

The man who does not advertise because somebody said it did not pay ought not to believe that the world is round because the ancients said it was flat—Exchange.

VISIT SOURCE OF WATER SUPPLY

Parties to Famous Suit Make
Interesting Trip of
Inspection.

ENTIRE SYSTEM GONE OVER
WATER BEING WASTED BY UTAH
LIGHT & RAILWAY CO.

In order to familiarize themselves with the exact conditions which must be confronted and the general topography of the country, the central figures in the suit brought by the Progress company against the city and other defendants to adjudicate the water rights in Big Cottonwood creek, accompanied by Judge Charles W. Morse of the district court, who is trying the case, yesterday toured the section involved in the litigation.

These in the party were Judge Morse, Franklin S. Richards, special counsel for the city; Waldemar Van Cott, one of the attorneys for the Progress company; C. S. Kinney, representing the Ellison ditch rights; Louis C. Kelsey, city engineer; A. L. Doremus, assistant city engineer; John P. Cahoon, head of the Progress company and the actual plaintiff in the case, and Attorney Combs.

The party left the city on the 8 o'clock Murray car yesterday morning and went to the power plant of the Progress company on State street, near Sixteenth South street. Here they were met by teams, which conveyed them over the ground, the trip making necessary a drive of fifty miles, and not being finished until 6:30 o'clock in the evening, when the city was again reached.

A Noteworthy Dispute.

The suit is probably one of the most noteworthy disputes over water rights ever tried in a Utah court, and its outcome will affect every citizen of Salt Lake and every water user on the creek.

The Progress company claims for its three power plants the right to practically the entire flow of the creek from Oct. 1 to April 1 and a small right during the irrigation period between April 1 and Oct. 1. If their contention is sustained it will mean that the city will be compelled to either purchase their rights or give up the use of the water from Big Cottonwood from Oct. 1 to April 1, which would mean a virtual abandonment of the \$420,000 conduit. The only other alternative would be to purchase the Progress company's right for \$250,000, which is the value placed upon it by the company.

One of the main factors in the controversy is the Jordan & Salt Lake canal, commonly known as the City canal, which carries water from Utah lake through the district watered by Big Cottonwood. This canal runs north and south about four miles from the entrance to the canyon. In order to secure water rights on the creek at the intake of the conduit, the city has made contracts with the owners of rights west or below this canal to furnish them this water in lieu of the water which they had been obtaining from the creek. This water has a decidedly muddy tinge, and while better in many ways for irrigation purposes than the water from the canyon stream, is of no use for culinary or household purposes. The farmers who gave up their rights in exchange for the water, however, all have springs on their places, or have sunk artesian wells, and are thus supplied with all the water needed for domestic use.

Progress Company Claim.

It is claimed by the Progress people and by others having rights between the canal and the conduit intake that while the city has secured these water rights, it is at the same time depriving them of their flow, as all the water which previously went to the people below the canal who have surrendered their rights first passed through their canals and was of benefit to them. The Progress company, which has two power plants below the canal, one near the state fish hatchery and the other on State street, are the most serious objectors, as they claim that they have a primary right to all the water from the creek during the winter season, and that those who gave the city their rights had no authority to do so for that particular period at least.

The State street plant is the lowest of the water right holders on the creek, and the company claims that if the city continues to take the share of water it claims at the intake fifteen miles away, its water during the winter or small stream flows, will be diminished that it will not be able to run either the State street or the old Miller plant at the fish hatchery.

What the City Contends.

The city, on the other hand, claims that the Progress company is in no way injured by the diverting of part of the creek into the conduit, and that it has now, and will have this winter,

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GOLDFIELD GETTING SHORT OF FOOD AND STRIKE ON RAILROAD CONTINUES

(Special to The Herald.)

Goldfield, Nev., Oct. 3.—As a result of the tie-up of the Goldfield & Tonopah and Goldfield & Butte railroads, the old stage line which connected this camp with Tonopah before the advent of the road, has been re-established, and automobile service has been put in effect between Goldfield and Mina on the north and Beatty on the south. The auto from Mina, which is the terminus of the Tonopah & Goldfield on the north, is \$25, and to Beatty, where the Clark road is reached, \$20 is charged.

The striking trainmen are in conference with Manager Brock and Superintendent Heddon of the railroad, and an effort is being made to adjust the differences. Heddon has been indifferent in the matter, and residents of Goldfield are indignant. The chamber of commerce has taken the matter up with the railroad officials and also with the railroad commission and Governor Sparks.

Food Supplies Short.

The company that Goldfield has but

RUICK'S HEAD TO FALL VERY SOON

Occupant of the White House
Expected to Wield the Ax
as Soon as Possible.

BORAH WILL DO SELECTING
OUTCOME OF LAND FRAUD TRIAL
AT BOISE.

(Special to The Herald.)
Washington, D. C., Oct. 3.—The acquittal of Senator Borah probably foreshadows the removal from office of District Attorney Ruick of Idaho, who, notwithstanding the findings of the recent grand jury, is generally supposed to be largely responsible for the indictment of Idaho's new senator, Attorney General Bonaparte. It is not going to immediately investigate Ruick's connection with Borah's indictment, though such an investigation will unquestionably have to be made in the near future.

Roosevelt Against Ruick.

It is quite probable, however, that the initial steps against Ruick will come from the White House, rather than from the department of justice. Today the attorney general would not discuss the matter, but it was stated by an official of the department very close to Bonaparte that no action could properly be taken until the attorney general received a full report, both on the Borah trial and on the action of the grand jury that recently investigated the affidavits of three former grand jury men, accusing Ruick with coercing Borah into signing Borah's indictment. Furthermore, it is intimated that unless there is outside pressure brought to bear, the department of justice will not consider Ruick's case until the two indicted grand jury men have been brought to trial.

Over Bonaparte's Head.

It is quite evident that the department will seek to delay any effort to force Ruick out of office, but in that event the matter may be taken over the head of the attorney general. It is not known here whether Borah or his friends will urge the removal of Ruick, but it is known that Borah has strong friends close to the administration. Borah's friends can show that his indictment was due to the personal or political enmity of Ruick, there is not the slightest doubt that Ruick will be removed. In the event of Ruick's removal it is probable his successor will be selected by Senator Borah. Heyburn is expected to fight for Ruick's retention.

President of Illinois Central Will Address the Deep Waterway Convention.

Chicago, Oct. 3.—The management of the Illinois Central railroad decided to throw its influence in favor of deep waterway from the great lakes to the gulf. This became apparent yesterday when J. M. Harahan, president of the road, stated that he would go to the deep waterway convention to be held in Memphis on Friday of this week, and would there make an address strongly favoring the project.

In the past the general opinion among railway managements has been that deep waterways injure the railroads by keeping freight rates down. The attitude of the Illinois Central management with respect to the canal, with its view of success, is that it will develop the south rapidly, and in the development of the south, increased tonnage will be made for the Illinois Central and the Mississippi valley lines.

"It is a mistaken idea that the Illinois Central is in any way injured by the navigable waterway from the great lakes to the gulf, despite the fact that we parallel the canal," said Mr. Harahan.

"The railroads have been utterly unable to handle the tremendous traffic which has been pouring into the city in the past few years. In my judgment they will be unable to handle all the traffic for many years to come, so that the canal, if it is built, will not hurt them. In general, it will be a benefit to them. The deep waterway, whatever tends to develop a country or a section of a country, increases the value of a railroad project."

MOTHER'S CARELESSNESS CAUSED DEATH OF CHILD

Monmouth, Ill., Oct. 3.—An inquest today on the body of the four-year-old son of Mrs. Jane Hathaway of Okawville, Ill., reported to have been burned to death by a tramp, disclosed the fact that the child met death by an accident. The testimony tended to show that the mother had left the child alone in the house, and the burning of her child to shield her own carelessness. A negro, arrested, has been released.

CYCLONE IN OKLAHOMA.

Oklahoma City, Okla., Oct. 3.—A message from Elk City says a cyclone struck the small village of Poncha, near Elk City, last night. The postoffice is reported destroyed and nearly every house in the village wrecked. No persons are reported injured. Details cannot be obtained, as wires are down.

Poncha is a village of about 200 inhabitants in Roger Mills county, close to the Texas line. It is off the railroad.



"Get Thee Behind Me."

STRANGLER ON THE SCAFFOLD

Four Italians Hanged for the
Murder of a Countryman
Whom They Robbed.

Lancaster, Pa., Oct. 3.—Four Italians, Antonio Deloso, Steven Carull, Silverio Boddell and Joseph Cellone, were hanged here today for the murder of Plato Albamaze, on the night of August 30, 1906. The quartette entered a shanty near Gap, Pa., occupied by fifteen Italian laborers, who were asleep. One of the four was stationed as a guard at the door, while the others awakened the sleeping inmates and stole their money and watches. The amount secured was small. Albamaze, in defending his money, was shot and stabbed more than twenty times.

After the trial and conviction, two of them made a statement by which they endeavored to save the lives of the other two. The Italian consul at New York saw to it that the defense of the four men was properly conducted on one time, in the yard of the county jail here. The four men were marched to the scaffold in a body, each supported by a priest. They presented a firm front, except Carull, who wavered several times but braced up on the scaffold. All died from strangulation.

On the scaffold, Deloso, whose right name is De Lorenzo, made a statement in which he confessed to the crime. He denied that they went into the shack to commit a robbery and said Albamaze attacked him first. He said he was shot in the back by Albamaze, and that he called for assistance and that Cellone responded and also in self-defense stabbed Albamaze a number of times.

EVIDENTLY SOME FEAR OF CONFLICT

New York, Oct. 3.—A letter from the Tokio chamber of commerce appealing to the New York chamber of commerce to do all in its power to prevent a breach in the relations between the United States and Japan, over the San Francisco incident, and the reply of the New York organization expressing confidence "that wholesome public sentiment will assert itself in the locality where these incidents occurred," were made public at today's meeting of the New York chamber. The letter from Tokio was signed not only by the Tokio chamber, but also by the presidents of four other Japanese chambers of commerce.

EDITOR GUILTY OF LABELING JEROME

White Plains, N. Y., Oct. 3.—Frank E. Xavier, editor of the Yonkers Herald, was found guilty by a jury today of criminal libel against District Attorney W. T. Jerome. Mr. Xavier was accused of publishing in his paper that Mr. Jerome had an agreement with insurance interests by which they were to support him for governor if certain insurance men were not indicted.

TRIAL OF MRS. BRADLEY SET FOR NOV. 11

(Special to The Herald.)
Washington, D. C., Oct. 3.—Justice Stafford in criminal court No. 1 today definitely fixed Nov. 11 next for commencement of the trial of Mrs. Anna M. Bradley, under indictment for the murder of her husband, Senator Arthur W. Brown of Utah, last December. Attorney George P. Hoover of counsel for the defense, explained to the court that the date was satisfactory to the defense.

JAIL INSTEAD OF MEDAL.

Wichita, Kan., Oct. 3.—That Harry Huber and S. V. Barrett, young men from this city, put dynamite on the Santa Fe railroad track four miles north of this city, August 19, to win a Carnegie medal and a reward from the railroad company, was the testimony of Barrett in his trial today. They flagged the train and reported to the conductor that they had found dynamite on the track. Their arrest followed an investigation. The trial is still in progress.

PISTOL DUEL IN NEVADA SALOON

Four Men Shot, One of Whom
Will Die—Stranger Wanted
to Sit in Poker Game.

(Special to The Herald.)
Goldfield, Nev., Oct. 3.—James Hibbs was shot in the jaw and abdomen, and David Wright and Erwin Stoyer were shot in the leg by Harry Wiseman at Lida yesterday afternoon, and Wiseman was shot in the mouth by William Seaman. Hibbs will die, but Wiseman had recovered to such an extent when the stage left there this morning that he was able to sit up and smoke a cigarette.

Wiseman, who is a saloonkeeper, entered Seaman's resort and asked to be permitted to sit in a poker game which the four men were playing. Seaman objected, and he left the place, returning shortly afterward with an automatic gun in his hand. As he stepped into the house he drew the gun, and said: "I guess this will let me in the game."

"Not much," said Seaman, who arose from the table with his artillery unlimbered. Wiseman immediately commenced to shoot, and succeeded in hitting everybody but Seaman, the man he was after. When Wiseman's gun was emptied Seaman took careful aim and fired one shot. Wiseman fell to the floor with the blood pouring from his mouth, and Seaman turned to assist his wounded customers. Dr. Allen examined the men and had Wright and Stoyer sent to the hospital here, after setting Wright's leg, which was shattered by the bullet. The two men arrived at a late hour last night and are resting comfortably. Seaman is under arrest.

LATEST STATEHOOD PLAN

Roosevelt Will Use His Influence to
Help New Mexico Join
Sisterhood.

Alamo, N. M., Oct. 3.—Governor Curry of New Mexico, who spent last night on the boat with President Roosevelt, said today: "The president authorized me to say that in the event of New Mexico alone and will do all he can to secure the passage of a single statehood bill."

The governor added that the bill will be introduced and crowded at the next session of congress.

"LITTLE BLACK BOOK."

Federal Grand Jury Delving Into Secrets of Lumber Trust.

Minneapolis, Minn., Oct. 3.—The federal grand jury today resumed the investigation of the "Little Black Book," which catalogue houses dealing in lumber and manufactured articles all over the world, in an effort to ruin the small order business. It is now known that there was a secret meeting of lumber dealers in Minneapolis last winter and later a similar meeting of about sixty lumbermen in Chicago. The book was published here after the Chicago meeting.

PUBLIC LANDS RESTORED.

(Special to The Herald.)
Washington, D. C., Oct. 2.—There has been restored to the public domain 48,230 acres of land heretofore withdrawn from use in connection with the Bear Lake irrigation project in Idaho. The area restored is in the southeastern portion of the state in the Blackfoot district.

CASE OF SUICIDE.

New Orleans, La., Oct. 2.—The body of Clark Steen, secretary of the New Orleans port commission, who disappeared several days ago, was found floating in Lake Pontchartrain today. A message found in the skirt indicates that Steen committed suicide.

FISH GETTING SOME SUPPORT

Hartford, Conn., Stockholders
of Illinois Central Join in
Fight on Harriman.

Hartford, Conn., Oct. 3.—At the meeting of the local stockholders of the Illinois Central railroad held here today, it was unanimously voted to have all of the proxies of the stockholders present turned over to Charles M. Beach of this city, who is a director of the Illinois Central, and a supporter of Stuyvesant Fish in the fight with the Harriman interests. Those who had sent their proxies to Mr. Harriman will cancel them.

The stockholders represented over 8,000 shares. The meeting was overwhelmingly anti-Harriman, and besides voting on the disposition of proxies, adopted resolutions setting forth:

"Whereas, The present controversy in the management of the Illinois Central is a possible threat to the knowledge of the stockholders the fact that the board of directors has delegated their powers in intervals of sessions to an executive committee of their number, which in turn has conferred the same absolute powers upon a grave chairman, which we believe to be a violation of the interests of the corporation and of its stockholders; and

"Whereas, The facts have become known that by this concentration of authority the officers have been able to make large loans to themselves, on such terms as they see fit, and are the sole judges; and as it is also evident that under this present system it is possible for the individual delegates with these powers to make in his own interests this railroad and its business subordinate and contributory to the interests of a few individuals, and therefore we, the stockholders of the Illinois Central, protest against the manner and hazardous practice and we request the board of directors to take such action as will prevent these evils in the future."

E. M. Young of New York, a representative of Harriman interests, was in the building, but did not attend the meeting.

NO EVIDENCE INTRODUCED

Tirey L. Ford Taking His Chances
With the Jury—Disagreement Probable.

San Francisco, Oct. 3.—Notwithstanding the Tirey L. Ford defense today subpoenaed Abraham Ruef as a witness, when the time came for the introduction of evidence in behalf of the general counsel of the United Railroads, the attorneys for the defense refused to offer any testimony, thus blocking any intent the prosecution may have had to make of Ruef a rebuttal witness; and both sides went to argument—the people without having adduced a particle of direct evidence connecting the accused with the commission of the crime charged, and the defense without having offered a sworn word in its own behalf.

Assistant District Attorney O'Gara made the opening speech for the prosecution. Following him Attorney A. A. Moore opened for the defense. Mr. Moore concluded in the morning, and will be followed by Earl Rogers, who will close for Ford. Assistant District Attorney Heney, in the afternoon, will close for the people. Judge Lawlor will charge the jury, and the case should be in the hands of the trial twelve by 6:30 o'clock.

A general belief prevails that the jury will fail to reach a verdict.

WRECK ON THE WABASH.

St. Louis, Oct. 2.—A head-on collision between a passenger and freight train on the Wabash road occurred today near Neely, Ill. Eight persons were slightly injured. Both engines were demolished. According to a statement made at the Wabash headquarters here, no one was seriously hurt. It was said the wreck resulted from negligence on the part of the freight crew in obeying orders.

REFUSES TO SEE REPENTANT WIFE

Fred H. Walker Repulses Her
Advances in Ogden Jail.

HYSTERICAL WITH GRIEF
MRS. WALKER DECLARES SHE
WILL STAND BY HUSBAND.

BY FRANCIS V. FITZ GERALD.
Ogden, Oct. 3.—Mrs. Fred C. Walker, around whom centers the development of the tragedy which resulted in the death of Dr. Earl S. Beers and the arrest of Fred C. Walker and Edward Lawrence on a charge of murder, arrived in Ogden this afternoon.

Immediately after leaving the train she entered a cab and visited her husband at the county jail. The husband, however, refused to see the wife, for the love of whom he is now facing a murder trial. His refusal so wrought upon the nerves of Mrs. Walker that she now is on the verge of nervous collapse.

All the love for her husband which Mrs. Walker seemed to have lost at the time of her affair with the doctor is now apparently returned. With tears streaming down her cheeks, she sobbed that she would stand by her husband, come what may. With hysterical fervor, she reiterated her affection for him and denied that she has been so intimidated that her attitude had been otherwise.

A Nervous Wreck.

The terrible strain of the affair, the anguish and the worry have made of Mrs. Walker a nervous wreck. She refers to the tragedy with sobbing and bursting into tears. For her folly, which is said to have caused the terrible event in her life of the past few weeks, Mrs. Walker is now thoroughly repentant. She is a pretty woman, though her face shows the lines of suffering which she has undergone.

In the tear-stained countenance of the woman, whose love has caused the death of one man and imperiled the lives of two others, there is no suggestion of a coquette. In repose, it is the calm, serious face of a good woman and a mother. She is the last person one would expect to provoke a bloody tragedy.

When she arrived at the jail, Mrs. Walker asked that she might be allowed to see her husband. The jailer informed Mr. Walker that she had asked to see him.

"I don't care to see her at present," was the only reply that Mr. Walker sent to her.

He asked, however, that Mr. Lawrence carry the message to her. Lawrence was released from his cell and went to the office of the jailer, where he met the wife of his fellow prisoner. When he gave her the message, her grief was pitiable. For several moments she sat with her head buried in her hands, swaying to and fro with emotion. After a time she was asked: "Do you intend to stand by your husband?"

"Why, certainly, of course I do. What made you think I would not? What could have given you that impression?" she almost shrieked.

She denied she had said anything in Los Angeles that could be interpreted as a confession of guilt. She denied the authenticity of the interviews purporting to have been had with her in that city, and said that everything that had been published concerning her connection with the case was false. While talking she became almost hysterical.

Confers With Husband.

Since the tragedy Mrs. Walker has been in the verge of dementia. She mistrusts all her former friends. She declared and then denied that she had said that her husband's attorney had intercepted communications between her and her husband.

Later in the day Attorney Hutchinson of Salt Lake, counsel for F. C. Walker, came to Ogden and conferred with the prisoner. No arrangements for a meeting between Mr. and Mrs. Walker were made.

The attitude of Walker toward his wife, as shown today, indicates that there are but small prospects of a reconciliation between the two.

Mrs. Walker spent this evening at the home of Mrs. W. G. Gaston of 268 Adams avenue, who has been her friend for years.

Moves to Reed Hotel.

As to what testimony, if any, she may give at the trial of her husband, Mrs. Walker would say nothing, other than repeating that she was with her husband whatever may befall him.

KIDS WILL OWN THE FAIR WAY

Schools Close and Officials Fix
Admission for Children
at One Dime.

BIG CROWD ON THURSDAY
RACES AND OTHER ATTRACTIONS MOVE SMOOTHLY.

Weather—Fair and warmer.
Utah county day and school day.
School chorus contest, 10 a. m.
Balloons, 11 a. m.
Horse races, 2 p. m.
Landauer troupe exhibition, 3:30 p. m.
Adgie, Lion Tamer, 3 p. m.
Fireworks, 7:30 p. m.
Adgie, Lion Tamer, 11 p. m.
Landauer troupe exhibition, 11:30 p. m.
Music.

Today is school day and Utah county day at the state fair.

It's the day that every kid in town is doubly welcome at the grounds. The schools are to be closed all day and from the seniors in the high school to the kindergarten youngsters, the rising generation will attend the exposition.

The admission to everyone who can claim title to being one of the "kids" or a public school child is to be held at the management of the fair has asked that as far as possible all children arrive at the fair grounds entrance with their recent place ready, to avoid the necessity of the ticket sellers making change.

The weather man has promised a splendid day with a rising temperature. Then the fair officials have arranged for special exhibitions of the free attractions at the fair during the afternoon and have decided that the balloon race shall take place at 4 o'clock instead of 5:30 in the afternoon. At 10 o'clock this morning a grand school chorus contest is to be held at the fair grounds, to be participated in by all the schools in the city. Big and little parties have been arranged for today.

As the Utah county day as well as yesterday's mark, or better, Conference may hold the day grows so fast, but night should bring the visitors to the grounds by the thousands. Altogether the officials look for a record breaking crowd. The races to be run are particularly exciting and the features of the day are among the best of the week.

Another Big Attendance.

Yesterday's throngs ran the attendance mark for the day to nearly 19,000. Weber county claimed it as her own and sent thousands of people to swell the crowd. There were more conference people present than on any other day this week, and it means that the fair was more thoroughly enjoyed yesterday than on any other previous day.

The program for the day was carried out in excellent shape, with the exception of the expected appearance of the Ogden Tabernacle choir, which failed, to materialize.

The races were good and the crowd that watched them broke all records for grand stand crowds at the fair for this and all previous years.

The fireworks in the evening went off without a hitch and the grand stand was packed to capacity. The fair was reported to mar the evening. The gang of pickpockets that has operated all week at the fair in spite of the efforts of the police, is still at work and made a good clean up yesterday. Numerous cases of theft were reported, but the police are unable to make any arrests.

Knockers Are Answered.

It was reported that there was some dissatisfaction among the manufacturers' concerns exhibiting in the merchants' building because of the prize for the most artistic exhibit and the prize for the most artistic exhibit and the prize for the most artistic exhibit.

The judges of that department having sold Mr. Seelye some of the prizes, particularly the prize for the most artistic exhibit, and the judges of that department having sold Mr. Seelye some of the prizes, particularly the prize for the most artistic exhibit, and the judges of that department having sold Mr. Seelye some of the prizes, particularly the prize for the most artistic exhibit.

VALUE OF SPRAYING

Illustrated by Display of Fruits From Experiment Station.

One of the most valuable exhibits in the horticultural pavilion, from a fruit grower's viewpoint, is the display of fruit shown from the Utah experiment station by William E. D. Barr, director, illustrating the value and importance of orchard spraying and of spraying at the right time, in the right way and with the right material. The display was a station took charge of an orchard which was badly infested with the codling moth. For the first time in four years the trees were sprayed twice, but this year but one application was made. The result ought to convince the most skeptical of the possibility of the codling moth growing in the apple worm. The product of one tree was shown at the fair. Of the total number of apples grown, 3,000, but 13 specimens were worm-eaten. The remaining apples were free from worms and as sound as a dollar, without blemish of any kind. Only one of 1 per cent of the entire crop of apples was worm-eaten. This is getting pretty nearly to pioneer conditions, before the threat of the apple worm, when all the fruit in the state was free from insects and diseases. "Keeping everlastingly at it" is the price of success in fruit growing, and it is gratifying to know, a fact which many doubted, that insects and diseases can be kept under control and that the fruit grower's profits are not sacrificed. Barr's demonstration is an invaluable one and is fully appreciated by every progressive fruit grower.

The experiment station also exhibited

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GOVERNMENT MAKING INQUIRY INTO REBATE CHARGES AT SAN FRANCISCO

San Francisco, Oct. 3.—John H. Marble, one of the attorneys representing the federal government in the investigation being conducted in this city by Interstate Commerce Commissioner Franklin K. Lane, into the subject of secret railroad rebates and other abuses, said today that the officials have sufficient evidence to convict officials of the Southern Pacific Railroad company of such violations in at least fifty cases. It is understood the matter will be referred to the Washington authorities very shortly and that United States District Attorney Devlin will be asked to present the facts to the federal grand jury.

Mr. Marble called attention today to testimony of J. G. Stubbs, assistant freight agent of the Southern Pacific, who showed the discrimination and rebates in favor of the larger shippers.

"When it comes to favoring the larger shippers and discriminating against the smaller shipper, conditions are worse in California than anywhere else in the United States," said Mr. Marble. "I do not see how it is possible for the smaller concerns to exist at all under the circumstances."