injunction can issue staying or suspending any order of the commission, except upon application to the circuit court, notice to the commission, and a hearing, and the furnishing of adequate bonds executed in favor of the commission. Either party in any suit involving the commission may, within 60 days after the entry of any decree, take an appeal to the supreme court of Oregon, and the case shall have precedence over all other civil suits of different character.

In cases of accidents in which human life or limb are lost, or involving serious damage to property, the railroads are required to make an immediate and detailed report of the accident and its causes to the commission.

CHILLED EYES IN DAKOTA TURN TOWARDS OREGON

Commercial Club Receives Numerous Inquiries From Sections That Feel Winter.

In its first delivery of mail yesterday morning the Portland Commercial club received 113 letters from 19 different states and three Canadian provinces. Among the inquiries 22 were from Minnesota and 2 from North Dakota, indicating that the severe winter had had the effect of stimulating the desire for information about a milder climate.

We've Bought Out Armstrong. The tallor, He's going to get rich in Iowa. We're going to make Portland men look rich—in swell garments cut by our Mr. Schaefer, for six and a half years cutter for Nicolli the Tallor. He ought to know how. J. C. Schaefer & Co., Raleigh building, Sixth and Washington.

Preferred Stock Canned Goods. Allen & Lewis' Best Brand.

A BUILDING HINT

Provides for heating your Kitchen in the same manner that you do your Dining Room. Do away with coal stoves altogether; install a Gas Range

IT'S A GREAT DEAL CHEAPER BY FAR THE CLEANER CONSIDERABLY MORE HANDY

Many people believe that a well warmed Kitchen can be obtained only by using a coal stove. Fallacy, pure and simple. Cook with gas always.

GAS Has so Many Advantages in Cooking that Furnace, Hot Water or Steam Heat could be put in the Kitchen very profitably.

Gas is clean; is always ready for service; is easily regulated; is economical; is convenient; is reliable; saves dust, ashes, soot, stove pipes, coal bins and many other nuisances.

FOR WINTER OR SUMMER USE IN THE KITCHEN

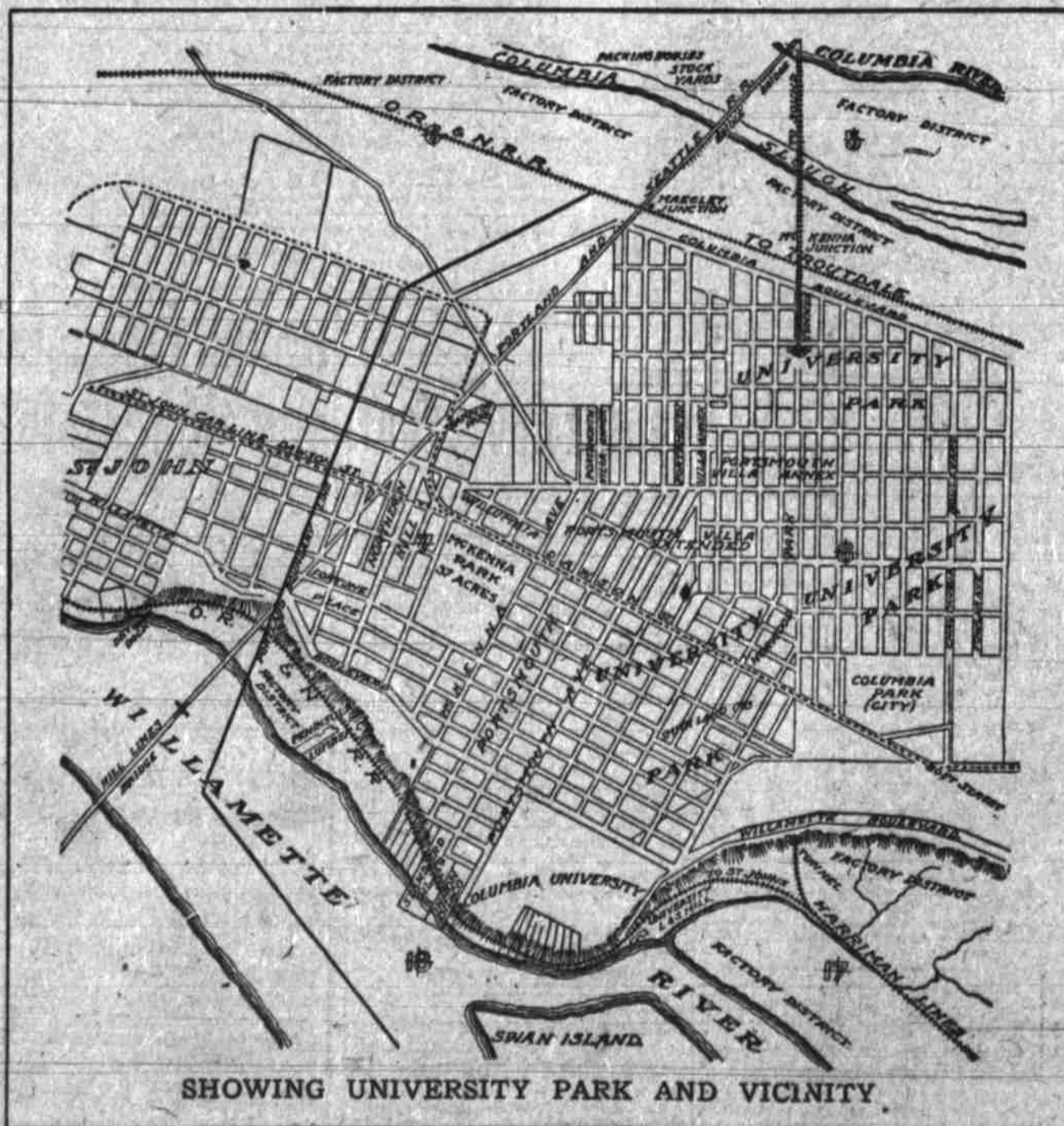
FIFTH and YAMHILL The Gas Co. FIFTH and YAMHILL

McKenna Junction

If I were permitted to tell you what will transpire at McKenna Junction within the next sixty days you would not sleep before you would buy all the lots in that vicinity you could carry.

You might take a hint from the fact that I sold lots in South Omaha about the time the packing houses located there, for \$500 each, that sold within three years after for \$10,000 each. Study the picture.

Another hint might be found in the experience of persons who bought lots at St. Johns about the time the O. R. & N. branch entered there for \$500 each, that cannot be bought today for less than \$10,000 each. Study the picture.



UNIVERSITY PARK surrounds McKenna Junction and we are selling lots in that vicinity for \$200 for 25x100 feet, ten per cent cash, balance \$5 monthly on each lot. No interest if all payments be paid on or before due. Prices subject to advance any day. Francis I. McKenna, agent—office at University Park Station on St. Johns car line. Phone Woodlawn 239—out of order as usual. No up town office.