

# STATE HAS RIGHT TO RAISE FARES UNDER LAWS OF THE STATE

## Attorney General Brown in Opinion to Public Service Commission So Holds.

### WOODBURN CASE IS CITED

Public Utility Act Supercedes Any Authority to Fix Tariffs Granted Portland Under Its Charter.

Salem, Or., Sept. 20.—Attorney General Brown, in an opinion completed late Wednesday afternoon, holds that the public service commission has jurisdiction over the street car fares which may be charged by the Portland Railway, Light & Power company. In other words, he holds that the authority conferred upon the commission by the public utility act supercedes any authority which the city of Portland has under its charter to fix street car fares. The provision of the street car company's franchise that it shall not charge a higher fare than five cents for a continuous trip is not binding upon the public service commission, he holds.

**Way Clear for Order**  
The commission will now proceed to issue its order in connection with the application and hearing of the street car company for an increase in fares, which the company contends is needed to enable it to grant an increase in the wages of its employees. The order is expected before the end of this month.

Attorney General Brown, in forming his opinion, relied largely on the decision of the state supreme court in the Woodburn case and the decision of Judge Bean of the federal district court in the case of the Portland Railway, Light & Power company against the City of Portland, reported in 201 Federal Reports.

**Full Hearing Necessary**  
"It has been the opinion of this office ever since preparing and filing briefs in the supreme court of Oregon in the Woodburn case," says Attorney General Brown, "that the public service commission of this state is vested with the power either to raise or lower street car passenger rates of the various cities of this state, if, after a full and complete hearing, the facts justify such action."  
"The public utility law of Oregon was adopted by the legislative assembly of 1911, referred to the people and adopted by them at the November, 1912, election. This law is a general law which affects all towns and cities alike within the boundaries of the state of Oregon."

**Working of Law Clear**  
"The utility act plainly provides: 'Whenever upon an investigation, the commission shall find any existing rate, or rates, unjust, unreasonable, insufficient, or unjustly discriminatory, the commission shall determine and by order fix reasonable rates or tolls, to be imposed and followed in the fu-

ture in lieu of those found to be unjust, unreasonable, insufficient, or unjustly discriminatory."  
"Words could not be clearer, statute law was never more explicit. From the plain terms of the utility law the legislature and the people of the state have conferred the necessary authority upon the commission to either raise or lower rates and to determine and fix such rates and charges, 'as shall be just and reasonable.' This is the latest legislation upon the subject and is the law of the state."

**State Power Supreme**  
"It has been said that the primary and general rule of statutory construction is that the intent of the law maker is to be found in the language that he has used."

Judge Bean, in the case of Portland Railway, Light & Power company, has said:  
"The right to regulate rates of public service corporations is a governmental power vested in the state in its sovereign capacity. The regulations of fares to be charged by public service corporations is not primarily a municipal matter, but it is a sovereign right belonging to the state in its sovereign capacity."

### War Library Fund Is Over-Subscribed

Drive Is Made in Josephine County Ahead of Scheduled Time and Results Show Quota More Than Raised.

Grants Pass, Or., Sept. 20.—Josephine county has over-subscribed its allotment of the war library fund. The local committee, realizing that the rush of local events next week, which had been set for this drive, including the serving of breakfast to 1500 passing recruits, might seriously interfere with the library fund work, decided to clear this task out of the way without delay.

A committee of 20 was appointed by Chairman Ben C. Sheldon. It was divided into 10 teams of three members each, the city districted and each team given a district. Tuesday was set for the drive and bright and early on that morning the teams started work. At a luncheon Wednesday noon, served by the Chamber of Commerce, reports of the various teams were made, with the result that this county's allotment of \$250 was over-subscribed, with none of the country districts yet-reporting.

The committee Wednesday night mailed to Edward Cookingham, state treasurer, \$250 for \$210 with the promise that there was more to come.

### Marines on Guard At Railway Bridge

Marshfield, Or., Sept. 20.—Eight United States Marines from the Marshfield wireless station are guarding the million-dollar Southern Pacific bridge over Coos Bay at North Bend. The marines were hurried to the bridge Tuesday night. Local railroad officials give no explanation of the move, but it is reported that the guard was put on following a reported threat to destroy the structure. Once before a rumor was circulated that the bridge was threatened. Any accident to the bridge would retard the lumber manufacturing and shipping of aeroplane spruce from this point.

# CHEAP CREDIT ASKED FOR SMALL FARMERS IN APPEAL TO BANKS

## One-Sow Farmer Is Man Who Can Come to Nation's Aid, Says Food Administration.

Federal Food Administrator, Ayer says the United States food administration has made a direct appeal to the banking interests of the country, through the different state bankers' associations, to give special consideration and extend more liberal credit at lower rates to growers of livestock.

"I am informed from our Washington headquarters," said Mr. Ayer, "that a letter has been sent to the bank associations of each state, urging the economic need of giving all possible assistance to the livestock men of the country, whom we must depend upon in such large measure for the enormous supply of food staples that our nation is called upon to provide for our army and for the armies and peoples of our allies. The cooperation of the federal reserve banks has also been asked in this matter."

"Some pertinent excerpts from the letter sent out to the various banking interests are as follows:  
"In innumerable instances, one sow can be handled to advantage and an economic production of pork brought about where five sows would mean production of pork at a loss. The one animal would mean the utilization of what is now waste; five sows would mean the purchase of high-priced feed for turning the progeny into pork, with the result of higher cost of production."  
"The one-sow man is the farmer who can come to the rescue of the nation in this emergency; make it possible by furnishing the necessary credit at low cost. The same principle applies to both sheep and cattle. It is the man who will produce in small units whom we must rely upon to get our increased supply of livestock."

**Realty Assessment Opposed in Eugene**  
Eugene, Or., Sept. 20.—A mass meeting has been called by the Eugene Civic association for Friday, to take steps to oppose the assessment of real property in the city. It is claimed that this class of property has been raised 25 per cent over the assessment of 1916 while no other property has been raised.

**Separators Found Faulty**  
Eugene, Or., Sept. 20.—Tests made by the Junction Cow Testing association show that many separators are causing a loss of cream equal in some instances to one pound of butterfat to each 100 pounds of milk. Old separators and cheaper makes were the ones found faulty.

### State Health Officer Looks Over Roseburg

Roseburg, Or., Sept. 20.—Acting State Health Officer Holt spent Tuesday here investigating the city water supply and general health conditions. The visit was occasioned by a number of cases of typhoid fever in Roseburg. A number of samples of city water were taken and should this be found to be infected conditions will be remedied at once. The city water supply is obtained from the North Umpqua river, which is a rapidly moving stream and no contamination has before been found in the water. The past dry summer season may partly account for the conditions here.

### Employer Arrested For Grabbing Tips

San Francisco, Sept. 20.—(I. N. S.)—The test of the law which prohibits employers from taking tips given to their employees is expected to result in the arrest of Samuel Farb, on complaint of J. P. McLaughlin, state labor

commissioner. Farb is accused of hiring a girl to work at the checking rack of a restaurant for \$10 a week and compelling her to turn over all tips to him. The practice is said to be general in San Francisco cafes. The warrant for Farb's arrest is the first issued under the new law.

### Popular Residents Of Newport Wed

Toledo, Or., Sept. 20.—The wedding of Joel B. Booth and Miss Alleen Gaither was solemnized at 7 o'clock on Wednesday morning, Father Forget of Independence officiating. Mr. Booth is cashier of the Lincoln County bank of this city and Miss Gaither is the eldest daughter of Postmaster and Mrs. J. J. Gaither. The couple left on the morning train for Portland, where they will spend a week, after which they will be at home to their friends in their bungalow prepared by the groom on Enderley street.

For the first time in its history Porto Rico had an output of more than 500,000 tons of sugar in the season that ended in August.

### Whiskey Concealed Under Watermelons

Tacoma, Wash., Sept. 20.—(U. P.)—Hidden under a carload of watermelons, the first big consignment of liquor to be seized in the state of Washington since the federal dry law went into effect, was taken last night at Buckley, near here, when the city and county dry squad found seven

cases of whiskey. The car was consigned to E. A. Dillon, a California jobber, who is held at the county jail today. The liquor is valued at \$1000.

### Collier Arrives With Food for Serbians

Washington, Sept. 20.—(I. N. S.)—

The United States collier Caesar, with its precious cargo of half a million dollars' worth of supplies, including food and clothing, has reached Seattle, it was reported today in a cablegram which reached American Red Cross headquarters. The Caesar's cargo will be used immediately to alleviate the sufferings of nearly 200,000 starving and destitute Serbians and other exiled non-combatants.



## "The Best \$15 and \$18 Clothes Are Sold at Ben Selling's"

There's many a man in Oregon who has used that expression—and justly so, for here are suits and overcoats at \$15 and \$18 that simply cannot be excelled.

Men, think of any model that's made, any size that's required, any fabric that's good—then come here and you will find it.

One Entire Floor of \$15 and \$18 Suits and Overcoats.

"The Best in the West"

Entire Third Floor—Elevator Service.

Brewer Hats - \$3 **Ben Selling** LEADING CLOTHIER Morrison Street at Fourth Dunlap Hats \$5



"The House of Courtesy"

# This Is Suit Week at the Emporium

## A Prize Hat



HERE is the very hat which won the highest approval at the big Fashion Exhibit held at Castle-by-the-Sea, Long Island.

The most fashionable women in New York stamped the approval mark on this lovely model. See it here tomorrow.

200 New Trimmed Hats on the Third Floor—Special—\$6

Here are two hundred of the prettiest hats we have shown in many a season for a price like \$6. This is a selection, too, you will hardly find duplicated in many shops. Every new conception for Fall can be found among this big assortment. A hat for every woman—Friday and Saturday

\$6



## This Big Event Brings a— Great Showing of Handsome Suits

Five Clever Models \$28.50 to Select From.....



EVERY Portland woman knows what an announcement like this means coming from the Emporium. Hundreds upon hundreds of handsome Fall suits specially marked for this week, at \$28.50. Many stores sell the same suit value as high as \$30 and \$35.

This big assortment contains suits of the very newest styles and the most wanted fabrics. Five stunning models to select from. Every new shade for Fall can be found in these suits. Your Fall suit is in this big assortment—no matter what color, fabric or style you have in mind. You'll marvel at suit values like these at \$28.50.

Many of these models are the very same suits exhibited in our Fashion Show and created so much comment. For Friday and Saturday, \$28.50.

### More Lovely New Coats Are Here!

More of those stunning big coats of Pom Pom, Burelia, Plushes, and Satin Velours have arrived—you'll be glad you delayed in getting your coat when you see how smart these are. Priced from

\$35.00 to \$90.00

### Stout Women's Waists

We make a specialty of smart blouses for stout women. Many of the very newest styles for Fall can be found here. Among them are new Georgette crepes, crepe de chines and many others. Priced at

\$3.95—\$6.50—\$6.95

**EMPORIUM** ZSWETT CO. The Northwest's Greatest Specialty Store 124-128 Sixth St. Just off Washington

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