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JUST LINES OF REASONING

The judicial mind and that of the layman apparently travel along different routes and reach different conclusions from given premises. This is illustrated in the case mentioned yesterday in which the supreme court of the United States held that the Interstate Commerce commission could permit railroads to charge more for a short than a long haul under certain conditions. It was illustrated again by our own supreme court yesterday in the suit of the city of Woodburn against the Public Service Commission of Oregon and the Western Telephone Company. It seems that some time ago the United Telephone Company was granted a franchise to operate in the city of Woodburn, and in consideration of this franchise and privilege, it agreed with the city of Woodburn that it would not charge above a certain sum for its service. Later, the Western Telephone Company became its successor and assumed all its rights, privileges and obligations.

In July of last year this company applied to the Public Service commission for the privilege of raising its rates, and after due consideration and notice, and a hearing of the matter, the commission authorized the company to charge rates greater than it had agreed with the city to charge. The city then took the matter into court and on the trial before Judge Galloway the contention of the city that the company had no right to violate its contract or the commission to order it to do so, was sustained. From this decision the defendants appealed and the supreme court in an opinion handed down by Justice Harris reversed the lower court and held that the commission had the right to increase, and the company to collect the greater charge.

We do not presume to pass upon the correctness of the decision, for it is that of the highest legal tribunal of the state and its decision is final, but simply to call attention to the different line of reasoning followed by the judicial mind and that of the average citizen. The judicial mind reasons along the line that the people of the whole state have greater authority than a city, or a portion of the people, and that having such power, their acts giving the Public Service commission authority to regulate rates such as those in the Woodburn case, made void any act or contract made by the city that was in contravention to this authority. The learned justice in passing upon the matter admits that the law giving the commission this regulating power was passed subsequently to the granting of the franchise by the city of Woodburn, a franchise that was a contract for the doing of a certain thing, the consideration being the privileges given the company.

Article one, section 21 of the bill of rights in the state constitution, says among other things: "No ex post facto law, or law impairing the obligations of contracts, shall ever be passed."

To the average man it would seem that the passing of the law giving the Public Service commission power to set aside a contract and to substitute another in its place, as between the city of Woodburn and the Western Telephone company, was not only a law impairing the obligation of a contract but that it was an ex post facto law.

Following this line of reasoning the conclusions reached would be diametrically opposite those reached by following the judicial line of argument. Why is there such a difference, and does a man's line of thought change when he puts on the judicial ermine? Here was a contract admitted by all the parties to it as having all the necessary component parts of a legal contract, for there were parties, a subject matter and a consideration. There was also the "aggregatio mentio" and a completed contract. This the Public Service commission set aside and substituted a new contract for the parties. This being found to be the law by the supreme court must stand, but it behooves the municipalities of this state to think long before making any contract with any public utility company or person. A contract of that kind has been decided to be not binding on the company; and while it has not been decided, it is more than probable that should the city undertake to revoke a franchise it would find that so

far as it is concerned it would be bound hard and fast. Another similar case is found in the law concerning the employment of school teachers, who, while they can compel the district employing them to live up to its contract, can refuse to keep their part of it. It would seem the cities, so far as public utilities are concerned, are in the same boat as school districts, bound by any contract they may make, but unable to compel the other party to keep his part of the agreement.

SOME FOOLISH WOMEN

General Grant once remarked that "the democratic party could always be depended on to do the wrong thing at the right time." The same remark might be made of the eastern suffragettes, who so far have not failed to do this very thing. Their action in trying to heckle the president yesterday was a sample of their wisdom. It is less than a month since, as a party, the women made a desperate effort to defeat President Wilson, coming out openly for his opponent and for the stated reason that they could expect nothing from the democrats, although the planks of the two platforms were identical on the subject of suffrage. Yesterday they carried their fight into the halls of congress and blamed the president for not advocating suffrage in his message. They overlook the fact that only four weeks ago they were telling the electorate he would do nothing. As a matter of fact if this self appointed bunch of eastern women keep up their course, equal suffrage will be a thing of the very remote future. Their conduct strengthens the hands of their opponents and weakens the strength of those who would help them to the ballot. The Spaniards have a proverb that liberally translated says: "More by sweetness than by force." It is one the "leading" women of the east could profit by observing in their struggle for the ballot.

This is certainly a close year so far as elections are concerned. The presidential election was one of the closest on record and the results in many of the states were so close that only the official count could decide them. In Arizona the republican candidate for governor was elected by the narrow margin of 32 votes. New Hampshire, Minnesota, North Dakota, New Mexico, and California were just a shave, and not a "once over" either. Albany puts the finishing touch on the neck and neck race by defeating a bond issue by one vote. Milwaukee was a close second however in selecting its mayor; the winner being so by only three votes.

Carranzistas complain that it was a shortage of ammunition due to this government's action, that caused them to lose Chihuahua. At the same time it is noted that Villa not only captured their guns but also got away with large quantities of ammunition. It will be seen from this that it is dangerous to let the Carranzistas have any ammunition, for if Villa wants it he will take it away from them.

The United States supreme court has just held in the case of the Sonman Shart Coal Company against the Pennsylvania railroad company, that for the company's refusal and failure to furnish cars, the railroad was liable and affirmed a judgment against it for \$145,830. Here is a pointer for Oregon shippers who ask for and are denied cars in which to ship their products.

What is most urgently needed just now according to the governor and state treasurer is that a good shoemaker and first-class tailor commit some crime that will confine them in the state prison for long terms. Both these manufacturing departments are said to be in the hands of poor workmen.

Yesterday's reports said the Americans in Chihuahua were safe. If so they had better get out of that very doubtful city and stay out until some authority is established there. Carranza is again in possession of the place, but he is so because Villa had no further use for it. When he has he will take it again.



GREAT MEN

One can't be great in many ways. One man is great at writing plays; one beats all others twanging lyres, and one invents new rubber tires. But when a great man leaves his stunt, and pushes boldly to the front, to show he's great in other things, the universe with laughter rings. At herding goslings I excel; I do that job exceeding well, and people, as they go their ways, oft hand me packages of praise. They often say they will be derved if they can fathom how I learned to herd those infant geeses thus, without a bonehead or a fuss. I treasure up the things they've said, and praise like this goes to my head, and I began to say, "It's clear I'm fitted for a higher sphere. If I so well can herd my geese, it is as clear as axle grease, that I would shine upon the stage--I'd be the 'Hamlet' of the age." So then my geoses I desert, and with the tragic muses flirt. When people of my venture hear, they buy the henfruit of last year, and I am left all dripping wet with a potential omelet.

OFFICIAL RETURNS

(Continued from page one.)

District	Amendments and Resolutions	Yeas	Nays
H. H. Corey, republican, 35,302			
S. S. Start, socialist, 7,127			
P. S. C.—Western District			
Fred G. Buchtel, republican-progressives, 116,237			
E. L. Van Dresar, democratic, 51,122			
Single item veto amendment	141,773	53,207	
Ship tax exemption amendment	119,052	65,410	
Negro and mulatto suffrage amendment	100,027	100,701	
Full rental value land tax and homesteaders' loan fund amendment	43,390	154,980	
For Pendleton normal school and ratifying school and ratifying school certain state institutions	96,829	109,523	
Anti-compulsory vaccination bill	99,745	100,119	
Bill repealing and abolishing the Sunday closing law	125,836	93,076	
Permitting manufacture and regulated sale four per cent malt liquors	85,973	140,599	
Prohibition amendment forbidding importation of intoxicating liquors for beverage purposes	114,932	109,671	
Rural credits amendment	107,488	83,887	
State-wide tax and indebtedness limitation amendment	99,536	84,631	
Crook county rabbit and sage rat bounty bill	2,580	1,055	
Bond for county seat bill—(Crook)	1,126	2,441	
Harney county two-mile limit law against sheep	723	1,342	
Bill abolishing Harney county high school	637	1,445	
Madras county seat bill—(Jefferson)			
Metolius for county			

IF HAIR IS TURNING GRAY, USE SAGE TEA

Don't Look Old! Try Grandmother's Recipe to Darken and Beautify Faded, Streaked Hair

That beautiful, even shade of dark, glossy hair can only be had by brewing a mixture of Sage Tea and Sulphur. Your hair is your charm. It makes or mars the face. When it fades, turns gray or streaked, just an application or two of Sage and Sulphur enhances its appearance a hundredfold. Don't bother to prepare the mixture; you can get this famous old recipe improved by the addition of other ingredients for 50 cents a large bottle, all ready for use. It is called Wyeth's Sage and Sulphur Compound. This can always be depended upon to bring back the natural color and lustre of your hair. Everybody uses "Wyeth's Sage and Sulphur Compound" now because it darkens so naturally and evenly that nobody can tell it has been applied. You simply dampen a sponge or soft brush with it and draw this through the hair, taking one small strand at a time; by morning the gray hair has disappeared, and after another application it becomes beautifully dark and appears glossy and lustrous. This ready to use preparation is a delightful toilet requisite for those who desire dark hair and a youthful appearance. It is not intended for the cure, mitigation or prevention of disease.



A RUINED GOWN

CHAPTER XXIV.
Monday night after dinner I went upstairs to try on my new gown. Lucile had sent it home early in the morning, but I had had no time even to look at it. It was white net over palest pink, with quantities of pale pink tulle over all. It was very delicate and I knew would be becoming as I, of course, had tried it on at her establishment. But I wanted to be sure that it was perfectly all right. I did so what to look nice at my party. So, tired as I was, I put on the stockings and slippers—which Lucile always sent home with my gowns—rearranged my hair a little, then put on the dress. "Yo' sholy is fine, Missy Mildred!" Mandy, who was helping me, flattered. "Aren't I, Mandy?" I replied. My dress was perfect, the stockings and slippers a wonderful match. "Close your eyes, Clifford, I'm coming!" I called, laughingly, as I went downstairs to show him my gown; to try to win a word of praise. "All right!" he returned. I walked right in front of him, and then said: "Open!" he did, but he also made a movement to rise, and the cigar he was smoking touched the tulle, and in a moment my dress was ruined. He grabbed a rug, and it was stifled before I scarcely realized what had happened, but my dress was entirely ruined.

Almost a Quarrel.
"Oh, Clifford, look what you did!" I accused, almost crying. "My dress is ruined, and I have nothing else to wear tomorrow night!" "It's your own fault. If you'd been to overcome those baby tricks of yours, such things wouldn't happen. Instead of being grateful that you are not burned to death, you find fault with me." "But it was your cigar, and I am not burned a bit." "It's not because you didn't deserve to be—if only a little to show you what you had escaped," he replied, crossly, but even in my anger I noticed that he had paled. "But what am I to do?" I grumbled. "I shall have to wear an old dress, and I did so want to look nice tomorrow night." "If you would have more dignity, you would escape such mishaps. If you had come down as you should instead of shouting for me to close my eyes, it wouldn't have happened. I hope sometime you will gain poise, but I doubt it." "I didn't say another word, I didn't dare for fear I would say more than I should, or would cry. So I went back upstairs with my ruined gown dragging about me and went to bed." "An Appreciation."
I didn't speak when Clifford came up about an hour later, although I was not asleep. But I couldn't get to sleep, and by thinking of my gown, what I should

wear, and so disappointed that I could scarcely keep back the tears. Clifford, usually a very quiet sleeper, was uneasy, and tossed and jumbled about. Once he started up, but I did not speak and he soon slept again. His restlessness took my thoughts from myself, and I wondered why he was so uneasy. Then came the memory of his paleness after he had smothered the fire; and of a sudden it came to me that he had turned pale because of me, my danger. And with the thought came a realization of what I had escaped, and thankfulness toward the man, my husband, whose quickness had prevented a horrible disastrous accident. With a smothered cry I put my arms around his neck, waking him. "What is it? What's the matter?" he asked, startled. "Oh, Clifford, I was so ungrateful, so wicked. I am so glad you put the fire out and saved me from being burned." I answered almost incoherently. "And I love you so," I finished, nestling closer to him. "Well, go to sleep now, and remember to be more careful how you startle people," he returned rather impatiently, but he did not repulse me, and, for the first time in many months I went to sleep in his arms. (Tomorrow—The Final Preparations for the Party.)

RAINCOAT WEATHER

You need a good Raincoat right now. We have the kind you want at the price you want to pay—good, dependable coats that will shed the water, give the longest wear and present the best appearance.



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spy hearing postponed
Washington, Dec. 6.—Hearing of the

blackmail charges against Dr. Arrington Carl Graves, "master spy," today was postponed until March 10 because of the government's inability to present testimony of Prince Hatzfeldt, counselor of the German Embassy, and Dr. Friedrich Wilhelm Edder, private secretary to Ambassador Von Bernstorff.

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