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Disaster in Disruption of Southern Pacific and Central Pacific Railroads

(Continued from Page 1)

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Besides all this, there is sufficient evidence that the Central Pacific and Southern Pacific were held in common ownership as early as October, 1870. The official records prove that the two have been under common control and management for 50 years, or since July 1872. The growth has been of one system, and not two; it has been responsive to the needs of coast communities and producers. Whichever company could get the money most readily was the company in whose name the railroad lines were extended. It is well known that the Central Pacific carried a heavy burden of debt to the government, and the Southern Pacific had to come to its aid not only in helping the Central Pacific to pay that debt, but also in following up railroad construction wherever desirable from time to time. Thus the two companies did what one company could not do under the circumstances of the time. The result has been the growth of a single railroad system under two corporate names, each of them necessary to the other for effective service to the public for whose service the system was created. The supreme court now decides in effect that the lease became void when the Sherman act passed, because of the Sunset route through Texas on the south competing with the line through Ogden on the north. The business fact is that the line down the San Joaquin valley and over the Tehachapi mountains to Los Angeles was built to meet the public demand for a railroad through the San Joaquin valley and on to southern California, and the same public demand was behind the further extension of the line from Los Angeles eastward through El Paso to Sierra Blanca, Texas. The Central Pacific carried the extension into the San Joaquin valley as far as Goshen, the Southern Pacific taking it up there and carrying it southward and eastward. Everything that was done had behind it the backing of public desire with the approval of congress, for the development of the resources of California, Oregon and the other Pacific coast states—resources then dormant, but their possibilities evident. If the same urgent work had to be done again and under the same public aspects, the same set of railroads would again be brought into existence, and if done under a single corporate name as well as single operating control, there would now be no debate. So I conceive that the only question of present interest to the public is whether or not the public is hurt by having this development done by a single control under two corporate names, instead of having it done by single control with a single corporate name. If the work had been done by either the Southern Pacific or the Central Pacific, there would have been no suit under the Sherman act. Hence, the essence of the matter is that this vast work, after having public approval, violates the Sherman act in having been done by two companies instead of one under single control. The decision of the supreme court turns upon the Sherman act because the suit was brought by the government in 1914 under that act. In 1917, the United States district court decided the suit in favor of the company. The government then appealed from this decision to the supreme court. Thus this suit brought eight years ago charging us with violation of the Sherman act is decided against us under that act. But in this eight years' interval a world war has been fought, because of which every business is operating under new conditions, and the transportation act of 1920 passed by congress and approved by the president February 28, 1920, is now the governing federal law for the railroads of the United States to meet the new conditions. That law instructs the interstate commerce commission to prepare and adopt a plan for the consolidation of the railway properties of the United States into a limited number of systems. That law expressly provides that with consent of the commission it shall be lawful for two or more carriers by railroads to consolidate their properties or any part thereof, into one corporation for the ownership, management and operation of the properties theretofore in separate ownership, management and operation, under conditions in harmony with and furtherance of the general plan of consolidation of the railroads into groups. So since February 28, 1920, the interstate commerce commission is empowered to authorize in appropriate cases that which the Sherman act, standing alone, might otherwise forbid. The interstate commerce commission can thus take up the chain of events. The fact is that government control of the railroads has so increased and the policies of the government so changed, since the in question was begun in 1914, that the situation needs to be dealt with in the light of present conditions, and not the conditions that prevailed from 1885 to 1899. The public commissions now have power over rates, service, extensions and issue of securities by the railroads. Every essential factor in the railroad business is supervised by the commission, created to protect the general public interest. The transportation act of 1920 is designed to meet present conditions. There seems, therefore, to be proper motive for direct appeal to these commissions to the end that the power lodged in the interstate commerce commission under present law (which is the transportation act of 1920) be exercised to maintain the operations of this transportation system as a unit justified by the general experience of the people served; and if necessary for this purpose a new power might well be created by appropriate legislation.

is separated from the other. We recognize that the interest of the Southern Pacific, or indeed of the Central Pacific, or both of them as corporate entities, is a lesser factor in this instance. We recognize that whatever is to the public interest in the light of experience up to the present time is likely to prevail, as affecting the people served by and using this railroad system. Based upon an extended experience which began with these properties in 1882, I am persuaded that, regardless of any personal or official interest of my own, the great public interest is best served by recognizing that even a technical violation of the Sherman act is of small detriment to the public, when compared with the large and extended and convenient service given to that public by the present railroad system of the Southern Pacific company, under existing regulative control. The commissions, state and federal, are endowed with all the powers necessary to make that control potent and complete; while in their discretion elastic enough not only to promote private investment for up-building the railroad service to the people, but also to promote private initiative that sound and progressive management may be encouraged in the general interest of all.

GOOD AS A GOLD MINE
One of the real beauty spots of Jackson county just now is the one-acre orchard and strawberry patch of Mr. and Mrs. J. A. Norris, in Jacksonville. A more beautiful sight would be hard to find than this patch during the bearing season, says the Jacksonville Post. For the last month half a dozen people have been kept busy every day picking the ripe berries—many of them as large as a hen egg and the largest and best flavored berries grown in the entire valley—and this without irrigation except by a garden hose. The season will last a month yet or longer. Last year the cash receipts from this acre of berries were about \$1000, besides all that the Norris family and several other families could use. This season the receipts will be close to \$1200. This does not include the choice fruit of all kinds from about 100 trees on the same ground. Surely this is a nice income from an acre of ground, and the great wonder is that more people do not go into the berry business, as there are hundreds of thousands of acres of this same kind of land in the famous Rogue river valley, — the world's richest and most fertile soil.

SEEING HER OWN LAND
Known as Chicago's wealthiest orphan, Miss Margerite Erickson has started from Los Angeles on a "See America First" tour that will take her into every state in the Union. She is accompanied by her foster-mother, Mrs. Walter J. Gibbons, widow of a Chicago jurist. She expects to travel approximately 50,000 miles on her tour, which is to satisfy her ambition to visit every state and important city in the country. B. F. Leach, manager of the Hotel Ashland, has had a large sign painted advertising the hostelry and the mineral waters of this vicinity. He has leased a fine site about half way between Medford and Central Point, where the sign will be erected within a few days. This is the largest hotel sign on

What Constitutes Advertising
In order to allow misunderstanding among some as to what constitutes news and what advertising, we print this very simple rule, which is used by newspapers to differentiate between them: "ALL future events, where an admission charge is made or a collection is taken IS ADVERTISING." This applies to organizations and societies of every kind as well as to individuals. All reports of such activities after they have occurred is news. All coming social or organization meetings of societies where no money contribution is solicited, initiation charged, or collection taken IS NEWS.

Entered at the Ashland, Oregon, Postoffice as Second-class Mail Matter.

SOLOMONITES
TO GRADS!
(By Montague)
Young man, if you yearn
For a widely known name;
If you're aiming to earn
Both money and fame;
Do not, till you've got 'em,
Get weary and flop;
Begin at the bottom
And climb to the top!

Go to the Armory tonight and dance with the ladies of the Civic club. If you can't dance, go anyway. You'll have a good time.

Bradstreet credits the Chinese nation with a high commercial rating, based on the fact that payment of their debts is really a part of their religion. Possibly that is why when a tong gunman gets one Chinaman, you can depend on the rival tong collecting another life in payment.

In the days news—thousands massacred by Turks; enemies' heads stuck on poles; Lutheran mission looted, burned and women taken prisoner by Chinese bandits; rioting and killing daily occurrence all over Ireland; congress and president in fight over ship subsidy—and still pacifists keep on talking peace.

Tomorrow is the opening day of the Rose Festival in Medford. Take a trip over there and help make a success of it. Try and keep in mind that reciprocity is the watchword of southern Oregon. If you expect the Medfordites to move their town over here on July 3d and 4th and help us celebrate, make certain you're in evidence at the Rose Festival tomorrow.

Anent the recent decision of the supreme court divorcing the Southern Pacific and the Central Pacific railroads, the Mail Tribune sensibly takes the ground that the decision is based upon a law passed to meet conditions of 1890 that are wholly inapplicable to conditions as they exist in 1922. The creation of the interstate commerce commission for the purpose of consolidating railroad properties is made farcical by the decision which orders rending apart the very interests which it was expected to consolidate under the direction of the interstate commerce commission. One or the other must go. It is a pretty well established fact that two bodies cannot occupy the same space at the same time, but this is exactly what must be done if the decision stands and the interstate commerce commission is expected to function.

the highway between Portland and San Francisco, and calls attention to the fact that this hotel is at the foot of the Siskiyou mountains, 18 miles from the summit, and 22 miles from the California state line. It is seven feet high by ten feet in length and is so lettered that it may be read for several hundred feet without the aid of a field glass and will certainly call the attention of all tourists to Ashland's hostelry. It pays to read the classified page.

NATURE TELLS YOU
As Many An Ashland Reader Knows Too Well
When the kidneys are weak, Nature tells you about it. The urine is nature's index. Infrequent or too frequent passage. Other disorders suggest kidney ills. Doan's Kidney Pills are for disordered kidneys. Ashland people testify to their worth. E. Carlon, 159 Helman street, Ashland, says: "I used Doan's Kidney Pills for attacks of kidney trouble. Oregon City—New Odd Fellows' hall completed.

My back was so weak and lame I could hardly stoop or lift anything and I felt dull and run down. The action of my kidneys was irregular too, but Doan's Kidney Pills soon fixed me up in good shape. The aches and pains left and I felt better in every way." Price 60 cents at all dealers. Don't simply ask for a kidney remedy—get Doan's Kidney Pills—the same that Mr. Carlon had. Foster-Milburn Co., Mfrs., Buffalo, N. Y.

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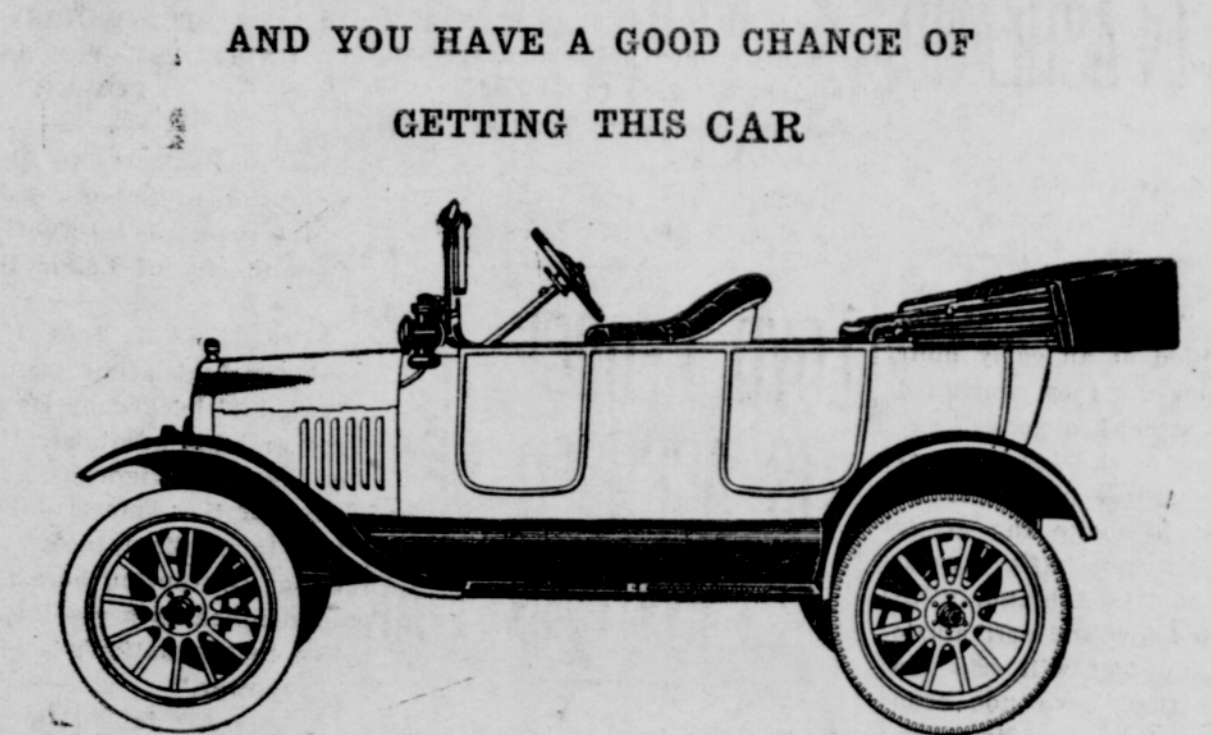
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