QUAKE TOLL GOES HIGHER AND HIGHER

Total Dead Is Fixed at 3000 as Flood and Fire Follow in Path of Disaster.

By Ralph H. Turner

Mexico City, Jan. 7.—(Night.)—(U. P.)—The full toll of Saturday night's disastrous earthquake, followed by floods and fires in many cases, was beginning to be apparent tonight.

Apparently reliable estimates placed the total dead around 3000, chiefly in the state of Vera Cruz, in the district surrounding the city of Jalapa. Several hundred persons are dead in the state of Puebla, however, according to a dispatch to the newspaper El Democrate tonight.

The town of La Fragua, on the border between Vera Cruz and Puebla, was reported to have been destroyed with hundreds of persons killed.

The government has started relief trains into all the stricken areas, it was announced, but many of these trains are menaced by bandits, who are active in several of the districts where the disaster was worst.

Martial law has been declared wherever it was possible to send troops to preserve order and assist in clearing away wreckage. Bandits are particularly thick in several of the afflicted areas, some of the districts being entirely under bandit control.

The national observatory here today reported another shock centering around Mount Orizaba and lasting four minutes. It was described as not severe.

Scores of persons have died from lack of medical attention, food and shelter, according to reports here.

In addition to the 3000 estimated dead, 3000 more are estimated injured and in need of medical treatment. Property damage probably will reach millions of dollars.

COLUMBIA RIVER GIVES ADVANTAGES

(Continued From Page Two.)

the city of Portland and its interests are such as to entitle it in all respects to the Portland rates to and from points in the Inland Empire.

"It is represented on behalf of Astoria, Seattle and Tacoma that the industries which have been built up at these cities have been the result of, in part at least, an expectation on behalf of these cities that they might continue to enjoy the parity of rates with Portland to and from points in the Inland Empire, and that any advantages which Portland might be given as to these rates will result in diversion of traffic to Portland for which the Sound cities and Astoria have a right to compete on equal terms. The Oregon-Washington reaches Portland over its own rails and through trackage arrangements competes for traffic to the Sound cities and by steamer lines to Astoria. Astoria and the Sound cities are reached by the Oregon-Washington through its connections with steamer lines only at a disadvantage as compared with Portland. The Northern Pacific and Great Northern own the Spokane, Portland & Seattle railroad and by means of that railroad competes for traffic to Portland. The Milwaukee does not reach Portland and its position of being only interested in traffic to the Sound cities invalidates the claim of discrimination against that railroad as to its rates to these points as against the rates made by other lines to Portland.

CONCLUSIONS DRAWN

"Considering first the territory south of the Snake river from which equal rates are made to Seattle, Tacoma, Portland and Astoria, the following facts may be considered as fairly well established:

"(1) This territory is served by the Northern Pacific and the Oregon-Washington.

"(2) The average distance to Portland is approximately 50 miles less than to Seattle or Tacoma and 100 miles less than to Astoria.

"(3) The cost of hauling traffic to Portland from this territory is apparently appreciably less than to the other three cities named.

"(4) From points east of Pendleton, for example, La Grande, Baker and Huntington, not included within the Inland Empire, the rates on classes and commodities to Portland are now less than to the other three cities, while the rates from Pendleton are the same to all four points and traffic from La Grande, Baker and Huntington must pass through Pendleton.

DISTANCES COMPARED

"Turning next to the territory north of the Snake river and south of the Milwaukee railroad, we find here that the average distance from these points is approximately 350 miles and that the distances to Portland are in the neighborhood of 35 miles less via the Oregon-Washington than to Seattle via the Northern Pacific railroad. This section of the country, however, cannot be dealt with without taking into consideration the Milwaukee railroad. It runs through the heart of this grain producing territory and from stations of its line furnishes a route to Seattle over distances which are less in many instances than the distances to Portland via other lines. The Milwaukee has no line to Portland. It has a right to protect itself from loss of traffic. It has a route over the Cascade range more favorable than that of the Northern Pacific or of the Great Northern.

ROAD COSTS SHOWN

"The road costs via the Milwaukee from Spokane to Seattle are testified to have been in 1917, 84.9 cents per net ton, as compared with 83.2 cents from Spokane to Portland via the Oregon-Washington and 79.3 cents via the Spokane, Portland & Seattle to Spokane site direction from Seattle to Spokane the road costs have been computed as $1.096 via the Milwaukee, as compared with the road costs from Portland to Spokane by the Oregon-Washington of $1.133 and via the Spokane, Portland & Seattle as $1.15. It appears, therefore, that the Milwaukee railroad furnishes a main line from points in this territory reached by it to Seattle which compares favorably as to costs of operation with the lines furnished to Portland. The Milwaukee is in position to establish such proportional rates from junction points on its lines as, combined with reasonable local rate thereto from points on other lines, will control traffic to Seattle as against Portland.

UNDULY PREFERENTIAL

"If it could be concluded that it was unjustly preferential for the Northern Pacific and the Oregon-Washington to maintain through rates from points in this territory to Seattle, which are the same as the rates applied by these lines to Portland, this conclusion could not be indulged as to combinations of local and proportionate rates made via the Milwaukee. Furthermore, it does not appear that the difference in operating conditions of the railroads serving this territory over routes to Portland are sufficiently dissimilar to the conditions on the roads serving Seattle as to justify a finding of undue prejudice in the maintenance of this equality of rates. In the Galloway Coal company, 40 I. C. C. 311, the commission said:

"Moreover, relative distances alone are not controlling. Commercial competition and the interests of the consumers also are pertinent considerations. Consumers may properly have the widest possible market consistent with justice to the carriers, and to that end also with their own interests, carriers may, within reasonable limits, as a matter of traffic policy, accord competing producing centers loaded at different distances from common centers of consumption, identical rates.'

REASONABLE LIMITS

"It appears that equalization of the rates from this territory to these four points by the carriers is not going outside of the 'reasonable limits' above indicated."

"This closes the report in the Portland class and commodity cases, except for the recommendations where quoted.

"In opening consideration of Inland Empire shippers' complaint against grain rates, the report quotes commission's findings in the Astoria rate case to explain present parity of rates enjoyed by Astoria with Portland and Puget Sound. Then discussing 'rates to Portland,' the report proceeds:

ESTABLISHED BY ORDER

"It is contended that the rates on grain prior to June 25, 1918, from points in the state of Washington to the cities on Puget Sound were established by virtue of an order of the public service commission of Washington and equal rates were voluntarily established by the carriers from the same points to Portland. Evidence is offered to show that the transportation condition on the Oregon-Washington and the Spokane, Portland & Seattle railroad which serve Portland are more favorable than on the Northern Pacific, Great Northern or the Chicago, Milwaukee and St. Paul, hereinafter called the Milwaukee, which serve the Sound cities. It is argued that if the rates ordered by the public service commission of Washington were reasonable for the service rendered, the rates to Portland which it is alleged involve a less service, were unreasonable. The report and order of the railroad commission of Washington were made September 28, 1909, and of course the conclusions reached were arrived at in the light of conditions then existing on the roads involved.

"It is not contended here that the conditions which enter into consideration of what constitutes a reasonable level of rates, wages of employes, hours of labor, cost per unit of supplies, traffic density, train loading and other elements which are reflected in the operating costs per unit of traffic, have remained constant on those roads since 1909. The evidence contains also reference to a report and order of the Oregon railroad commission September 30, 1909, dealing with rates on grain from Pendleton and certain other Oregon points to Portland:

RATE HELD UNREASONABLE

Reference is also given to a report of this commission, Evans et al. Union Pacific, 6 I. C. C. 520, in which the then existing rate of 21¼ cents on wheat from Walla Walla to Portland was held to be unreasonable in so far as it exceeded a rate of 19½ cents. This report was issued February 8, 1896. Its effect was to bring about like reductions in the rates to Portland from Stanfield, Echo, Nolin, Yoakum, Campbell, Barnhart, Pendleton, Mission, Cayuse and Thornhollow, Oregon. The decision relates to a period nearly 24 years ago. The decisions of the commissions of Washington and Oregon also relate to a period more than 10 years past, the whole structure of rates on grain from these Inland Empire points to Portland, Tacoma and Seattle, the long continued parity in rates to these three points, and, the evidence in this case indicate quite clearly that this parity was at least not disapproved by either of these state commissions. It may fairly be said, however, that present conditions on these railroads are sufficiently dissimilar to conditions existing 24 years ago or even 10 years ago as to make the decisions reached in the Evans case or in the two state commission cases of very little value at present in determining what are reasonable rates from those points to Portland. A present judgment as to reasonableness of these rates must be based upon present conditions.

AVERAGES TABULATED

"Here the report includes a tabulation showing distances to Portland, Vancouver and Astoria from 19 representative Inland Empire points, rates on grain, earnings per car and car mile earnings. Points named are Pendleton, Walla Walla, Dayton, Riparia, La Grande, Marengo, Elgin, Pomeroy, Connell, Colfax, Baker, Lewiston, Moscow, Spokane, Joseph, Plummer, Huntington, Grangeville and Wallace.

The report resumes:

"The average distance to Portland from 19 points above is 335.7 miles, average grain rate 22¼ cents, average rate per ton mile 13.25 mills, average revenue per car mile, based upon car loading 60,000 pounds, is 39.75 cents.

"Aaverage distance to Vancouver is 337.7 miles, average rate 22¼ cents, average earnings per ton mile 13.18 mills, average per car mile 39.54 cents.

"Average distance to Vancouver is miles, average rate 22¼ cents, average rate per ton mile 10.18 mills, average per car mile 30.48 cents.

AVERAGE HAUL SHOWN

"For the year ending December 31, 1917, the average haul of all freight on the line of the Oregon-Washington was 210.55 miles. The average revenue per ton per mile was 9.99 mills, the average earnings per car mile on all revenue freight, 24.64 cents; the average carload of revenue freight was 24.81 tons. Since the rates were increased approximately 25 per cent on June 25, 1918, it may be presumed that the average earnings per car mile on all revenue freight for the year ending December 31, 1919, should be approximately 125 per cent of 24.64 cents, or 30.80 cents, the average carload being 24.81 tons. The revenue derived from 30 tons of average freight would be 30 divided by 24.81, times 30.80 cents, or 37.2 cents. It thus appears that 30 tons of average revenue freight during the year 1919 moving one mile earned for this railroad 27.2 cents, or 12.4 mills per ton per mile. Of the tonnage hauled on this road in 1917, 24.2 per cent was the product of mines, 35.6 per cent was the product of forests and 11.9 per cent was grain. The ton mile earnings on grain hauled from these points to Portland were 6.8 per cent higher than the average earnings on all traffic; on that hauled to Vancouver the ton mile earnings were 6.20 per cent higher than the revenue upon all traffic, while the ton mile earnings on grain hauled to Astoria were 18.1 per cent less than the average of all freight.

VALUE LESS THAN GRAIN

"Taking into account the fact that the products of mines or forests constitute 59.8 per cent of the traffic of this road, that the value of a carload of any of these products is ordinarily very much less than the value of a carload of grain, it cannot be concluded from these ton mile earnings that the rates charged on this grain to any of the three points are out of proportion to the rates charged on other traffic. A very large percentage of the grain shipped to Portland consists of wheat. A carload of 60,000 pounds of wheat is worth between $2200 and $2400.

"The rates on grain to Portland here under consideration are compared with rates on the same commodity from points in Minnesota to Duluth for distances varying from 250 to 350 miles. The comparison shows the Portland rates to be from 24 to 50 per cent higher than the Minnesota rates for like distances. The comparison, however, shows no similarity between the operating or other conditions in Minnesota and in the territory here considered.

SEVEN STATIONS CHOSEN

"Seven stations are chosen that are common to the Northern Pacific and the Oregon-Washington Railroad & Navigation company. The average rate from these stations to both Portland and Seattle is 19 cents. The average distance to Portland via the Oregon-Washington Railroad & Navigation company is 299 miles as compared with the average distance to Seattle via the Northern Pacific of 345 miles. The average ton mile earning to Portland is 12.96 mills and to Seattle 11.14 mills. The defendants show a comparison of rates on grain in 1917 to Portland with rates on grain applied via the Union Pacific railroad and the Chicago, Burlington & Quincy railroad from points in Nebraska to Omaha.

"Comparisons are also shown with rates on grain in 1917 from points on the Union Pacific railroad in Colorado and Kansas to Denver, from which it appears that such rates were nearly 50 per cent higher than rates from Oregon and Washington points for corresponding distances. Comparison is also given of rates from points on the Chicago, Burlington & Quincy railroad in Colorado and Nebraska to Denver, from which it appears these rates were at least 25 per cent higher than rates to Portland from Oregon, Washington and Idaho points for corresponding distances. Rates to Salt Lake City by the Oregon Short Line from Utah and Idaho points are shown to have been from 25 to 50 per cent higher than rates here under consideration.

BUTTE RATE HIGH

"Rates to Butte, Mont., from Montana and Idaho points were apparently at least 30 per cent higher than rates to Portland for corresponding distances. These rates are also compared with rates on grain applied by the Southern Pacific from points in Oregon to Portland. The latter rates are shown to be from 5 to 25 per cent higher than rates on the Oregon-Washington for corresponding distances. Present rates on grain are also compared with rates on hay and straw, potatoes and onions, salt, sand and gravel, lumber, cement, junk and coal from same points to Portland. Coal rates and rates on sand and gravel are somewhat lower than on grain, but rates on other commodities mentioned are in nearly all instances higher than rates on grain for corresponding distances."

ELABORATE EXPLANATION

"At this point the report enters elaborate explanation of the cost study of handling freight on the line of the Oregon-Washington which was prepared for the Oregon public service commission and is termed 'very careful and valuable.' This cost study, made by J. P. Newell, is made the basis for discussion and final finding that rates on grain are not unreasonable. After a tabular statement applying this cost study to various stations to and from Portland, the report proceeds:

"In the division of the various items of operating expenses and of investment being direct and indirect and between freight and passenger expenses and in the final determination of unit costs many assumptions are indulged, of which the following are examples:

"Per cent of the maintenance of way and structures direct expenses are divided between passenger and freight on the locomotive ton mile basis and the other 50 per cent of these expenses are divided on the car mile basis; 10 per cent of the road way maintenance is assumed to vary with the traffic and considered as a direct expense.

RESULTS DOUBTFUL

"Per cent of the maintenance of ballast is assumed to the traffic and considered as a direct expense. The unit costs are assumed to be the same on all parts of the system within the state of Oregon. The terminal costs are assumed to be the same at all stations in the state of Oregon. The terminal cost of handling 1000 tons of empty cars is assumed to be 35 per cent of the cost of handling 1000 tons of loaded cars. All of these assumptions represent without doubt the best judgment of the witness who made the study, but those mentioned, and many others not here discussed, are at least debatable, and the results achieved are, on that account, subject to some doubt. The reproduction costs given to the property more than 12 years ago, with subsequent costs of additions and betterments, were arrived at in the light of then existing unit costs of labor and material, and may not represent either present reproduction costs or actual value of the property. It is probably not fair to say that the actual costs of moving an average ton of freight over these divisions of the railway are not altogether demonstratable, and the cost study should be regarded as indicative only.

EAST SHOULD BE HIGHER

"If this cost study should be made the basis for the construction of rates from these points to Portland, or from Portland east, it is clear that the eastbound rates should be higher than the westbound, and rates for short distances should be somewhat higher than they now are and the rates for long distances somewhat lower than at present. Taking into account the low rate of interest used in the study and the other elements of doubt which have been indicated and the necessity for providing rates which should earn a revenue in excess of known costs, and taking into account also the high value of this commodity as compared with the average freight hauled on this system, it would appear that rates on grain which yield a revenue 25 per cent in excess of the average indicated costs should not be considered unreasonable. If the costs as indicated by this study on traffic from these various stations to Portland were increased 25 per cent and reduced 2 cents per 100 pounds, the result would be as shown in the following table:

From—	To Portland costs in cents per 100 pounds.	In 1917.	Rates on grain present rates.
Dalles	11	7½	9½
Mesner	12¾	12½	15½
Umatilla	13¼	13½	17
Rieth	13¾	13½	17
Pendleton	13¾	13½	17
La Grande	16¼	17½	22
Baker	17¾	18¾	23
Huntington	20	20	25
Sherman	11¾	9¼	11½
Bend	19½	22	27½
Biggs	11	8¾	11½
Shaniko	20¾	16	20
Arlington	12	11½	14½
Condon	15	16	20
Heppner	14½	16	20
Joscph	20	22½	28

"The second column of the table shows the rates in 1917 on grain from these stations to Portland. As compared with the first column representing costs for moving an average 100 pounds of freight, as indicated by cost study and increased as above described, it is evident from this comparison that the rates from Dallas, Sherman, Biggs, Shaniko and Arlington are somewhat less than the rates which would be indicated by the cost study, while the rates from Joseph, Bend, Baker and La Grande were slightly higher than the rates indicated by the cost study. Considering now the rates on grain from Washington and Idaho points to Portland, the following table indicates some of the principal points, their distances to Portland, the rates in effect in 1917, and the present rates:

	Distance to Portland.	Rates in 1917.	Present rates.
Walla Walla, Wash.	244	13½	17
Dayton, Wash.	282	14	18
Riparia, Wash.	288	15	19
Marengo, Wash.	309	15	19
Pomeroy, Wash.	312	17	21½
Connell, Wash.	325	15	19
Colfax, Wash.	339	17	21½
Spokane, Wash.	370	17	21½
Lewiston, Idaho	356	17	21½
Moscow, Idaho	368	17	21½
Plummer, Idaho	383	19	24
Grangeville, Idaho	430	23	29
Wallace, Idaho	448	25	31

DISTANCE INEFFECTIVE

It will be noted that the rates in 1917 from Walla Walla and the present rates are the same as from Pendleton, although the distance is somewhat greater; that the rates from Dayton and Riparia are less than from La Grande, although the distances are comparative with the distances from La Grande. The present rates from Pomeroy, Colfax, Spokane, Lewiston and Moscow are 2 cents less than from Baker, although the average distance from these points to Portland is five miles greater than from Baker. It should also be considered that many of these points are on branch lines, while Baker and La Grande are on the main line of the railroad.

"The rates of 19, 23 and 25 cents from Plummer, Grangeville and Wallace, Idaho, for an average distance of 420 miles, might be compared with the 20 cent rate from Huntington for a distance of 390 miles.

"These rates are not materially higher for the distances than the rate from Huntington, while these points are on branch lines and Huntington is on the main line. It can not be concluded from this cost study that the rates from these Washington and Idaho points to Portland were or are unreasonable, neither can it be concluded that the rates to Vancouver, Wash., over practically the same haul as to Portland, are unreasonable. The claim of unreasonableness as to the rates to Astoria for a haul of 100 miles greater than the haul to Portland has even less merit than the similar claim as to the rates to Portland. The case should be dismissed."

PORTLAND PLEASED WITH RATE DECISION

(Continued From Page One)

finding as "apparently a sweeping victory for the port," and added, "It most certainly justifies the action of Portland in authorizing the construction of the 1,000,000 bushel bulk grain elevator and the piers over which sacked grain will pass, which are nearing completion at the St. Johns terminal."

G. B. Hegardt, engineer of the dock commission, who has been active in aid of the rate case, said, "It is a victory for Portland which is highly gratifying; it is not all that we asked for, but it is a move in advance which will prove highly beneficial."

EPOCH IN CITY

Joseph N. Teal, who, with W. C. McCulloch, conducted the rate case for the Chamber of Commerce and the Portland Traffic and Transportation association, desired to see the official copy of Chief Examiner Thurtell's finding before he commented upon it. But, assuming that the zone south of Snake river has been added to Portland's and Vancouver's non-competitive territory, as indicated, he believes that such a decision would greatly benefit the city and the territory affected, as well as constitute a distinct epoch in rate making.

J. P. Newell, the engineer who furnished many of the statistical studies and expense calculations for the public service commission and other agencies in the Columbia basin case, said simply: "The tentative finding is most gratifying. It covers the territory which, beyond debate, I believe should be non-competitive to Portland."

"When the tentative finding of Examiner Thurtell is sustained by the interstate commerce commission," said City Attorney LaRoche, "it means the recognition of the Columbia water grade route, justice to Portland, Vancouver and to the territory involved, acceleration of business, growth of industry, expansion of the port, increase in the population of the city and similar growth in the interior."

Arthur C. Spencer, who with C. A. Hart, conducted the case of the railroad administration and the railroads in the Columbia basin rate cause, conceded that Examiner Thurtell's tentative finding constitutes a most important development. "It appears as a very distinct Portland victory," he said. "It probably indicates that Portland should have intervened in the Astoria case and gained years ago the advantage then that apparently is to be granted now."

Max H. Houser, chairman of the Port of Portland commission, vice president of the United States grain corporation and individually a world figure in the grain trade, looks upon the finding as exceedingly important to the port. "It behooves us to get busy and have this port ready for a great deal of business, because we are going to have it to do," he said. "It's a victory for Portland and for the interior, providing the tentative finding is sustained." Houser was a little uncertain from his reading of the report of the finding as to whether it affected grain or not, and his comment was predicated upon the assumption that it does.

TERRITORY IS NARROWED

While the tentative finding apparently dismisses the case as brought by the Inland Empire Shipper's league, former Governor Oswald West, counsel for the league, said this morning that the decision as a matter of fact merely narrows the territory covered in the league's complaint.

He showed how the league asked for a reduction in rates on grain between Spokane on one eastern arm, Boise on the other, and, on the west, ports of the Columbia, including Portland, Vancouver and Astoria. The tentative finding narrows the eastern portion of the territory to the zone south of the Snake river and omits Astoria as entitled to the same rate as Portland and Vancouver in this zone.

WILL DIVERT GRAIN

"It appears," he said, "that the Inland Empire Shippers' league, while not securing all that it asked for, which was lower rates from Spokane and Boise points to Portland, Vancouver and Astoria, has secured reductions on shipments from points south of the Snake in the Columbia river basin to Portland. This was the territory particularly covered by the Portland complaint. This will undoubtedly result in the diversion of a large amount of wheat shipments from Puget Sound to Columbia river ports and is bound to redound to our benefit.

MAYOR SEES ADVANTAGE

Mayor George L. Baker believes that the decision is epochal to Portland. "It means," he said, "that Portland, after a hard fight, has won in partial measure, at least, what it and tributary territory is entitled to receive. It means that the unjust rate discrimination that has stood in the way of Portland trade development and growth in Portland has been to a large extent removed, and this city now stands on a par commercially with Seattle and other Puget Sound ports. In my judgment, no decision in a long time has meant so much to Portland. It heralds rapid trade development, new industries, new ship lines and growth of business, industry, prosperity and population, benefiting, either directly or indirectly, every person in the city of Portland."

Man Wounded by Bandits May Lose Ability to Speak

A. H. Greenberg, a former Portland man, may lose his power of speech, Seattle physicians announced today, as a result of a gunshot wound in the throat Monday night, when bandits opened fire on him and he grappled with them. Greenberg rushed the men, who shot him down and then fled. They were hiding in Greenberg's garage.

Greenberg resided in Portland for many years, living in Irvington, near East Eighteenth and Siskiyou. He was distributing agent for a Washington brewery during the ante-prohibition days, but went to Seattle about two and a half years ago to enter the furniture business.

Mrs. Jacob Stricker, Greenberg's mother-in-law, has been visiting in Portland for several days, and she received word of the shooting Wednesday night, returning to Seattle at once with Jack Greenberg, brother of the wounded man.

Lumber Hauling Cost Factor

Probing principally into the costs of hauling lumber over the Sumpter Valley railroad, the public service commission opened the fourth day of the hearing on the Sumpter application for authority to increase rates on certain commodities, at the courthouse this morning. F. G. Donaldson, traffic manager of the Willamette Valley Lumber association, occupied the stand all morning. All testimony in the case is expected to be taken by Saturday morning.

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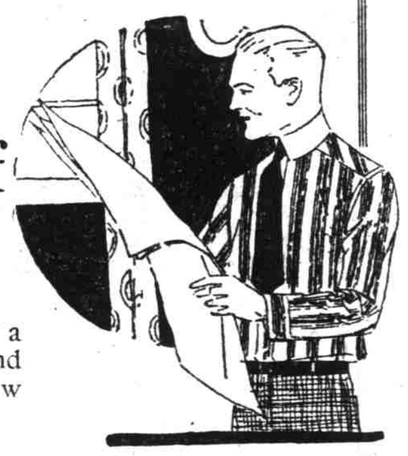

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