

RESTORATION OF ARBITRARY ASKED

Albany Merchants' Counsel Is Presenting Contention for Railway Commission.

NEW RATE IS IN EFFECT

Former Charge of 10 Cents Added to Through Rate From East Is Said to Operate Against Portland Shippers.

Examiner Prouty, for the Interstate Commerce Commission, began yesterday the hearing of the suit to have the old 10-cent arbitrary rate between Portland and Albany and Corvallis restored by the Southern Pacific Company. This rate of 10 cents was added to the rate from the East to Portland for all transcontinental shipments. It went into effect in 1901. A new rate went into effect yesterday. The suit on trial before Examiner Prouty was brought in the name of the Oregon State Railroad Commission against the Southern Pacific Company. It is being presented, however, by H. H. Hewitt, chairman of a merchants' traffic association at Albany.

As soon as the case was opened Edward E. Cousin asked leave to intervene, saying that he represented 100 Willamette Valley merchants not represented by Mr. Hewitt. In the petition that these he made parties to the suit, Mr. Cousin asked also that their loss by reason of the changed rate be fixed by the Commission, and that they be indemnified.

Damage Issue Is Stopped.

Examiner Prouty allowed them to appear in the suit but he said that as nothing was said in the original complaint about damages, the intervenors might not now raise that question. Attorney J. N. Ford was also present representing, he said, manufacturing interests of Portland. The examiner allowed him to ask the witnesses such questions as he desired. He did nothing further than to bring out from one witness that the restoration of the 10-cent arbitrary would enable Eastern manufacturers and jobbers to ship into the Willamette Valley at lower rates than could the Portland shippers.

Under the old 10-cent arbitrary the Portland shippers had to pay the rate from the East to Portland, and add to that the local rate from Portland to valley points, while the Eastern jobbers had the same through rate to Portland, and could ship to valley points for only 10 cents additional.

H. S. Gilde, a wholesale grocer and dealer in dried fruits at Salem, Newberg and Roseburg, said that should the carload rates be abolished, he would have to go out of business as he said he could not compete with Portland wholesale merchants selling goods in the same territory. There were many things, however, which he handles in one-half carload lots, he said, among them candy, tobacco, hardware and woodware. He said that without the 10-cent arbitrary he had a disadvantage in shipping to points between Portland and Salem, because his shipments in coming from the East and being re-shipped, had to cover the ground twice, while the shipments made by the Portland wholesalers were shipped over the territory only once.

Steamers Driven Off.

Mr. Gilde said that since 1902 the rate from Portland to Salem by rail and by steamer had been the same on all freight. An unsuccessful suit made by Examiner Prouty to learn why independent steamers plying between Portland and up-river points were discontinued. Mr. Gilde knew that several independent boats discontinued from the transportation business about that time, but he could not give the exact dates, and did not know why they were taken off. He said that formerly the Southern Pacific solicited the business by the Sacramento gateway, and the Northern Pacific solicited it by way of Ogden, but that this competition had been abolished.

TERMINAL'S FINE REVERSED

North Bank Held Solely to Blame for Detaining Horses.

The case in which Judge Wolverson fined the Northern Pacific Terminal Company \$100 for alleged violation of the 24-hour law relating to the transportation of livestock was reversed by the United States Circuit Court of Appeals in San Francisco last Monday. The case was that in which a carload of horses arrived in the terminal yards over the North Bank Railroad bound for the stockyards. They had been on the train 24 hours. The terminal company was communicated with at once by the officials of the North Bank Railroad and within 15 minutes after the terminal company was notified the horses were being unloaded at the stockyards.

WOMAN FIGHTS INTRUDER

Vigorous Defense With Vinegar Bottle Leaves Identifying Scar.

A scalp-breaking blow with a vinegar bottle was all the defense that Mrs. J. S. Sayers, 30 Everett street, was able to get in before she was seized by Albert Walters, a night-prowler, and dragged the length of the street by her hair. Mrs. Sayers heard someone trying to open a window in her house, early yesterday morning, and went to the door to see

who the intruder was. As she opened the door, Walters blocked it with his foot, pushed himself into the room, seized Mrs. Sayers and struck her. Seizing a vinegar bottle from the table, she struck him over the head. He grasped her by the hair, dragged her across the street and fled. Her cries brought her husband, who helped her into the house and then went in search of the intruder.

In the meantime Patrolman Cameron saw a man's foot sticking out of a wagon and found Walters pretending to be asleep. The cut on his head aroused the officer's suspicion and he was about to take charge of the wagon when Walters came up and told of the assault upon his wife. Walters was taken to her home, where she identified him as the assailant. He was taken to the City Jail and will have a hearing today.

PAROLED PRISONER FALLS

Plea Made That Pilferer From Till Be Allowed to Go to Sea.

On the very eve of his being restored to complete liberty, James Hughes, a paroled prisoner, in a moment of infatuation, lapsed from virtue, after two years of exemplary conduct, said William G. McLaren, superintendent of the Portland Commons, pleading for the prisoner in Municipal Court, yesterday.

KLAMATH FALLS MAYOR OPPOSES PASSAGE OF LIGHT AND WATER FRANCHISES.

It is announced that the Council will pass these franchises over the Mayor's veto, and the Good Government League is going to protest against any such action. It has gone on record as opposed to the granting of franchises by the city for any purpose, and has passed a resolution offering to support Mayor for his veto, and has announced that in case the Council attempts to pass the franchises over the Mayor's veto, it will invoke the initiative and referendum to block the City Council.

terday morning, Hughes was arrested in connection with the rifling of the cash register in a restaurant, where he was a porter. McLaren told the court that Hughes was a marine fireman and that he had for two years worked at the Commons and been a model workman. The superintendent had entered application for the raising of his parole, in order that he might go to sea, when, in company with Thomas Henderson, a released convict from San Quentin, he became drunk and assisted in breaking open the cash register. McLaren pointed out that the present offense should not be allowed to act against Hughes gaining his freedom, as his crime was committed when he was drunk. His case and that of Henderson were taken under advisement until today.

GIRL WILL PRESS CHARGE

Benjamin Atherton to Be Prosecuted by Public Stenographer.

Though Benjamin F. Atherton was ready to stand trial in Municipal Court yesterday on a charge of larceny from Miss Lizette F. Harrison, and though Miss Harrison was present to press her charge, action was postponed until today, that Deputy District Attorney Fitzgerald may present the case for the state. Neatly garbed in black, Atherton came out of the boat after a night in jail, having been unable to furnish bail. Miss Harrison, who is a public stenographer and resides with the family of D. M. Watson, on Cornell road, said that she would press the charge against Atherton because she felt she owed that duty to the public and because she was convinced that the defendant had an unlawful purpose in withholding her money. She became acquainted with him while making her business headquarters at a prominent hotel where he had lodgings. He is a mystic of some sort, she said, but she denied that it was by occult means that he obtained her money. Atherton is at the head of a concern known as the Covenant Company. He formerly was manager of a firm of novelty manufacturers.

NOTICE.

Change in Schedule Between Portland and Oregon City.

Effective Wednesday, February 8, 1911, passenger trains leaving Portland, First and Alder streets: 4 A. M., 6:20 A. M., then every 30 minutes on the hour and 15 minutes past the hour, and including 9 P. M., then 10 P. M., 11:15 P. M. Last train 12 midnight. Leave Oregon City: 5:46 A. M., 6:26 A. M., 6:45 A. M., 7:30 A. M., 8:37 A. M., then every 20 minutes (7 minutes and 37 minutes past the hour) and including 9:37 P. M., then 10:07 P. M. Last train 11:47 P. M. PORTLAND RAILWAY & LIGHT & POWER COMPANY.

Backache, Rheumatism, Nervousness

Mean, disorderly neighbors, Foley Kidney Pills have helped your neighbors; they will also help you. Chas. S. Potter, Springfield, Ill., says: "I injured my kidneys some years ago, but lately the trouble has become very serious. I had a dull pain in my back that seemed to drag me down, my kidney action was irregular and I lost much sleep at night in consequence. I heard of Foley Kidney Pills and began taking them. Before I had taken one bottle I was greatly relieved and now I certainly feel like a different man. Thanks to Foley Kidney Pills am once more well, and I recommend them to every one suffering from kidney or bladder trouble." Sold by all druggists.

Girl's Aviation Story Contest Closes February 10th—\$100 in Prizes, First Prize \$30 in Cash Men's \$25.00 and \$28.00 Hand-Tailored Suits and Overcoats—Special for Today Only \$14.35



Great February Homefurnishing Sales Worthy Furniture Far Under-Value

NO similar homefurnishing event ever before held in Portland has brought such big, actual savings on dependable Furniture, Rugs and Carpets, Curtains, Draperies, and all the kindred lines. Unlike the many so-called "sales," planned at a moment's notice, these mighty events are the outcome of months of buying and purposeful preparation. The savings we made by going direct to mill and manufacturer and buying in enormous quantities are your savings. Don't let them pass unnoticed!

Kitchen Cabinets \$10.98

Royal oak finish, made exactly as shown in the cut. Fitted with bins, small labeled compartments and other conveniences. Sturdily built. Regular \$16.50 Kitchen Cabinets, this sale at **\$10.98**

\$12.50 Kitchen Cabinets, special \$9.74
\$16.00 Kitchen Cabinets, special \$10.49
\$14.50 Kitchen Cabinets, special \$9.79

\$6.50 Sanitary Couches at \$4.69

IMPROVED Sanitary Steel Couches in pattern as illustrated above. Made with strong springs and chilled steel frames. In daytime—with the aid of a pretty Couch Cover and a sofa cushion—may be used as window seats; at night, as beds. **Best \$6.50 Sanitary Couches, special at \$4.69**

Hinged Pads to fit Sanitary Couches, only **\$3.98**

Regular \$50.00 Combination Bookcases Special \$32.50

Fine Combination Bookcases, exactly like cut, nicely finished in mahogany. Regular \$50 Bookcases, February Homefurnish—**\$32.50** (regular price \$37.25)

\$25 Combination Bookcases, for \$17.25
\$31 Combination Bookcases, for \$21.60
\$45 Combination Bookcases, for \$30.75
\$60 Combination Bookcases, for \$34.98

February Sale Curtains and Draperies \$2 to \$2.25 Lace Curtains at \$1.35

A NOTHER rousing February Homefurnishing Sale special from our Drapery Section which should crowd the department all through the day! Big special lot of beautiful Lace Curtains, including 1200 pairs from the best lines in our stocks—Marie Antoinettes, pretty braided effects and a widely diversified choice of Scotch Lace Curtains. White and ecru, 40 to 50 inches wide and 2½ to 3 yards long. Best \$2 to \$2.25 Lace Curtains, sp 1, pair **\$1.35**

Cleanup of Women's \$25 to \$50 Pongee Suits Today Only \$14.95

JUST the opportunity which scores of women with between-season Suit needs are waiting to grasp!

Smart Pongee Coat Suits, made in plain tailored or fancy trimmed models; medium length Coats with close-fitting Skirts, braid and button-trimmed.

For this moderate price you can secure today an elegant \$25 to \$50 Suit which will splendidly meet style-demands for Spring wear. Your choice while the lot lasts, for only **\$14.95**



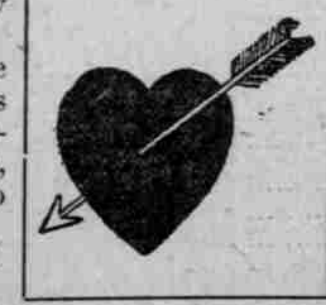
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Charming Wool Challies 50c

HUNDREDS of sewing machines are busy in the making up of these beautiful new Wool Challies into Spring waists and Dresses! What a range of charming, distinctly-new patterns and colors to choose from! Rings, dots, polkadots, hairline stripes, florals, in tans, blues, pink, red, lavender, white, black. Full 27 inches wide and the utmost of quality. At our low price of, yd. **50c** New R. & S. Silk-and-Wool Poplins, every shade. Special today, the yard **\$1.50** New Cheney Silk Foulard, 25 new patterns, now on sale, yard, **\$1 and \$1.25**

Prepared for Saint Valentine's?

THE Big Store offers more original and practical suggestions for the Valentine Party than even you would suppose! Among the countless pretty Valentines are heaps and heaps of small Valentine Place Cards—tiny red affairs with every possible appropriate design and verse, also white backgrounds, prettily tinted in a great variety of colors to harmonize with any desired color scheme. Priced each at 1c, 2c and 3c. Plain red hearts, 25 in a package, at 25c. Comic Valentines, in the city's largest assortment are here. Every possible comic character included in this comprehensive showing. Priced 1c to 10c. Valentine Booklets of rough and parchment paper with pretty cover designs. Appropriate verses within. They are priced at 10c to \$1.50.



Hear the Rose City Trio at the Great Pure Food Fair Today

BEGINNING at 2 o'clock this afternoon, the well-known Rose City Trio will entertain the crowds at our Great 6th Annual Pure Food Fair. The programme is made up of all the popular songs. Join the throngs at our Big Food Fair today. Only once each year do you get an opportunity for viewing this great exhibit of Pure Food Products. Also see the hundreds of model aeroplanes suspended in the rotunda. The judging of them takes place Saturday.

Big February Sale Reductions on Dependable Carpets and Rugs

SPACE for only the slightest hint of the reductions, but scores and scores of wanted Carpets and Rugs may be had at great savings. **\$1.35 Axminster Carpets, in handsome patterns, yard, 95c** **\$1.75 Brussels Carpets, tightly woven quality, yard \$1.35** **Carpet Remnants, from 3 to 11 yards long. Yd 50c and 75c** **70c Printed Linoleum, in many patterns. Special, yd, at 45c** **\$6.50 Small Wilton Rugs, size 36x63 inches, each, only \$4.85**

First Showings New Neckwear

WOMEN with a love for dainty Neckwear—and what women hasn't—will fairly revel in the exquisite showings ready here today. Among latest arrivals are several hundred charming pieces of the famous Millar's imported Neckwear and Hair Ornaments, of gold braid, silk and velvet in the real Parisian styles. Prices range down **75c** ward from **\$3.00** to only **75c**



New Neck Ruchings and Cords—Pretty, new concepts and weaves in all the new Spring shades. Priced down **25c** ward from, the yard, **75c** to **25c**

New Spring Gloves Ready Today

New Perrin's Gloves—All new Spring, long and short styles in a wide range of shades from the dark street shades to light pastel colorings for **\$5.50** dress wear. Pr. **\$1.50** to **\$5.50**

New Embroidered Trouse Collars—The style all Paris and New York are talking about—and wearing. Just arrived, each, at **25c** to **75c**

\$3.00 to \$5.00 Fancy Finished Pillows and Center Pieces for Today at \$1.98

ONLY for today, this big special sale of regular \$3 to \$5 Fancy Finished Pillows and Center Pieces at **\$1.98**. All are beautifully hand-made and finished ready for use. On sale in the Art Needle Work section, your choice during this sale, only **\$1.98**

Our Free Classes in Needlework and Knitting

Did you know that we give free instruction in Art Needle Work and Knitting to those who purchase materials here? Daily classes from 2:30 to 5 o'clock.

On the Basement Bargain Square To \$2.50 Embroidery Strips 95c

GREAT special Basement Bargain Sale on Manufacturers' Lengths of Embroidery, which is bound to cause a stir among women today! Made on fine, sheer Swiss and Cambric in many pretty patterns. Both Edges and Insertions, from 1 to 12 inches wide. Pieces contain from 4½ to 5 yards and are worth regularly \$1.25 to \$2.50. Special today, the strip **95c**

Flannel Remnants ½ **25c** Hosiery 14c Pair

Five thousand short ends of Outing Flannel in lengths of 2 to 9 yards. Large assortments. Remnants worth 10c to \$2.00 now at just **HALF PRICE** Misses' fine ribbed Black Lisle Hosiery in all sizes; best 25c grades. Special today, 3 pairs for **39c**, or if you want one pair only, pair **14c**