Railroad Commissioners Are Working Out Uniform Basis of Rates.

SHOULD DEFINE AUTHORITY

Convention Appoints Committee to Urge Action by Congress Armed to Remove Friction -- Uniform System of Accounts.

BY CLYDE B. AITCHISON, RAILROAD COMMISSIONER FOR OREGON. COMMISSIONER FOR OREGON.

WASHINGTON. Oct. 11. — Special Correspondence.)—As early as 1859, the Railroad Commissioners of the several states met for conference with the then recently created Interstate Commerce Commission, and the National Association of Railway Commissioners was formed. It now into the teach of the commerce of the commissioners was formed. missioners was formed.

cludes in its membership the members and officers of the Interstate Commerce Commission and of the forty state Commissioners, and representatives of the associations of railway and street and interurban railway ac-countants. The nineteenth annual con-vention of the association has just closed its four days' session held at

closed its four days session held at the office of the Interstate Commerce Commission in Washington.

The dual form of our government, it has been recognized from the be-ginnings of railway regulation, has made imperative co-operation and harmony between National and state ad-ministrative bodies. Each annual convention of the association has empha-sized the necessity for a good understanding and common purposes and methods, both between state and Federal authorities, and between the state dissions themselves. For many years efforts have been made to bring about this concededly desirable har-Notwithstanding the failure of Congress to extend the powers of the Interstate Commerce Commission or to carry out the association's recommendations for many years, the states and their commissions have done much to-ward securing uniformity in principles of regulation and administration.

Need of Harmony Great.

This was the first convention held since the passage of the Hepburn bill. which so largely increased the powers of the Interstate Commerce Commission. Inasmuch as for many years the association had consistently urged the widening of the jurisdiction of the Federal commission, there was naturally a spirit of mutual congratulation as after a victory won. The state Commissioners, however, realize fully that new conditions have arisen which require tact and a nice sense of respect for the jurisdiction of the Interstate Commerce Commission if confusion and conflict in authority is to be avoided. For many years past the Interstate Commerce Commission has been denied the rate-making power it had at first assumed it possessed, and there had been but little opportunity for conflict assumed it possessed, and there had been but little opportunity for conflict between it and the "strong" or rate-making state commissions. The only result of any lack of harmony was friction with the railroad, which chafed under a diversity of regulations. At the present time, rate-making or rate-reviewing powers are exercised by both the Federal commission and the great majority of the state commissions will be the more easily slons. Congress, vested with the sole power to regulate commerce between power to regulate commerce between the states, has acted, and the states and their commissions cannot, if they would, affect or interfere with the ex-ercise of the rate-making power over Interstate transportation delegated to the Interstate Commerce Commission. Mr. Knapp, chairman of that commis-sion, stated it very plainty; "Under existing conditions and un-

der our form of government with its dual sovereignty there is every opportunity at present not simply for con-flicting views, but for a difference of effort and influence, which in time may involve a very harmful antagonism."

Nearly All States Represented.

Certain things were very clearly apparent at the convention. The universality of state regulation surprised even those who had supposed themselves well informed as to present legislation. The formed as to present legislation. The commissioners evinced a great estressiness and sectousness. All except six states were included in the roll call of commissions; every other state has a commission with greater or less regulative power. Seven commissions (Colorado, Montana, Nebraska, Nevada, New Jarsey, Naw York and Oresson) have Jersey, New York and Oregon) have been created so recently that they have not yet made an annual report. In nearly every state the commission's powers have been increased, or its authority strengthened during the past blennial period. As belitted the gravity of the subjects considered, the utmost decorum marked the sessions of the convention. Full at-

tendance, close attention and intelligent discussion were the rule. There was no social side to the gathering—it was strictly a meeting of thoroughly interested experts to discuss complex and highly technical mobilems in abundance.

The desire for a more clear definition of state and federal authority, and for a of state and federal authority, and for a more general concert of action, while each confined the exercise of its powers to its own legitimate functions may be said to have been the keynote of the meeting. It was clearly recognized that conflict between the states and the federal government must be minimized or, if possible, entirely avoided. To put this principle to practical application, a strong committee of eleven was appointed, fairly representing all sections, to consider tuity what uniformity of legislation is desired or required, and was instructed to meet or required and was instructed to meet with committees of Congress and the various state legislatures to urge proper

Considerable progress has already been made in the matter of uniform accounts. Practically every state now requires railroads to report in a form similar to that prescribed by the Interstate Commerce Commission. This insures, as was said by Judge Cooley, that "when we use the same terms in sathering statistics... we are using them in the same sense, so that they should represent actual facts, be reliable, and therefore have value." Under the recent Hepburn Act, the Interstate Commerce Commission now prescribes and enforces uniformity of railway accounting, and before another

ever, no satisfactory or uniform plan of apportioning railway expenses and earnings to the states through which a given road runs has ever been put into operation. If we consider that without a proper assignment to a state of (1) its local, intra-state earnings, (2) its just proportion of interstate earnings and (3) its proper proportion of expenses, we lack an easential element in rate-making as well as a controlling factor in taxation, we can easily see the reason state authorities and the railways are alike desirous that the fairest mode of making such apportionment should be devised and applied. The states now use whatever rule for division happens to suit their authorities, and sometimes startling results follow. It is said that when one transcontinental road divided its earnings and expenses among the states the road traversed, the sums apportioned aggregated about 125 per cent of the earnings and expenses as a whole. Mileage is the usual basis for apportionment now prescribed. The earnings and expenses wholly within the state are customarily ascertained, and then a proportion of interstate earnings and of expenses not capable of being localized is assigned to the state on some such basis as main interstate earnings and of expenses not capable of being localized is assigned to the state on some such basis as main track mileage, or revenue-train or engine mileage. This mode of division is now generally conceded to be unjust, both to the states and the carriers interested, as not considering the character of the traffic, or traffic density, local conditions affecting cost of operation, or differences in value occasioned by construction or expensive terminals. expensive terminals.

Oregon as an Illustration.

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A concrete illustration will be furnished by the Portland & Seattle Railway when completed—not to mention existing lines in our state. Expensive terminals and bridges in Oregon will constitute a considerable share of the cost of the entire line in Oregon and Washington, and yet the mileage in Oregon, on any basis, will be a very inconsiderable amount. Computed according to mileage, the earnings in Oregon would be practically nothing, while the state would be charged with the whole expense of operating and maintaining terminals used for the benefit of the whole system, and the road would report it was losing money on its Oregon business. By any present method of division, Oregon's proportion of earnings of such a road would be too small, and the state's proportion of expenses would be out of all reason too large.

Plans for Uniform Accounts.

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The statistical committee, acting with the Railway Accountants' Association and the interstate Commerce Commission, is to thresh out a fairer plan of apportionment to be put into effect July 1 next, when the railronds open their books for the next fiscal year. Several plans are under consideration. Perhaps the plan devised may apply the principle of "constructive mileage," which makes an arbitrary allowance of addiple of "constructive mileage," which makes an arbitrary allowance of additional and fictitious mileage to equalize construction and operating differences and variations in the nature of traffic or its density. When such constructive mileage is added to actual mileage, the mileage is added to actual mileage, the apportionment of earnings will be made on a traffic mileage basis. Professor Meyers, statistician to the New York Public Utilities Commission, contemplates a division of each particular item of interstate earnings among the states in the ratio that the local rates in each state over its part of the route of shipment bears to the sum of the locals—the "rate pro rate" method. A third plan, suggested by the Washinston Commission, contemplates the ascertainment of the value of the railway property by systems and the division of such value, for rate-making purposes, into its intersystems and the division of such value, for rate-making purposes, into its interstate and intrastate uses. This plan, it is maintained, makes the division of earnings of small moment. But, as the Washington method presupposes a physical valuntion of the road and but few states have procured such an estimate, it is obvious the plan cannot be applied generally in the pear future.

Each plan, says Mr. Sturgis, of the Burlington system, has its strong features, and each has its wenknesses. A more complex problem, in its economic.

complex problem, in its economic

MONTGOMERY - STREET LOCA-TION AGREED UPON.

Special Council Committee Settles Long Controversy, Unless New Objections Develop.

Portland's new garbage crematory, over which there has been so much controversy, extending through mcn, months, will probably stand on the block bounded by Montgomery, Harrison, Front and Water streets. At least there is every indication that this location will be recommended by the special committee now considering the problem. As the Council appointed this committee ex-Council appointed this committee ex-pressly to select a West Side location, it is likely the decision will be accepted, un-less objections come to light that have not yet been advanced. It is not certain that this location will

he chosen by the committee, but it has met with greater favor than any other offer made. A 50-foot strip extending from Front to Water on Montgomery has been offered to the city for \$20,000 by Herbert & Hall, and it is understood that the two lots adjoining can be bought for about the same amount. Supering social side to the gathering—it was strictly a meeting of thoroughly interested experts to discuss complex and highly technical problems in a businesslike manner. A number of car service associations sent representatives, who were accorded a hearing.

Devise Uniform State Laws.

The desire for a more clear defaults.

The desire for a more clear defaults.

when some decision will probably be reached.

The Montgomery-street site is said to lie advantageously for the purpose of the city. It is more central than the location near the City Barn, that has been suggested, and is in a neighborhood devoted chiefly to manufacturing. One objection is that a five-story hotel is under construction not for from the site, but the committee feels that no location can be found that will please everyone.

be found that will please everyone. Foresters Will Hear Opera.

Next Friday night the Foresters of America will attend the performance of "Robin Hood" at the Marquam in a body. The order of Foresters is founded upon The order of Foresters is founded upon the principles of good fellowship and mutual help, which are supposed to have prevailed in Sherwood Forest, the scene of Robin Hood's adventures, and the local organization feels that it would be most appropriate for them to attend the performance given by the Californians, Members may secure tickets from the grand secretary.

Names Plumbing Inspectors.

George B. Otterstedt and Robert Simpson have been appointed by Mayor Lane as deputies to Plumbing Inspector Hay. Simpson has been holding a temnow prescribes and enforces uniformity of railway accounting, and before another facal year commences, a uniform system of sub-accounts by state lines will be promulgated by that commission with the full concurrence of the railways and the states. State statistics will then be fair, and will mean the same in each state.

Until this new plan is worked out, how-

The Government Acts in Idaho Land Frauds.

THESE ARE LAST CASES

Defendants Are Charged With Inducing Entrymen to Take Up Land and Turn It Over to Lewiston National Bank Crowd.

LEWISTON, Idaho, Oct. 16 .- (Special.)-By an action filed with the County Auditor of Nez Perce County this morning, the Government, through Miles S. Johnson, began suit to cancel patents to 10,000 acres of valuable white pine timber which was held by Kester, Kettenbach, Dwyer and Robnett, alleged to have been obtained through fraud.

This is the final chapter of the fa-mous north Idaho land-fraud cases, in which the Lewiston National Bank crowd were found guilty and sentenced, some of them to the penitentiary and some to jail. If they had gotten away with this land they would have been hundreds of thousands of dollars ahead. In the action filed today the ahead. In the action filed today the defendants are George H. Kester. Will-lam Dwyer, C. W. Robnett and W. F. Kettenbach. F. W. Kettenbach, an uncie of those found guilty, and who was made 'president of the Lewiston National Bank, is also made a defendant to this action today. The Govant to this action today. The Government believes the reorganization of the bank was not in good faith. They are charged with inducing entrymen to take up land for purposes of turning it over to the bank crowd.

The entrymen named in the com-plaint whose patents the Government plaint whose patents the Government will seek to cancel are: Carrie D. Harris. William R. Benton, Joel H. Benton, Henderson F. Dizney, Harry S. Palmer, George W. Harrington, Robert N. Wright, Maud N. Wright, Van R. Robertson, John W. Killingser, John E. Nelson, Soren Hanson, John H. Little, Ellsworth N. Harrington, Wren Pierce, Benjamin P. Bashar, Amos C. Evans, Pearl Washburn, Lon E. Bishop, Joseph B. Clute, Frederick W. Nowman, Francis M. Ling, John H. Long, Benjamin F. Long, Charles Dent, Charles Smith, George Morrison, Edward M. Hyde, Bertzel H. Ferris and George Ray Morrison.

BATONYI IS A HARD PUZZLE

Seattle Society Is Asking What to Do About Him.

SEATTLE, Wash., Oct. 16.—(Special.)
—Whether or not Orel Batonyl, whose matrimonial troubles have made him world famous, and who is in Seattle for the purpose of acting as judge at the second annual horse show, which opened today, is a fit object of social attentions, is a question which is agitating the minds of the 400 of the city. So far no invitations have been extended the man whose rich wife left him at the behest of her father, and it is not certain that he would accept them if they were tendered.

them If they were tendered.

Batonyi has placidly declined to discuss his private affairs, declaring that he came here solely as a horseman and

Daughter, Testifies.

DECATUR, Ill., Oct. 16 .- The defense in the Magill trial today introduced in evidence the letters alleged to have been written by Mrs. Pet Magili before her death. These letters picture the woman as driven to suicide by the continual "nagging" of Magili's relatives and by "awful headaches" which she believed to

be incurable.

In one of the letters she urges the marriage of her husband to Fay Graham, and adjures her daughter not to suffer her mind to be polsoned by any gossip she may hear. The state charges that these letters are forgeries and that they were written with a view of diverting suspicion. Many witnesses were called during the day to testify as to the genuineness of the handwriting. Among these were Marguerite Magill, daughter these were Marguerite Magill, daughter of the dead woman, "These letters were written by my

mother." said Marguerite, "On the day preceding my mother's death she told me that she wanted to write and I got her some stationery. She wrote a letter and placed it in a large envelope. Fay Gra-ham was present at the time. Indeed, she was often at the house, but she always came at the invitation of myself

or my mother."
The witness told of the walk she had taken with her parents through the cem-etery shortly before her mother's death. "How quiet and peaceful it is here," I

said.
"'Yes,' replied mother. 'I wish I was there,' and upon my father reproachin-I will be there sooner than you

Fred Magill and his wife will go on the stand in their defense tomorrow.

Take Advanced Ground.

RICHMOND, Vs., Oct. 16.—A declaration by the House of Deputies regarding the 'mpen pulpit,' a discussion of a change in the title page of the Prayer Book, involving a change in the constitution, the proposal of a joint committee "that the triennial of 1910 be held in Cincinnati," and a debate regarding the church in the tropics. Alaska and Arctic regions, were among the subjects that occupied today's ses-sion of the general convention of the

Protestant Episcopal Church.

PORTLAND. Or. Oct. 16.—(To the Edltor.)—In general reply to the many anxious
women among your readers throughout the
state who are working to secure the largest
initiative petition for a reforendum vote
on our equal suffrage amendment ever yet
obtained for any measure brought in this
way before the voters, will you kindly allow
me to state that the pending litigation which
seeks to prove that the Constitution itself is
unconstitutional has no bearing for or against
our petition work. In any event, the final
decision of the United States Supreme Court
will not be handed down till long after the
coming June election. So, send along the
names. ABIGAIL SCOTT DUNIWAY. ABIGAIL SCOTT DUNIWAY.

Juniors to Issue Bulletin.

UNIVERSITY OF OREGON, Eugene, Or., Oct. 16.-(Special.)-At a meeting of

the junior class yesterday it was decided to issue a bulletin this year, following out the precedent established by the classes of 1966-7 in this respect. This year the staff in charge of the publication will consist of a managing editor, a literary editor and a business manager.

Those elected to fill these offices are Charles Mack Snow, of Portland, managing editor; Jessie Hurley, of Portland, literary editor, and Harold C. Merryman, of Hillsboro, business manager.

AT THE HOTELS.

San Francisco, H. A. Dennis, J. Rogers, U. S. N.; R. Long, Oakland; Mrs. E. W. Holmes, Astoria.

The Oregon—Sol Shyman, Seattle; Geo. Dysari, D. L. McCarthur, Centralia; F. A. Rucker, Spokane; W. A. C. Rowse, Seattle; E. M. Kennard, city; J. Fember, San Francisco; Harry Dalton, Tampa; R. F. Raber, L. B. Menefee, Tacoma; S. C. Tevis, Morgan City, La.; H. H. Allen, F. W. Kellogg, F. W. Burgleboua, San Francisco; H. A. Jacobi, Tacoma; David Baird, Dr. Ian Grant, Seattle; N. Skinner, J. R. Cook, San Francisco; Gust Norton, Tacoma; W. C. Mitchell, C. J. McCain, Seattle; L. H. Butcher, San Francisco; Geo, Thatcher, New York, Etta E. George, Chicago; M. A. Conger, Grants Fasse, E. E. George, Seattle; L. H. Butcher, San Francisco; Geo, Thatcher, New York, Etta E. George, Chicago; M. A. Conger, Grants Fasse, E. E. George, Seattle; H. B. Holroyd, Washington; C. B. Bennett, Philadelphia; John McLelland, Chicago; D. M. Gillivray, Walla Walla; C. H. Coates, Spokane; Mr. and Mrs. H. C. Walker, Coburg; J. D. Atkins, Oakland; M. Laccy, E. Holmes, Hood River, Dr. C. C. Cleary, Welser, E. J. Barrett, Albanay; O. C. Jacoba, Seattle; Mrs. E. L. Stone, Veru Stome, Sodaville; Mrs. W. W. Parrich, Albanay; A. J. Taylor, Astoria; E. B. McDaniels, Baker City; Pierce Johnson, H. B. Beckett, Kansas City; Frank Maloney, Knoxville; G. W. Andrewa Seattle; D. M. Veness, Miss Marie Veness, Winlock; Mr. and Mre. W. B. Solton, etty; F. W. Burglehaus, Seattle; E. W. Hall, R. W. Jessep, Chicago; H. B. Hough, Phys. Rev. W. Porrieh, Albanay; A. J. Taylor, Astoria; E. B. McDaniels, Seattle; E. W. Hall, R. W. Jessep, Chicago; H. B. Beckett, Kansas City; Frank Maloney, Knoxville; G. W. Andrewa Seattle; D. M. Veness, Miss Marie Veness, Winlock; Mr. and Mre. W. B. Bolton, etty; F. W. Burglehaus, Seattle; E. W. B. Bolton, etty; F. W. Burglehaus, Seattle; E. W. Belley, E. L. Doane, Forcet Grove.

The Perkins—T. M. Burgin, H. G. Murphy, Portland, Or.; Wilson Rileks and Wife,

d. Mutrig. Bend: W. Sayle, St. Louis; B. L. Donne. Forest Grove.

The Perkins—T. M. Burgin. H. G. Murby, Portland, Or.; Wilson Ricks and wife, postane; M. Newby, Hood Rilver; T. C. Cagers and wife, Salem Or.; Victor Suberg. Astoria, Or.; G. W. Shelly, San Francisco; Albert A. Steel. Buffalo, N. Y.; H. Welakoff, Seattle, Wash.; W. C. Winsow, Salem, Or.; J. I. Jones, E. A. Romig. O. Jorsied, Seattle, E. Phillis, Edward E. Harkins, E. McCumus, Aberdeen, James H. Taylor, Pendiston; C. F. Haner, Arlington, N. B. Brooks, Goldendale; W. J. Manches, G. E. Flood, Washington, D. C.; John Leard, G. E. Manchester, Columbus, O.; Mrs. R. E. Flood, Washington, D. C.; John Leard Hendersh, Hood River; C. A. Fifield, Jones, Lewiston, Idaho; J. A. Harrison, Santile, Wash.; W. D. Higis and wife, Los Sugene, T. Smith and wife, Camas, Wash.; Ser Beitsen, Gray's River; George L. Honk, Ia Honk, South Bend; E. Barker, Anna Sarker, Boeting, H. P. Gardner, San Francisco; W. W. Duman, Detroit; T. J. Munkers, Selo; John Williams, North Yambillifes, W. M. Burger, Banks, L. C. McGaw, Dallas; J. W. Milne, Mrs. Mille Hillsboro, San Francisco; Mrs. F. H. Williams, Hood River; C. W. Rollins, St. Louls; Miss M. Penri Ward, The Dalles.

The Immedial David West and wife, I's.

River: C. W. Rollins, St. Louls; Miss M. Pearl Ward, The Dailes.

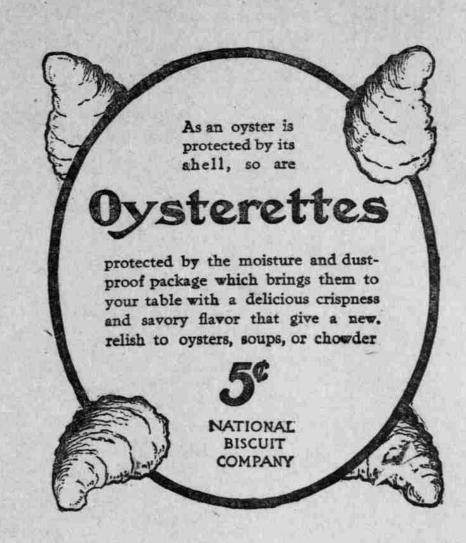
The Imperial—David West and wife, Pacifile Cadeau, Mrs. Cway, Cathiannet: Mrs. Cit. Servin Beilland, Astoria. C. H. Wheeler, Nehalem; E. E. Williams, Forest Grove, N. Eawkins Mrs. M. Hawkins Mrs. A. Carmichael liwaco; Mrs. O. G. Alen. Rt. Louis; John Adair, Warrenton: Jone C. Blair, Eoke: Jannette Brown, Jone C. Blair, Eoke. Jannette Brown, Jone C. Bean, Newark; Mrs. E. J. Sommer-Relice and daugher, Miss Clyde Whittle-more, Pendleton: Mrs. Hattis M. Wolfe, Linion; Tassey Stewart, Millon, C. P. Baiteb, Dufur: William Hartle and familit Cleveland, Mrs. R. Mainprite, San Francisco, M. Gatlin, Tucson: A. C. Evans, Hood River: F. M. Block and wife, Walls Walla, J. H. Allison, Dayton, Wash.; P. L. Cambbell, Eugenne: J. J. Leomard, Astoria; M. B. Moorez, Salem; W. J. Wright, Sectile; J. R. Shaw and wife, Mill City; Mrs. A. Higglinotham, Mrs. Dr. Robertson, Andy Reed, Millon, al. Burmeister, Tacoma; E. B. Jones, North Yakima; H. W. Christensen, Astoria; R. W. Lindley, J. W. Renfroe, Bucodn: Ike Rosenblatt, San Francisco; B. F. Matlock, R. A. Stuart; J. D. Ross, Seattle: Mes. C. K. Cochran, Moro; C. L. Parron, Butte; Charles T. Willison, city; Mrs. O. M. Abbey, Newport; Levi Geer, London Springs: Dan Tarpley, city; G. P. Allen, H. L. Hurd, C. H. Park, W. A. McChillough, A. B. Coman, E. J. Wigal, Harry Cronford, Forest Service; J. H. Ackerman, Salem; H. H. Potter, Cooks; R. B. Hunt, Eugene: W. H. Lewis and wife, Spokane; C. H. Bain and wife, New Port, Levi Geer, London Springs: Dan Tarpley, city; G. P. Allen, H. L. Hurd, C. H. Park, W. A. McChillough, A. B. Coman, E. J. Wigal, Harry Cronford, Forest Service; J. H. Ackerman, Salem; H. H. Potter, Cooks; R. B. Hunt, Eugene: W. H. Jakeshori, G. A. Bullock, P. A. Stanth, Monthal, Mrs. W. E. Helms, Independence: E. F. Heath, Grass Valley, P. W. Knalles, J. R. Polling

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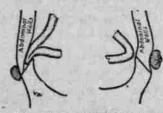
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The sale we need to boost will be the one in the Couch Building. Our sales here are averaging about one thousand dollars per day. At this rate it would take one hundred and sixty working days to sell the stock. Whereas we only have the store for eighty days. We must double our sales; profits will cut no figure; all we want is to get our money out even

We will pay \$50.00 in gold for the best idea on how we can advertise this sale so we can sell this Clothing between now and January 1st.

Answers must be in on or before Monday, October 21. The result will be announced in the daily papers on Tuesday.

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