

MERGER HEARING ON AT PORTLAND

Government Seeks to Show Purpose is to Bottle Up State of Oregon.

HANLEY HAD INFORMATION.

Big Cattleman Produced Facts and Figures Relating to Surveys Made and Roads Not Built.

Portland, Or., May 5.—The government switched suddenly today in its line of probing the Harriman merger from showing that it had throttled business competition to showing that it was a part of the gigantic combination to bottle up the entire business of the state of Oregon, keep other rival systems out, and develop new lines on its own.

Wells Nash, former president of the Portland board of trade, and William Hanley, a leading cattleman of southeastern Oregon, were witnesses today. Nash's testimony showed that years ago the Corvallis & Eastern road, now a Harriman subsidiary, had been surveyed clear across the state of Oregon; that easy grades could be established over the Cascades from the present terminus, and that there was an enormous sheep and cattle-raising empire, which an extension of this line will develop. He testified that the Harriman people had acquired the surveys, as well as the physical property of this line, but had made no efforts whatever to extend the road. He was asked to tell how the combine had shut him out of extensive cattle markets in the Utah and Colorado territory when the Ogden gateway was closed by the Union Pacific. Mr. Hanley also stated that only about 25 per cent of the entire region now neglected by the railroad was fit for dry farming. Hanley showed intimate knowledge of the interior of the state, and said that whatever surveys had been made in that country had been made by the Harriman people.

MISSOURI RATE CASE IS GROWING WARMER

Kansas City, May 5.—Missouri's rate cases were again up for consideration in the federal court here today, when Judge Smith McPherson heard arguments for a permanent injunction to restrain the state officials from interfering in this litigation, which originated in the United States court.

All of the proceedings of the federal court for the western district of Missouri in these rate cases have, with a single exception, been handled by Judge McPherson, who is the presiding judge of the southern district of Iowa.

Judge Phillips, who is the presiding judge in the United States district court for the western district of Missouri, has in the meantime been engaged with cases in the circuit court of appeals, and his only entry into the present litigation has been to issue the temporary restraining order against the state courts, simply to save Judge McPherson from coming to Kansas City to perform that act.

Latest Portrait of Mrs. Longworth, Her Cottage Near Taft Summer Home.



Representative Nicholas Longworth and Mrs. Longworth will be neighbors of President and Mrs. Taft this summer and will go to their summer home at Beverly, Mass., early in the season. The cottage, which is a modern 10-room house on the seashore and only a short distance from the Taft cottage, is now being placed in readiness for Mr. and Mrs. Longworth. The condition of Mrs. Longworth's health would not permit her to accompany her husband when he went to Cincinnati last week to visit his relatives, and he has decided to take her to the seashore as soon as the cottage has undergone the necessary repairs. Mrs. Longworth probably will be visited by Mrs. Roosevelt during the early summer.

ent litigation has been to issue the temporary restraining order against the state courts, simply to save Judge McPherson from coming to Kansas City to perform that act.

At the opening of the court here today, Judge Phillips assumed the bench only long enough to make a brief statement of his connection with the case, this as a result of Representative Murphy's resolution demanding a congressional investigation of the acts of these two judges. Judge Phillips then vacated the bench and Judge McPherson, who had arrived during the morning from St. Louis, was left to hear the arguments in the injunction suit.

Atty.-Gen. Majors was called to the witness stand and subjected to an examination lasting more than two hours,

during which he was questioned by the court, as well as the railway attorneys, as to what was to be the future attitude towards the railroad rate cases. When asked if he would withdraw his quo warranto suit, filed yesterday at Jefferson City, even if the railroad granted a 2-cent passenger fare, Mr. Majors said that the rate had nothing to do with the case. He said the railroad have the right to establish any rate less than a 3-cent rate in Missouri, providing they entered into no combination or agreement to fix a rate and thereby destroy competition.

FORECLOSURE SALE ORDERED.

Jackson, Miss., May 5.—A bill was filed in the federal court here today to

foreclose the bond and mortgage on and Gulf & Chicago railways, amounting to about \$8,000,000. It is expected the present owners of the two roads will purchase the property at foreclosure sale.

HARRIMAN A DIRECTOR.

Cleveland, May 5.—E. H. Harriman was elected a director of the Lake Shore & Michigan Southern railroad at the annual meeting of the stockholders here today.

OWNED BY GOVERNMENT AGAIN

New Orleans, May 5.—According to a report received here, the Honduran government has taken back the Inter-Oceanic railroad, the transfer having been made by the Valentine syndicate about May 1.

C. H. SCHLACKS IN OGDEN.

Vice President and Prominent Rio Grande Officials Are Entertained.

(Special to the "News.")

Ogden, May 6.—Vice President C. H. Schlacks, Asst. General Manager W. S. Martin, General Traffic Manager A. D. Hughes, General Supt. J. C. Dalley, General Auditor E. R. Murphy, and several other officials of the Rio Grande Western, spent three hours in Ogden yesterday inspecting the company's property and the site for the new passenger station on Twenty-fourth street which will be built during the coming summer. Later the visitors were entertained at the Western club by President Heywood of the club and A. J. Cronin, the local agent for the Gould roads.

DAMAGE TO CUT-OFF.

Precautionary Measures to Protect Trestle Work from Salt Lake Waves.

(Special to the "News.")

Ogden, May 6.—Supt. Manson and Resident Engineer Fitzgerald of the Southern Pacific, left Ogden yesterday afternoon for a visit to the cut-off, to supervise the taking of what ever precautionary measures were necessary to protect the trestle work from the waves which were caused by the heavy winds. As near as could be learned the waves had done considerable damage to the grade near the station of Bagley, but nothing of a serious nature is resultant thus far as the railroad company has deemed it advisable to keep work trains at six work trains hauling rock and ballast upon the grade affected. Owing to the fact that the lake is higher this year than usual the company has deemed it advisable to keep work trains at Lakeside all the time for the hauling of ballast and rock from the lakeside pit to the grade in the lake.

It is an uncommon sight to see Southern Pacific passenger trains come into the Union depot at Ogden with the sides of the cars whitened with salt coming from the waves splashing up against the sides of the trestle and the grade.

TRAFFIC BUREAU HAS NO FEAR OF DEFEAT

Judge William H. King has assured the Commercial club traffic bureau that his best legal services will be at the disposal of the bureau in its fight for better freight rates into and out of Salt Lake City. This announcement was made last night by Traffic Commissioner Babcock and was confirmed by Judge King, who admitted that his services were to be at the disposal of the bureau and gratuitously. As a member of the legal committee of the Commercial club, Judge King is intimately acquainted with all problems which the club is interested in, and particularly the matter of freight rates.

Traffic Commissioner Babcock is not at all alarmed in consequence of the recent decision of the United States supreme court in the matter of the commodity clause of the Hepburn act. In speaking of this matter, Mr. Babcock said: "The decision announced Tuesday in no way relates to our railroad rate case now before the government. The 'Utah case' to which Frank B. Kellogg referred in his statement to the president is the case of the United States against the Harriman railroad merger, which was brought in February, 1908, in the United States court in Salt Lake and in which hearings are now being held. "The supreme court decision has to do with the rights of railroads to haul their own commodities, such as coal for instance, and with the rights of railroads to hold stock in other railroads, and in no way is the case pre-

sented by the traffic bureau to President Taft and by him referred to the department of justice affected."

Another rate clerk joined the forces of the bureau yesterday and the work of preparing evidence for the investigation into the rate hearings to be undertaken by the United States department of justice in accordance with instructions given by President Taft to Acting Atty.-Gen. Wickersham is going forward rapidly. When the hearing begins, it is promised by the bureau that there will be an abundance of evidence to offer in support of the bureau's representations to the president.

ANDERSON GETS DAMAGES.

Edward Anderson, by his guardian, E. M. Kelly, secured judgment by stipulation yesterday in Judge Armstrong's court against the Consolidated Mercantile Mines company for \$810 for personal injuries received while in the employment of the company. His suit was originally for \$5,000.

CHURCH NOTICES

The regular meeting of Liberty stake primary officers will be held in the Ninth ward meetinghouse Saturday May 8, 1909, at 3 o'clock. Dr. Miller will lecture on "Character building." Public invited.

The primary officers of Pioneer stake will hold their regular monthly meeting at the stake hall Friday at 3 p. m.

The high priest quorum of the Ensign stake will hold their regular monthly meeting on Sunday, May 9, 1909, in the new Whitney hall, corner of A street and Second avenue, at 10 a. m. A full and punctual attendance is desired.

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We have been singing the praises of the "Hot Point" Electric Iron for the past two years and as a result we have sold 3,250 of these irons. Now we are going to give the public an opportunity to sing about it. We have accordingly instituted our

Spring Jingle Contest

and offer as prizes three "Hot Point" Electric Flatirons for the three best jingles or limericks having reference to the superiority of the

"Hot Point" Electric Iron

and the advantages of its use for all classes of ironing. Jingles must be limited to six lines. No limit to the number of jingles or limericks submitted by any contestant. We reserve the right to use any or all matter submitted in this contest in our advertising of the "Hot Point" Electric Iron. Contest closes May 15th.

If you haven't seen the advertisement of the "Hot Point" Electric Iron in Collier's or the Saturday Evening Post, get one of these magazines and read about this wonderful iron, or 'phone us and we will send you a circular describing it, or better still—let us send you a "Hot Point" Electric Iron on 30 days' free trial. After using one a short time you should be able to write a volume of poems about its merits.

Order one today. 'Phone our commercial Dept. for further particulars.

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This compound, known as D. D. D. Prescription, has now so thoroughly proven its efficacy that druggists recommend it unhesitatingly.

The Sheriff of Franklin Co., Frankfort, Ky., Mr. W. H. Graham, writes: "My twelve-year-old daughter had been suffering with an aggravated form of Eczema for more than two years. We had her under the care of the best physicians here. Upon seeing no relief, we were induced to try D. D. D. Prescription."

"She was entirely relieved. It has not been more than one year since she ceased the use of the Remedy, and no sign of the trouble has appeared."

We recommend D. D. D. Prescription to all sufferers from eczema.—Druehl & Franken and Z. C. M. I. Drug Store.

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