

HEARING OF RATE CASE STARTED IN PORTLAND TODAY

Columbia Basin Claim Outlined in Simple, Direct Language at Opening of Hearing Here. COST GREAT, VITAL FACTOR

Dr. Smith Testifies That Grain Growers Would Favor Sound if It Had Natural Advantages.

(Continued From Page One)

case, after the interstate commerce commissioners had signed in their high-backed seats, asserted that it would be perfectly congenial to the inland Empire graingrowers were Astoria, at the mouth of the Columbia, to be considered worthy of the same rate as Portland, but that the water-grade rates should be less than the mountain rates because of the difference in cost of transportation.

EXPLAIN PORTLAND'S POSITION

Portland's position is that the city at the head of deep sea navigation and closest to the interior should have the lower rate. Seattle, Tacoma and Everett of Puget Sound ever—and these cities have the support of the Washington Public Service Commission—that the present rate parity has permitted the building of important commercial and business enterprises which would be seriously injured were the water grade to be dealt with justly.

Interstate Commerce Commissioner Hall opened the hearing. He announced that the commission finds before it four separate actions, aside from interventions. These are cases 10,418, the complaint of the Inland Empire Shippers' league; 10,419, the complaint of the city of Portland, including the port and dock commissions, the Portland Traffic & Transportation association, and the Portland Chamber of Commerce; 10,688, the complaint of the city of Warrenton; and 10,689, the complaint of the Oregon Public Service Commission.

HEARINGS ARE CONSOLIDATED

By agreement of the complainants and wish of the defendants, the railroad administration and the railroads of the Pacific Northwest, the hearing of the actions brought by the Inland Empire, Portland and the state public service commission were consolidated. The hearing of the Warrenton petition was deferred until later this week.

The entire week will be consumed in taking testimony and examining witnesses, and then the hearing will be transferred to Seattle, beginning there on July 28, next Monday. At the conclusion of Dr. Smith's testimony as president of the Inland Empire West put on the stand. J. D. Brown, president of the Farmers' union for Oregon and later, Edward Ostrander, rate expert for the league.

ATTORNEYS IN CASE

Mr. Teal and W. C. McCulloch appeared this morning as counsel for Portland commercial and traffic interests, with John H. Lothrop as rate expert. J. O. Bailey, assistant attorney general of Oregon, appeared for the public service commission, and Commissioners Butcher and Corey were present, with Fred Rasch, engineer of the commission, acting as bailiff. City Attorney Walter P. LaRoche appeared for the dock commission, and Dock Commissioners C. B. Moores and F. C. Knapp were in attendance. Gus C. Moser appeared in behalf of the Port of Portland commission.

ASTORIA IS REPRESENTED

The city of Astoria was represented by G. Clyde Fulton and John S. Smith. Among the port commissioners and business men who have come from Astoria are B. F. Stone, George Sanborn, Thomas Blyden, Edgar Smith and George B. McLeod. Astoria appeared as an intervenor in the cause this morning for the first time. Mr. Fulton explaining that Astoria is willing Portland should be granted a lower rate, but desires to have the reduction, if ordered, apply also to Astoria. Warrenton had among other repre-

AVIATOR LANDS WITH \$50,000 TREASURE



Robert E. Smith, director of war loan organization for the twelfth federal reserve district, bids goodbye to Lieutenant E. E. Neubig, in whose plane he brought valuable certificates from California, and jumps into waiting automobile for another lap in his race to catch vessel sailing to Alaska.

sentatives Mayor Wilson and G. Clifford Barlow.

Scott Henderson appeared for Tacoma and T. J. Kennedy for Seattle. Both of these cities are rallying all their forces to defeat the contention that the Columbia water grade should be granted a lower rate. Everett, which is one of the lesser ports of Puget Sound, appeared as an intervenor after the hearing was opened this morning.

IDAHO IS ADVERSE

The Idaho public service commission also appeared as an intervenor adverse to the Columbia basin cause after the hearing was opened, represented by Public Service Commissioner Freehaker and Rate Expert, Wey.

Spokane, which appears as a "friendly neutral," desirous of obtaining for its own position the benefit of any order recognizing the water grade, is represented by J. B. Campbell, traffic attorney and member of the Portland district traffic committee of the railroad administration.

None of the California ports appears as an intervenor in the action but Seth Mann, traffic attorney of the San Francisco Chamber of Commerce, was among the first to appear in the courtroom devoted to the hearing.

RAILROAD ATTORNEYS APPEAR

Arthur C. Spencer, general counsel for the O-W, R. & N., and C. A. Hart, normally counsel for the S. F. & S., appeared for Director General Walker D. Hines of the United States railroad administration and for the railroads which with the director general are made defendants. Among other railroad men whose presence was noticeable were Charles Donnelly, counsel for the Northern Pacific; J. G. Woodworth, assistant to Regional Director Ashton of the railroad administration and normally vice president in charge of traffic of the Northern Pacific; L. C. Gilman, Northwest director of the railroad administration; F. W. Robinson, chairman of the Portland district freight committee and general manager of the O-W, R. & N.; A. D. Charlton, passenger representative of the railroad administration; W. D. Skinner, traffic manager of the S. F. & S.; and Harvey Lombury, general freight agent of the O-W, R. & N.

LINE OF DEFENSE SHOWN

Spencer and Hart for the railroads quickly made it appear that they intend

to support the discrimination against the Columbia water grade by reference to the general rate structure, which is based—so far as any one knows how it is based—the competitive relations between cities, communities and districts, on competition between rail and water transportation, on concessions and rebates favoring one industry against another, and, generally, on tradition and precedent with some injection of superstition.

RETURN LOAD FACTOR

F. C. Daugherty, representing such railroad corporations as the Great Northern, Northern Pacific and C. M. & St. P., asked Dr. Smith for a comparison between shipments over a hilly road and a level road in case the former provided a return load, suggesting that the return load would make it advisable to provide a lower rate for the hilly haul.

Dr. Smith admitted that such a factor might be worth consideration. Rail rates from the Pendleton country had always been high, Dr. Smith testified, and a reduction was only brought about when the shippers took matters into their own hands and constructed the portage road at The Dalles. The O-W, R. & N. at once reduced rates to the Sound and put them on a parity with the Columbia river ports.

ORIGIN OF RATES

"The rates to Puget Sound from the Inland Empire are based upon the findings of the Washington state public service commission," Dr. Smith declared. Later, under cross examination by Arthur C. Spencer, Dr. Smith said:

"The rate from Walla Walla to the Sound was fixed by the Washington commission and Pendleton got an intermediate point' rate based upon that. Later the Oregon commission approved the Washington rate by agreement and established the same charges to Portland, giving Pendleton a parity charge to Columbia river ports and Sound ports.

"It was necessary, however, for the Washington commission to rate from Walla Walla to the Sound to put it on the same basis with the rate to Portland."

BETTER MARKET NOT INVOLVED

Dr. Smith objected to the question as to whether Seattle or Portland is the better wheat market as personal affirming that the purpose of the Shippers' league is not to combat railroads in the Sound country, nor to reduce their rates, but to bring about a reasonable rate over the down-grade haul to Portland and Astoria.

"The crowded courtroom became interested when Dr. Smith 'called' R. J. Kennedy, representing Seattle, for a reference to 'free' guessing as to the elevation of roads to the East."

Questions by Mr. Kennedy, Dr. Smith declared that elevations and distances should be made prime factors in establishing rates, and said Eastern railroads give a better rate to the shippers than do Western roads under equal costs of operation. Cost of service and mileage should be strongly considered in rate making, he said.

PURPOSE CLEARLY DEFINED

Returning to direct examination, Oswald West inquired of Dr. Smith, again the purpose of the hearing from the shippers' standpoint.

"Our only request in our complaint is for a reasonable rate over the O-W, R. & N. to Portland and Astoria, and our complaint shows no concern for the Sound roads nor for their rates."

F. D. Brown, president of the Farmers' Union for Oregon and Southern Idaho, followed Dr. Smith on the witness stand. He told of the interest of the union, comprising wheat growers, shippers, elevator operators and handling agencies, has in the hearing, declaring such an interest centered upon securing a reasonable rate for the haul to tide water.

FAVORS COLUMBIA PORTS

After testifying as to the basis for wheat prices, Mr. Brown affirmed a belief that Portland and Astoria should have a lower rate in Inland Empire wheat than do Western roads under equal operation to such points is far cheaper than over the routes to the sound.

"I believe that the rate to Portland and Astoria should be the same," Mr. Brown said.

Edward Ostrander occupied the stand for a few minutes' time over the O-W, R. & N. His brief testimony concerned a history of the Oregon rail lines, supplementing the facts and figures already given. His remarks were submitted under his signature.

RIVER NOT USED

Under cross examination by Scott Henderson, representing the city of Tacoma, Dr. Smith admitted that in new war days almost two thirds of the wheat from the Inland Empire was shipped to Puget Sound ports because of the parity in rates and the then superior facilities on the sound. Asked why the shippers did not take advantage of the river traffic on the Columbia, Dr. Smith said that river boats were few and that when bottoms were available their rates were only about 20 per cent lower than rail rates and the difficulty of getting shipments to the river made the use of boats not worth while. He described the difficulty of getting shipments to the water front in the Columbia river basin.

Growers and shippers in the Inland Empire will not object to a parity rate

between Portland and the sound so long as the rate to Portland is reasonable and is founded upon the cost of operation, Dr. Smith testified.

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Growers and shippers in the Inland Empire will not object to a parity rate

AIRPLANE BRINGS SMITH FROM S. F.

Loan Official Completes Dash to Portland in Six Hours' Actual Flying Time.

Making a perfect landing on the municipal golf links in Portland, the plane bearing Robert E. Smith, director of the war loan organization for the Twelfth reserve district in his spectacular dash to Seattle, reached here Sunday noon.

He carried \$50,000 in War Savings certificates destined for an Alaskan mail boat leaving that city today, arriving here at 11:35 Sunday morning, after having covered 600 miles in less than 6 hours' actual flying time.

Stepping from the plane Mr. Smith was conveyed to Linnton by auto, where he boarded the speedy motor boat Voyager Boy III, which took him to Kalama, Wash.

The flight from Sacramento to Portland was accomplished with two stops, one at Redding, Cal., and one at Eugene. Mr. Smith reported that the first 200 miles from Sacramento to Redding was covered in 1 1/2 hours. The plane was piloted by Lieutenant Earl Neubig of Mather field.

SMITH DESCRIBES TRIP

Describing his trip and pointing out its importance as an Oregonian publicity stunt, Mr. Smith said:

"We left the flying field at Oakland, Cal., at 3:30 p. m. Saturday. Arrived at Mather field, Sacramento, in 25 minutes. There we changed planes, taking a big De Havilland fighting plane of 450 horse power so as to make better speed and because the first ship was slightly damaged in landing at Oakland. It went into the fence and damaged one wing because of the short landing field and high telegraph wires crossing the approach."

"We made Redding on Saturday evening after 90 minutes in the air. Another plane had brought a mechanic to Redding in the afternoon. The mechanic turned up the machine during the night and left for Portland by rail Sunday morning. He will fly back to Sacramento with the pilot, Lieutenant E. E. Neubig."

EUGENE NEXT STOP

"We left Redding at 7 a. m. and reached Eugene in 3 hours and 50 minutes, stopping for gas and oil. Made Portland in one hour, cutting off 10 minutes from the former best record. The 600 miles from San Francisco to Portland required 6 hours and 60 minutes time, but this includes four drops and four get-aways, so the actual traveling time was 5 hours and 10 minutes."

"The plane could not fly to Seattle as they have no landing field large enough for the De Havilland in that city. The speedy delivery of certificates to Alaska in time for them to be sold at the July rate, which is 20 cents per hundred less than the August rate, was accomplished by this trip."

"These new treasury savings certificates are simply war savings stamps of \$100 and \$500 denomination. They sell for \$82.40 in July and increase 20 cents per month. They mature four years after the January following the date of sale at \$100 or \$500. Interest is at the rate of 4 1/2 per cent per year."

"The \$1,000,000 I started out with had a cash value of \$324,000, but a maturity value of \$1,000,000 in four years and five months on January 1, 1924."

PICTURES TO SHOW TRIP

"In addition to a desire to make quick delivery to Alaska, the trip was staged as a monster publicity stunt for the new securities, of which this district will have to sell \$100,000,000 by next January."

"Moving pictures were taken all the way through, showing the train arriving at San Francisco, the delivery to the Federal Reserve bank, counting the certificates by cashiers at the Federal Reserve bank, counting out \$1,000,000 in certificates, of which \$950,000 were to be delivered to depository banks en route and \$50,000 to go through to Alaska; the delivery of the million dollars to me; taking them out of the bank to waiting auto; the getaway from the bank; taking them through the ferry building at San Francisco; the arrival at the flying field; the getaway by plane; the arrival at Portland; and the relay auto and motor boat to Seattle."

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U. S.-JAPAN WAR IS HELD IMPROBABLE

Bernstorff Warns Against Speculation of War, Mistake Made in Germany.

By Alfred G. Andersen Berlin, July 20, via London, July 21.—(I. N. S.)—"Everybody living in Germany knows that we neither would nor could undertake a war of revenge," declared Count von Bernstorff, former German ambassador to the United States, in an address here this afternoon.

Count von Bernstorff also warned against speculation on a war between America and Japan, which, he said, "is a mistake often made in Germany before."

"CONFLICT DEEMED IMPROBABLE This speculation, added Bernstorff, would revive Germany's old reputation of figuring on discord between other nations. Such a conflict, the former ambassador argued, is made further improbable because the United States is concentrating on her Pan-American interests, while Japan is looking to the Far East."

"The protest under which our government signed the treaty still remains in full force, but having signed, loyalty and honesty demand compliance," continued von Bernstorff. "This, however, will not prevent us from announcing to the whole world that our foreign policy centers in revisions of the terms proposed by our adversaries."

LEAGUE BEST MEDIUM The ex-ambassador said that the safest foreign policy would be for Germany to strive for admission into the League of Nations as the best medium

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