

HARRIMAN LINES THROUGH DEFENSE

Testimony Completes the Presentation of Their Case to Commission.

RIO GRANDE BEING HEARD.

E. S. Clark, General Attorney for the system, outlines case at yesterday's session.

The defense in the rate hearing case, as far as the Harriman lines are concerned, is completed. Mr. Durburn, attorney for the Southern Pacific railroad, announcing at the conclusion of the testimony of Mr. Jones and Mr. Jones that his road rested.

E. S. Clark, general attorney for the Denver & Rio Grande, then outlined the case of the road represented by him, and while he said he did not intend to duplicate the evidence presented by the Harriman roads, he believed that the rates charged by the Denver & Rio Grande were just and reasonable of themselves and by comparison with those of other lines. Mr. Clark was proposed to introduce the evidence of the chief engineer of the road, profile maps of all the lines, showing the peculiar and extraordinary conditions under which the road was built and operated and the topographical and other conditions under which it was maintained. This evidence would also include the actual cost of the property and the cost of reproduction in every detail. Other reports to be introduced would show the value of the road, net income, surplus or deficit and the income from securities with the balance of the road and the interest on bonds, dividends paid for 10 years compared with taxes paid, gross operating expenses per mile, train mile and ton mile, and the ratio of income to operating expenses would also be shown. The attorney promised to show the increase in daily wages and the proportion of the cost of ties and coal and a comparison of the wages of the Denver & Rio Grande trainmen with those on other lines. He said the general passenger agent would furnish data on passenger traffic and the general freight agent would present evidence regarding the density of population along the line.

MUNROE CALLED BACK.
After the completion of the examination of L. J. Spence, general freight agent of the Southern Pacific Steamship company, J. A. Munroe, general manager of the Denver & Rio Grande, was called back to the witness stand. Mr. Munroe said he agreed with President Taft, who in his talk at the Commercial-club, said he did not think that the Denver & Rio Grande should have a mileage basis for rates because, in the opinion of witnesses, if they were put into effect Utah rates, sugar, canned and dried fruits and other home products would be marketed in the fields now reached by these products. Judge Dillard conducted the examination of Mr. Munroe, and after his testimony was as follows:

Q. Mr. Dillard—You refer to the \$2.05 scale and \$1.65 scale. The commodity rates are also embraced there. Did you apply to the commodity rates requested also?

A. Mr. Munroe—Yes. By the \$1.65 scale I mean the whole scale, class and commodity.

Q. Dillard—What did you make the total?

A. Mr. Munroe—\$355,443.17.

Q. Dillard—Is that loss simply to Utah common points?

A. Mr. Munroe—Yes, including Park City, Ogden and Salt Lake. The loss would be \$355,443.17. The total revenue, based on the present \$2.05 scale, is \$2,840,573.43. The revenue on the basis as prayed for on the \$1.65 scale, would be \$2,284,292.2, a decrease in revenue of \$556,443.17, or 19.55 per cent of the revenue. That is gross revenue by all lines, taken from the Underhill bureau, and we have applied, in each case, the rate named in the \$1.65 scale for the year 1908. That is the last year we have the record. I might add that since the rates have been discontinued, so that that is the last figure we have.

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MIL BABCOCK'S TURN.
Mr. Munroe was cross-examined by Mr. Babcock, for the traffic bureau. Mr. Babcock asked:

Q. Mr. Munroe, you have not discovered in the complaint or the tables that have been submitted by the complainant, that any increase in rates has been asked for anywhere, have you?

A. Mr. Munroe—No, I don't assume that anybody asks for an increase in rates, in matter how just.

Q. Mr. Babcock—Interposing—Spokane is the product of Utah, potatoes are an example, that a rate based on a mileage basis would produce a rate so great on Utah potatoes to reach market that it would be prohibitive.

A. Mr. Munroe—(interrupting)—That is the thought I have.

Q. Mr. Babcock—Do you think there is any danger of the carriers making rates on that commodity from Utah so high as to kill the business?

A. Mr. Munroe—They wouldn't wish to.

Q. Mr. Babcock—Would they do it?

A. Mr. Munroe—No, carriers have an obligation to the property, and if they increase their revenue or reduce their expenses. And it is not at all improbable (on a mileage basis) that some advantage in these rates would have to be made, such as a rate prohibitive to the Utah and Idaho potato, but such as to give the carrier a fair return which would reduce the profits of these producers (from the present prices) to which they feel they are fairly entitled.

Q. Mr. Babcock—You are not likely to make any rates for your own road (the Denver & Rio Grande) that will prevent the movement of this commodity? (Potatoes.)

A. Mr. Munroe—We wouldn't want to indulge in any suicidal proposition, of course.

Q. Mr. Babcock—Commodity competition, isn't it?

A. Mr. Munroe—It is.

Q. Mr. Babcock—Generally the roads, the carriers, in order to be successful in movement of commodities into consum-

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Absolutely PURE

ing districts in their regions make such rates as are necessary to move that stuff?

Mr. Munroe—That is the assumption, and I may say right here, on that very same question, certain connections of the Utah lines, in fact, nearly all of the (eastern) connections, undertook a short time ago to secure an increase in their division of the through rate at the expense of the lines west. It was only after a most earnest effort that we were able to continue the present basis of division of rates.

Mr. Babcock—I don't think there is any danger of their applying the mileage basis on the rates to the extent that it will kill the industry here.

Mr. Munroe—We hope it won't be necessary, but if the principle is right westbound, it is right eastbound.

Mr. Babcock—Mr. Munroe, you know that the principle, as far as mileage is concerned, would never have been thought of by the carriers on these commodities, is it the market condition, market competition, commodity competition, as they regard it?

Mr. Munroe—(asking question)—Would it be if they followed the complaint?

Mr. Babcock—Was there anything in that complaint that looked like requesting an advance in rates on Utah products?

Mr. Munroe—No, but that doesn't answer my question. You wanted mileage when mileage would help you, but you don't want that mileage when it doesn't. You want to play a game of "heads I win and tails you lose."

Mr. Babcock—You want to play the same kind of a game, don't you?

Mr. Munroe—No.

REVIEWS STATEMENTS.
J. A. Reeves, general freight agent of the Oregon Short Line, then introduced a number of tabulated statements showing the class rates from the east to points in the intermountain country, for distributing rates for Salt Lake. This, however, was withdrawn. Tables showing the growth of freight business in this region were then introduced and Mr. Reeves presented as evidence a list of purchases made recently by the Utah Light & Railway company. The Utah representatives could not see the bearing of the purchases of supplies and materials for the street railway company on the case before the commission. "Well, let them offer it," said Commissioner Clark. "It may help to make you feel better." The railroads also presented a tabulated list of Salt Lake bank clearings to show how the freight rates had made Salt Lake prosper. These were followed by statements showing the receipts of the Salt Lake postoffice. "This shows that you can't keep a good town down with your bad freight," said Mr. Babcock. "We have no objection to fair being introduced in the evidence."

J. E. Durham, chief clerk in the passenger department of the Oregon Short Line, presented a statement of passenger business.

The Salt Lake Tribune's Fiction And the Facts in the Case

Last evening The Deseret News printed a communication over the signature of Gov. William Spry which branded The Tribune's story that he would not enter the First Unitarian church on Sunday, where President Taft attended services, as wilfully and maliciously false. Other communications from those who should know the facts reached The Deseret News yesterday too late for publication. The Herald-Examiner this morning printed a dispatch from Capt. Butt, President Taft's aid, on the subject.

The communications are herewith given so that the public can judge for itself.

The Food Route

is the safest way to steady health.

Many people are kept ill because they do not know how to select food that their own particular bodies will take up and build upon.

What will answer for one will not do for another.

If one is ailing it is safe to change food entirely and go on a plain, simple diet—say,

- Cooked Fruit.
 - Saucer of Grape-Nuts and Cream.
 - Soft Boiled Eggs.
 - Slice of Toast.
 - Cup of Postum.
- That's enough. Such a diet makes one feel good after a few days.
- The most perfectly made food for human use is

Grape-Nuts

"There's a Reason."

Get the little book, "The Road to Wellville," in pigs.

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Battle Creek, Mich., U. S. A.

second automobile in the party when we left the Y. M. C. A. When the party left the Y. M. C. A. the president's automobile went ahead. The order had been given to J. H. Jennings, in charge of the car, to wait a few minutes. The president wished to enter the church alone. Mr. Jennings informed us of the request and we remained at the Y. M. C. A. for about ten minutes. Then Mr. Jennings drove the car to the church and Mayor Bransford and I entered and remained through the service.

That story in The Tribune is simply one of the kind to be found in that paper every morning and, personally, I would prefer to take no notice of it.

CHIEF JUSTICE D. N. STRAUP.

I read in this morning's Tribune the heading "Utah Chief Knewed" at First Refuses to Enter the Unitarian Church," and the article to the effect that Capt. Archibald Butt, after he had entered the Unitarian church across from his seat and went on the outside, and there engaged in a heated altercation with Gov. Spry and in which, as reported in the columns of The Tribune, the governor declared it was against his religious principles to enter a Unitarian church; that Capt. Butt replied that the governor would either join the church or leave it; and that the governor, greatly agitated, finally entered the church, and caused a disturbance as the minister was in the midst of his sermon. In the same column it is also reported that Senator Smoot did not enter the church and "never went in at all during the progress of the service."

The facts are these: Late Saturday I was notified that Captain Butt desired to see someone of the Unitarian church at the Knutsford hotel. I, being the president of the board of trustees of that church, was requested to see Captain Butt. I did so. He informed me that the president desired services at the church to be conducted in the usual way. I asked him

THE ROUND OF THE THEATERS

ORPHEUM—It is seldom, even at the Orpheum, that a bill so filled with diverting amusement is afforded as that of the present week. Not only does it most occur from overture to the finale, Miss Lena Hunter first essayed a novel dance on a stage, then on a wire and in the air, and then on a tightrope. She is a most successful dancer, and her performance was a most successful one. The Orpheum is a most successful theater, and its management is a most successful one.

LA PETITE REVUE—The feature number, "While it is an adaptation of an old play, it is a most successful one. The Orpheum is a most successful theater, and its management is a most successful one.

COLONIAL—The presentation of "Lena Rivers" at the Colonial last night by Emma Bunting and her supporting company leaves little to be desired from an artistic standpoint. It is easily one of the best shows that has been put on the boards for a long time, and came as a great surprise to many of those present last evening who expected to see a second or third rate presentation of Mary J. Holmes' celebrated novel. Instead they witnessed a really brilliant production, in which Emma Bunting, as Lena Rivers, was specially good. She is, of course, the star of the play, and as such commands an absolute triumph from start to finish, but she has the advantage of being ably supported, each member of the company dropping into their respective roles with a naturalness which almost concealed all art. There is not a weak member in the cast, and the play is worthy of full houses.

MAYOR JOHN S. BRANSFORD.
The governor was not in front of the church when I arrived there in my machine with Senator Reed Smoot and Congressman Joseph Howell. We got there about five minutes after the president arrived with Gov. Spry, and the governor could not, therefore, have been out of the church for long. There was such a crowd in front of the church that we did not know whether there would be room. We had not been told that reservations had been made for any of us and doubted whether we could find seats inside.

But just as we got in front of the church, Senator Smoot took his watch out of his pocket and looked at it. "Well, mayor," he said, "we have about an hour before the president's train leaves. Let's go inside and attend the service." So the three of us got out of the machine and went in. That was all there was to it. When we were inside we were given seats in front near the president and Gov. Spry.

The story in The Tribune that I was not given space in the president's car on the Salt Lake trip is not true. Since was reserved for me in the president's car, and I was going in there. But John Hays Hammond asked me if there wasn't some place where we could smoke. I told Mr. Hammond I guessed we could find a car ahead where we could smoke, and so we went there. The governor was taking care of President Taft, anyway, and I thought I had better take care of Mr. Hammond, as he would not think he was being slighted.

We found a car ahead, where we were smoking when Mr. Langford came through. He told me I was supposed to be in the president's car, and a seat had been reserved for me there. But I told him I knew it, but was all right where I was, as I wanted to smoke with Mr. Hammond. We were having a good chat, anyway, and I knew the president was being taken care of. I knew all the time that a seat had been left for me near the president in his car.

I do not think I was slighted at any time—I wasn't looking for a seat. All I wanted to do was to have the president and his friends have a good time and was kept busy hunting around with the committee taking care of them. But I never thought I had been slighted or snubbed at all.

SENATOR REED SMOOT.
Mayor Bransford and I were in the

how many there would be of the president's immediate party who likely would attend, and he told me only two or three besides the president, and to reserve seats for them. Sunday morning I received a message from the Knutsford hotel, stating that the president desired to meet him at the church upon the arrival of his automobile and to sit with him during the service. I reserved the seats and a number of others, about 25 in all. I had no opportunity of notifying Governor Spry, nor Senators Smoot andutherland, nor others who had accompanied the president on his visit to Utah. They therefore had no knowledge of the reservation which had been made in that regard. When the president arrived I met him in front of the church. As soon as he alighted Captain Butt started up the steps and greeted us into the church. There he was met by an usher who took us to the seats. After we were seated, Captain Butt sitting behind the president, I from his seat and went on the outside, and there engaged in a heated altercation with Gov. Spry and in which, as reported in the columns of The Tribune, the governor declared it was against his religious principles to enter a Unitarian church; that Capt. Butt replied that the governor would either join the church or leave it; and that the governor, greatly agitated, finally entered the church, and caused a disturbance as the minister was in the midst of his sermon. In the same column it is also reported that Senator Smoot did not enter the church and "never went in at all during the progress of the service."

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A Tonic

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One of Yesterday's Entries in the Bench Show



BUTTE PRIZE WINNER FOR STATE FAIR SHOW.

The bench show at the coming fair promises to be one of the big features. Dr. F. L. Hanson, who is in charge of the show, reports that it is the largest ever held in the state and is expected to be the largest in the history of the state will be in.

KEITH O'BRIEN

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