

ICC LIMIT IN STATES FIXED

Federal Body Without Authority to Compel Abandonment of Roads

SUPREME COURT RULES

Whether Companies Entitled to Abandon Lines is Not Passed Upon

WASHINGTON, March 13.—The interstate commerce commission was held today by the supreme court to be without authority to authorize or compel the abandonment of a strictly state railroad.

The decision, which was handed down in a case brought by the state of Texas against the Eastern Texas Railroad company to prevent that railroad from dismantling under an order issued by the commission, declared that where a railroad lies entirely within a single state, it is owned and operated by a corporation of that state,

and is not a part of another line and where its continued operation cannot be of more than local concern, the commission was without jurisdiction.

No Dissent Voiced
"Interstate and foreign commerce will not be burdened or affected by any shortage in the earnings nor will any carrier in such commerce have to bear or make good the shortage" of the Eastern Texas railroad, Justice Van Devanter stated in delivering the opinion. There will be no dissent.

For the courts to hold, the decision said, that congress in authorizing the interstate commerce commission to regulate the extension and abandonment of the old lines intended that the commission should "deal with the abandonment of such a road as to interstate as well as inter-state and foreign commerce," would raise a serious question as to the constitutional validity of the law. Where a statute is susceptible of two constructions, by one of which grave and doubtful constitutional questions arise, and by the other such questions are avoided, it is the duty of the court to adopt the latter. Justice Van Devanter said, adding that by giving the section the more restricted construction its validity would be undoubted.

Many Angles Seen
As construed by the court, it was the intention of congress to enact a law to regulate interstate and foreign commerce, and to affect state commerce only as it

may incidental to the effect, regulation and protection of interstate commerce. Justice Van Devanter said there were many manifestations of a continuing purpose by congress to refrain from any regulation of purely state commerce, save such as was involved in its rightful exertion of its control of interstate and foreign commerce.

Justice Van Devanter said the court would not pass upon the question of whether the railroad company was entitled to abandon its line, because, that question was not presented in this case. The only issue before the court, he explained, was whether the interstate commerce commission had exceeded its authority in ordering the railroad to abandon its line.

Wishes He Had Known It Sooner
"I only wish I had discovered Foley's Honey and Tar 50 years ago, as I have been the victim of attacks of influenza and bad colds until I found this wonderful relief," writes W. H. Gray, 854 No-wita Pl., Venice, Cal. Foley's Honey and Tar helps coughs and colds, bronchial and influenza coughs, tickling throat and hoarseness. It is good for croup and whooping cough. Mr. Gray adds: "Worth its weight in gold. Marvelously effective." Sold everywhere.—Adv.

SILVERTON NEWS

SILVERTON, Or., March 13.—(Special to The Statesman)—The Silvertown fire department was called out yesterday afternoon by a chimney burning out at the home of Mr. and Mrs. A. Simmeral on East Hill. No damage resulted.

Mr. and Mrs. P. Moberg and children of Scotts Mills spent Sunday at Silvertown as guests of the L. H. Meyer family.

Among those reported ill with the grip during the week-end are O. Sateren, the Samuel Torvond family, E. Refsland, O. Sund and William Maurer family.

It is reported that Mr. and Mrs. Theodore Johnson who have been spending the winter at California are on their return trip.

RED PEPPER FOR COLDS IN CHEST

Ease your tight, aching chest. Stop the pain. Break up the congestion. Feel a bad cold loosen up in just a short time.

"Red Pepper Rub" is the cold remedy that brings quickest relief. It cannot hurt you and it certainly seems to end the tightness and drive the congestion and soreness right out.

Nothing has such concentrated, penetrating heat as red peppers, and when heat penetrates right down into colds, congestion, aching muscles and sore, stiff joints relief comes at once.

The moment you apply Red Pepper Rub you feel the tingling heat. In three minutes the congested spot is warmed through and through. When you are suffering from a cold, rheumatism, backache, stiff neck or sore muscles, just get a jar of Rowles Red Pepper Rub, made from red peppers, at any drug store. You will have the quickest relief known.—Adv.

REDINGTON TRIED TO ATTEND DINNER

But the Prevaricator of His Hotairplane Went on the Blink and Stalled

There is printed below the copy of a letter which was received by The Statesman. The writer of the letter signs himself "Peter Showcase," but he leaves the ear marks and tracks and other sure signs of J. W. Redington, who worked on The Statesman during the days of which he writes, and who mails his letter from Delano, Cal., where Mr. Redington now holds forth. He was owner of the Heppner Gazette and the paper at Payallup, Wash., after leaving Salem, and since that time has wandered over the mining camps of a number of states.

The letter refers to the birthday banquet recently given to all the Salem old-timers by Hal Patton. Following is the letter:

Liars' Lane, in Shady Run, Cal., 30 Days After Dinner, '22.

Mr. Hal Patton, Salem, Ore. Dear Sir—When I recently met our old pioneer friend Pete D'Arcy taking a milk-warm bath in the ocean breakers on the beautiful beach at Santa Monica, in the middle of January, and he generously offered to transfer to me your kind invitation to your pioneer dinner, I swiftly grabbed at the chance to act as his proxy, and at once tuned up my airship and started.

But when I reached a cloud-spot just two miles above this metropolis my gliderflukes began to miss, so I landed at thorn blacksmith shop, where the horsehoer made a diagnosis and said that I would have to get the carbon scraped off my sparkplugs. * * * * * Lubricator adjusted so that it would not crisscross with my incenerator and pervaricator, and many other things, and after he had taken the machine apart he went off scouting after the forbidden fruits of Volsteadism, or petrified egnog, or something, and the rumor came back that he was on a drunk. So I put in a rebuilt gliderfluke myself, but it backfired and burned up the blacksmith shop, airship and all.

So here I am set afoot, and it is a great disappointment, for I principally wanted to see you and find out if your hair had grown out all right. For just b4 I left Salem you and your brother swiped a pair of shears and cut off the long, beautiful curls, that your good mother took such pride in. I remember it as tho' it was yesterday, and Captain John Green, who used to fire off the 4th-of-July cannon that stood in the park in front of the state house saw you do it, and told Chief Quinaby, the last Mohican of the San-ti-ams, who used to hold up one corner of the Griswold Bk., and he told me, and I told Major Frank E. Hodgkin, city editor of The Statesman, and he wrote it up, and Emperor Norton, the sporting editor, had Hi Gorman, the sweatpower engineer, stop the perfecting press, and the item went in and caused thrills all over town, from Piety Hill to Gayety Hill, and back to the old Wigwam.

It is also a great disap. to be cut off from going up, as I had it mapped out to call on the Chamber of Commerce at Scappoose, Cathlamet and Eola, and find out in the interest of science the secret of how they had increased their populations from 13 to 23 in as many years. That would be information that I could sell for a hi price to town down here who wish to boom.

Time flies, but still it seems like only yesterday when the Santiams were camped on Mill Krick and all had the measles, and their medicine man prescribed steam baths in their little sweat-houses heated with hot rox, and then a plunge into the cold waters of Mill Krick, right down from the snows of Mt. Jefferson.

W. J. Herrea was sheriff of Marion county at that time, and he and John Minto and Sam Parish went over beyond or above Uncle Bob Kinney's mill and told them that such heroic treatment would kill off the whole tribe, but the medicine man, Sam Strugaddleblanket, said "Wake! Wake! Halo momaloose!" and something else to the effect that there was a Santiam born every washday, and the tribe had ingins to burn, with many more coming, so who cares? Boston man cultus wa-wa, klatawa hyak.

This is history. Or if it isn't, these men have all climbed the Golden Stairs, so there is none to dispute it, and I challenge unsuccessful contradiction.

Anyway, the whole tribe melted away like deep snow b4 a strong Chinook, and Chief Quinaby might yet be the last of the Mohicans if he hadn't ate too much Krismas dinner that time when a kind-hearted lady asked him in to surround her kitchen table, fill up on turkey and cranberries and the kind of apple butter that all good Salem housewives used to make in those good old days. Quinaby made up for lost time all right, but next day he was ready for Momaloose Island, and Frank Davey or some one said that he did it in the interest of science,

just to demonstrate that you can't get three gallons of molasses into a two-gallon jug without bursting off the hoops.

Yes, I would like very much to see if the Patton hair outgrew the ragged edges made on it by such horrid haircuts, and would like to see the skyscrapers along Commercial street where Pioneer Gesner sold for \$600 the lot and building where Billy Stanton used to have his cigar store, and would like to see beautiful Ewe Park, for I knew the lady-sheep it was named after, who used to act as Uncle Tommy Cross's bell-wether in leading bands of sheep to the slaughter at his abattoir up Mill Krick.

But, what's the use? What can a birdman do when his bumboat airship is burned up. Still, you might let me know if my proxy ticket will be good for wou'r next year's dinner.

V. T. Y. PETER SHOWCASE.

And I also wanted to find out if it was ever found out who put the calico dress on the Goddess of Liberty on top of the county courthouse that Hallow'en night so long ago? It had the imprint of Madame Trotter, the Paris modiste, on it, but County Judge Tom Shaw could not interpret the fingerprints.

SULPHUR IS BEST TO CLEAR UP UGLY, BROKEN OUT SKIN

Any breaking out or skin irritation on face, neck or body is overcome quickest by applying Mentho-Sulphur, says a noted skin specialist. Because of its germ destroying properties, nothing has ever been found to take the place of this sulphur preparation that instantly brings ease from the itching, burning and irritation. Mentho-Sulphur heals eczema right up, leaving the skin clear and smooth. It seldom fails to relieve the torment or disfigurement. A little jar of Mentho-Sulphur may be obtained at any drug store. It is used like cold cream.—Adv.

Andrew Hall Honored At Silvertown Party

SILVERTON, Or., March 13.—(Special to The Statesman)—Mr. and Mrs. N. A. Hall entertained at a party Saturday night in celebration of the birthday of their son, Andrew. Cards were the chief diversion of the evening. Chris Bolie won the first prize while the loser's prize was awarded to George Elton. Refreshments were served by the hostess. Those present were Mr. and Mrs. Henry Torvend, Mr. and Mrs. Carl Schmedecke and children, Mr. and Mrs. Louis Hall, Mr. and Mrs. Andrew Hall, Miss Lucille Hall, Mr. and Mrs. Chris Bolie, Faye Bolie, Mr. and Mrs. Dan

Dybbetter, Paul Dybbetter, Mr. and Mrs. Arthur Madsen, Mr. and Mrs. George Elton, Miss Helen Elton.

"What'll we do with the ark?"

now that the big trip is over, inquired Japheth. "My son," replied Noah, "we've had trouble enough without stopping in immediately on any shipping problems."—Washington Star.

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