MEDFORD MAIL TRIBUNE

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SUBSCRIPTION RATES.

In his decision on the Medford rate case, Judge Wolverton says:

"As to classification, the first three sections of the act are incongruous and wholly irreconcilable and some portion of the less than carload enforced without doing injustice to the carriers, which is the same as taking property without due process Law Is Incongruous

the initiative act, assuming that the possible. less than carload rate remains the same, the rates will be largely increased for the carriage of coal, hay

commodities as grain, flour, salt,

groceries and other articles which

quantities. "So it is at once apparent that the rate regulation, would work a very

radical change in practically all rates and require an almost complete recarload rates within the state. "We have nothing to do with the policy of the law. That is a matter

only determine whether it is susceptible of practical operation. Rigid "Spread" Impractical

"It becomes manifest, from a consideration of all the various conditions that go into the making of criminatory ratemaking for all com- ment of the measures. modities and all conditions.

were submitted in these cases, it ap- versity building repair fund, the pur- manded, and the offending automopears that reasonable maximum rates have already been established by the the extent of \$65,000 for Improve- in Olding's garage, has been attachstate railroad commission for the ments at the University of Oregon; ed pending the outcome of the suit regulation of transportation compan- the University of Oregon new build- Mr. Tetherow alleging that he feared ies. Observing these regulations, the ing appropriation to provide funds that Schaubslager would take the companies have been left to themselves in regulation of the "spread" of a new classroom building; the the jurisdiction of the court. and it would seem now to fix an ab- sterlization act, the purpose of which solutely rigid "spread" as is done by is to authorize the state board of this act, unduly trenching upon the rights of the companies.

reasonable 'spread' as applied to state; and the workmen's compensaspecific commodities, but that is a very different question from one definite and rigid 'spread' shall be applied to all commodities, regardless of their character or the distance that the shipments are to be made, "Indeed the net would see mio de feat itself.

Act Is Void

"We conclude," says the decision "that the initiative act is unconstitutional and void and must be = treated. The injunction is allowed and made permanent and the defend-

ants are to pay costs." railroads in the state. Demurrers to collided today with the steel steamer railroad commission, and other de- It is reported that the City of Lon. Drab uniform will be held at the armfendants and these demurrers were don went down, but no definite in. ory Wednesday evening. October 1st. overruled. Arguments were heard at formation concerning the fatalities 1913, at 8 o'clock sharp, a roll call the time of this demurrer, and be- if any, has been received. Lifesay- of the company will be taken to ar cause it was so lengthy, at that time ers have gone to the scene. A hig range the state pay, the case was allowed to go to the hole was stove in the side of the Joe judges on its own merits, without Morrow and the vessel was beached

any further discussion. A special act of congress provides that where state officers are made CHICAGO ENVELOPED IN defendants in an injunction suit before a federal court, three judges. two of them of districts and one of the circuit court of appeals, must was again enveloped in a dense fog hear the arguments. In this instance today. For a time traffic was de-Judges Bean and Wolverton repre- layed by the darkness. Later in the bert was the circuit judge.

THE RATE BILL DECISION

THE decision of the federal court holding the Medford I initiative rate bill unconstitutional is a disappointment, but was long expected, from the previous attitude of the court.

Railroad rate regulation has been made a very complicated affair by the railroads, whose base of regulation has always been "all the traffic will bear." The effort to simplify rate making and equalize rates naturally met the combined resistance of the railroads.

Rate making by the initiative was so radical a departure from accepted methods as to be regarded as revolutionary. A few years ago regulation by state and national ten reply at the state department to commissions was similarly regarded.

Predictions of ruin and confiscation followed the pass-him. Secretary of State Bryan said age of two-cent fare laws. Efforts to apply the same prin-case until he hears from Alexander cipal to freight rates, based upon actual cost of handling, penson of the embassy with whom it of course sent shivers down the backs of the transporta- is reported Wheeler had a disagreetion companies and brought the conservative courts to ment.

It was not so much the Medford rate bill that was tion as a diplomatic attache, in which opposed. Its operation would have helped the railroads, capacity he may pass his own proper-It was the precedent of regulation by the people and the ty through the Italian customs duty possibilities opened thereby, that caused the strong fight free, to take goods into Italy for against the measure.

In spite of the learned opinion of the court, the bill made unofficially by an American was not confiscatory in any sense. Its object was to tourist, whose name was not menaccomplish what the railroad commission has up to the tioned. That Benson had anything present failed to do-the removal of the discriminations to do with the affair was not known at present existing against smaller cities in favor of one clear how he was connected with it. city, Portland.

The rate bill would have shaken loose the throttle wheeler has not been popular in cannot be observed in practice unless clutch of the Portland jobber upon the state by ending American diplomatic circles because. the earrier in many cases waives his monopoly, and restored natural conditions, permitting so it was said, some of his associates rate and this the law does not require. The act therefore cannot be ural advantages and public need demanded.

It is a mistaken idea that all the business of Oregon ean be done in one city, that all commercial transactions PANAMA FAIR COMMISSION can be concentrated in one place. The state must grow and expand and it can only develop as its small towns "Thus it will be found that in the and their surrounding territory grow and expand-and application of earload rates under present rate conditions render natural development im-

It is probable that the decision, when read in its President Wilson. Tomorrow entirety, will show how a bill should be drawn to pass the commission will sail on official vis and straw, lumber, brick, stone, sand courts, and if the railroad commission continues to refuse its to Central and South America and livestock, while on the other hand needed equalization such a bill should be offered the peothere would be a reduction in such ple at the next general election-for it is the only possible redress. The right of the people to make their own laws are usually carried in the smaller is unquestioned, although courts nowadays usurp most of this right.

It is not an abuse of the initiative to use it to obtain initiative act, if applied for freight that which the people's representatives refuse to grantthat is what the initiative is for, and what brought it into existence. To deny that the people have capacity for adjustment in carload and less than passing upon such topics is to deny the fundamentals of popular government.

policy of the law. That is a matter solely for the law power. We can ELECTION PAMPHLET EXPLAINS REFERENDUM

freight rates, that it is hardly possi- tary of State Ben W. Olcott has just hundred dollars is the amount of the and stir until smooth and glossy, ble to adopt and apply a rigid issued a pamphlet containing a list of damages demanded by Geo. Teterow adding egg whites after thoroughly "spread" in classification between the measures which will be sub- from Louis Schaubslager for the less than carload rates so as to pro- mitted to the electorate of Oregon at death of the former's black spaniel mote the gest interests of carrier or the special election to be held Tues- dog, it having been run over and shipper, and it is illy adapted for day, November 4. Arguments for killed by the Schaubslager automojust, equitable, reasonable and indis- and against, accompany the state- hile in front of the entrance to the

The five measures to be voted on "Frm the bills of complaint that are, those relating to the state unf- justice court for the damages de-"We do not deny that the legisla-ture, the people or the railroad com-torney act, which provides for a dismission may determine and adopt a trict attorney for each county of the tion act, the purpose of which is to create a state industrial accident com- for fruit at auction in eastern mararising from an ediet that a certain mission and to provide a fund for the kets Monday: compensation of injured workmen.

A copy of the pamphiet will be sent

WOODEN LAKE VESSEL

LEAMINGTON, Out., Sept. 30. The eases were started by all the The wooden steamer City of London at Point Pelec.

BANK OF DENSE FOG

CHICAGO, Sept. 30,-This place sented this district, and Judge Gil- day the air was somewhat cleared by a heavy thunderstorm.

WANTS \$200 FOR DOG KILLED BY AUTOMOBILE

In accordance with the law, Secre- GRANTS PASS, Sept. 30 .- Two fair grounds on the 25th inst.

Suit was filed by Tetherow in the pose of which is to provide funds to bile, an Everett five-passenger, now for the construction and equipment machine out of the state and out of

health to perform operations on habitual criminals, moral degenerates BOSC \$3.17, ANJOUS \$3.30

The following prices were received

New York-Clairgeaus, \$2.50 halves. \$1.40; Comice, \$3.01; Winto every registered voter of the ter Nellis, \$2.43. A. Block, San Jose, Forelle haives, \$2.41; 4 cars Oregon Bosc, \$3.17; halves, \$1.62; Anjous, \$3.30; Comice, \$3.19.

Chicago-Car Washington apples, Jonathans, extra fancy, averaged \$2.59; fancy, \$1.85; choice, \$1.55; Grimes Golden, extra fancy, \$2; car Colorado Jonathans, Grimes Golden, extra fancy, \$2.05; fancy, \$1.50.

NOTICE.

A meeting of all the members of

A. W. DEANE, Capt. Commanding 7th Co. C. Y. TENGWALD, First Sergt.

John A. Perl

Undertaker Lady Assistant. 28 S. BARTLETT Phones M. 47 and 47-J-2 Ambulance Service Deputy Corone

WHEELER DENIES ROMAN EMBASSY

WASHINGTON, Sept. 30 .- First Secretary Wheeler of the American embassy in Rome filed today a writcharges which have been made against there will be no further action in the

commercial purposes,

It was said the complaints were

It has been hinted, however, that needed in the service.

SAY FAREWELL TO WILSON

WASHINGTON, Sept. 30 .- Mon bers of the Panama Pacific exposition commission called at the White House today to say farewell and the West Indies.

Baking Helps

Valuable Suggestions By Mrs. Nevada Briggs, Exponent of the Art of Baking, as laught by Mrs. Janet McKenzie Hill Belpful Cake Making Binta

Always sift flour and K C Baking Powder at least three times. The more sifting, the lighter the cake. Remember that! To cream but-ter and sugar quickly, warm the sugar slightly. Beat yolks of eggs with rotary beater. Whip whites of eggs with flat spoon whip, Water makes lighter cakes; milk makes richer cakes.

To mix a cake, first cream butter and sugar thoroughly, then add yolks, if used. Then alternately add moisture and flour that has

Always use K C Baking Powder. Biscuit Helps

Always sift flour and K C Baking Powder at least three times. Have shortening cold and firm. Mix dough as soft as it can be

handled. The softer dough goes into the oven, the lighter the biscuit when it comes out. It is easier for K C Baking Powder to do its work in soft than in stiff dough. Mix biscuits very little. Do not knead. Stir up with spoon or knife and press in shape to roll on floured board.

With K C Baking Powder results are sure and certain. Ask your grocer for K C.

CHINA HERE STORE Trese herbs are a blood tonic.

positive cure for Liver, Lung, Heart, Kidney, Stomach and Bowel troubles
Cures Malaria, Chills and Fever and
Rheumatism. A guaranteed cure for
Piles. No surgical operation required.

TESTIMONIALS.

Women.
You will find it on sale at all drug stores
at \$1.00 a bottle, or the druggist will gladly
get it for you if you insist upon it. Mether's Friend is prepared only by the Bradfield Regulator Co., 137 Lamer Bidg. Atlanfa. (a., who will send you by mail,
sealed, a very instructive book to expectant
mothers. Write for it to-day.

TESTIMONIALS

I had stomach trouble for years causing dropsical conditions. After taking eight doses of Dr. Gim Chung's medicine I was relieved of all trou-

MRS, R. M. BERRIER.

This is to certify that Gim Chung cured me of the plies after 15 years' the cases were interposed by the Joe Morrow in the fog off this port, the 7th Company C. A. R. in Olive standing and can recommend him to Dalrymple, Chico, Cal.

241 S. Front MEDFORD, ORE.

FOR THE HAIR If your hair is too dry-brittle-colorless-thin-stringy-or falling out-use

Parisian Sage-now-at once. It stops itching scalp, cleanses the hair of dust and excessive oils, removes dandroff with one application, and makes the hair doubly beautiful - soft - fluffyabundant Try a 50c, bottle to-day. It will not only save your hair and make it grow, but give it the beauty you desire.

Chas. Strang, Druggist.

WHERE TO GO TONIGHT

Lonight "GOOD FOR EVIL"

Lubin A Powerful Drama in Two Parts A DAY WITH A HINDOO FAMILY Pathe Colored

"ROAD TO MOREZ, FRANCE" "VALLEY IN BOURNES "BLACK AND WHITE" Biograph Farce Comedy "OBJECTIONS OVERRULED" Biograph Farce Comedy

Show Starts 7:10 P. M. Sharp ADMISSION 5 AND 10c Coming Thursday Only "SKELETON IN THE CLOSET"

A Two-Part Kalem Thriller Also the Bunny Bunch in "WHICH WAY DID HE GO?"

THEATER

Today

In Vaudeville

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Blackface Comedians, in a

Real Comedy Act.

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Watch for our many big

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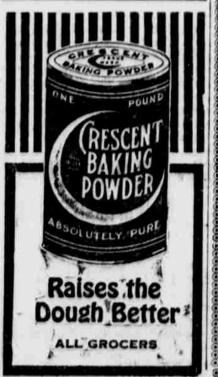
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A Wonderful Remedy That is a Natural Aid and Relieves the Tension.

Mother's Friend, a famous external rem-Mother's Friend, a known that is able to edy, is the only size known that is able to reach all the different parts involved. It is a penetrating application after the formula of a noted family dector, and lubricates every muscle, nerve, tissue or tenden affected. It goes directly to the strained portions and gently but surely relieves all tendency to sureless or strain. ndency to sureness or strain. By its daily use there will be no pain, no

distress, no masses, no danger of incernation or other socidest, and the period will be one of supreme confort and jufful anticipation. To all young women Nother's Friend is one of the groutest of all helpful influences. for it robs childsirth of all its agonies and dangers, dispels all the doubt and dread, all sense of fear, and thus enables the mind and body to await the greatest eyent in a
woman's life with untrammeled gladgess.
Mother's Friend is a most cherished
remedy in thousands of homes, and is of
such peculiar merit and value as to make it
essentially one to be recommended by all



THEATRE PAGE

Pantages Unequaled Vaudeville WEDNESDAY, OCTOBER 1

CHAS. RILEY & CO. In "A Bit of Old Ireland" DORA EARLY AND CARL BYAL Musical Comedians LEE BROTHERS Daring Novelty Skaters

Singers and Dancers MRS. CHILDERS AND TICKNER

CONNELY SISTERS

In Duets and Solos Pagescope Latest Animated Pictures Page Orchestra

Two Shows, 7:15 and 9:15 Prices: Lower Floor 50c, Balcony 35c, Children 25c.

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The Flight of the Crow

THE DRAMATIC ROMANCE OF WANDERING HOBO Featuring Miss Cathlyn Williams Selig's Wild Animal Heroine Complete In Two Parts

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SQUIBB'S OLIVE OIL

you certainly can improve it. This oil is made under the best conditions. The olives from which it is produced are of the finest quality and are picked at just the right time to yield the most deli-

The very next time you make saind dressing, use this delicious oil and note the improvement in the flavor of your salad.

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You Will Want for the Winter TIER, CORD AND CAR LOTS

VALLEY FUEL CO.

Successors to Reichstein.

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PRINCE OF THE PR

For Sale OAK, FIR, LAUREL AND SLABWOOD IN TIER, CORD AND CARLOAD LOTS

Frank H. Rav Yard at Sixth and Fir Sts. PHONE 750-R

PUBLIC AUCTION SALE ON PREMISES ON OCT 1, 1913, AT 2 P. M. SHARP. 55 ACRES OF BEARING ORCHARD

Bear Creek alfalfa land, the best in the valley, located two miles north of Medford, Oregon. Pacific & Eastern Railroad runs through the tract, where fruit and other produce can be loaded on the ears without any long haul. Will be sold in two or more tracts. Correct acreage and terms will be given at sale. Trees all standard varieties: 35 acres Newtowns and Spits, 7 to 10 years old; 9 acres delicious 2 years old; 6 acres pears from 1 to 5 years old; 3 acres almonds, cherries, peaches, etc. Improvements: A No. 1 two-story ten room modern house, large barn and outbuildings, pumping plant with ten thousand gallon tank, entire tract can be irrigated from Rogue River canal. Present water right for two acres. Machinery, tools and livestock will be sold if purchasers do not wish the same. Terms will be easy: Certified checks of 10 per cent at time of sale, balance of cash payment as agreed upon at time of sale.

P. S.—Send this ad to your friend who wants a good orchard.

E. B. HALL, Owner, WILLIAM ULRICH, Auctioneer.