## RATE CUT BLOCKED BY PHONE COMPANY

Permission Granted Utility to Intervene in Defense.

#### LEGAL BATTLE LAUNCHED

Circuit Judge Evans Makes Order Which Permits Corporation to Fight Proposed Decrease.

Telephone rates will not be lowered in Oregon, even though the public service commission does possess two new members elected on a revision-downward plank, while yet there is a court in which the Pacific Telephone & Telegraph com-pany can fight such action. This was indicated yesterday when

Robert Duncan, and others, against the old public service commission, as a co-defendant, was argued before Presiding Circuit Judge Evans as preliminary to a motion to transfer the entire mat-ter into the federal court, where delays are certain and appeals may go as high as the supreme court of the United States.

Court Holds Up Order. Though Judge Evans signed an Though Judge Evans signed an order granting the petition in the morning, later he held it up until tomorrow, when W. E. Richardson, attorney for Duncan, appeared and complained that the telephone company had "slipped something over on him." him," though he was in court when the motion was made and argued. At the same time, a motion filed by the new public service commission, to allow withdrawal of the answer of its predecessor to the suit which sought to set aside the telephone rate increase of 1021 was telephone rate increase of 1921, was held up and also will be disposed

Charles H. Carey of the law firm of Carey & Kerr, who appears with Omar C. Spencer for the telephone company, did not object to the postponement, saying that he did not wish to take advantage of anyone, though the matter had been very clearly stated in the morning se-

Attorney Taken to Task. When Richardson insisted that the order permitting intervention had been "sitpped over," Judge Byans told him that if he had not Byans told him that if he had not heard the text of the motion of the telephone company it was his own fault, as he was in court at the time and listening to proceedings. Not only that, but Richardson had objected to the roquest for 10 days in which to move, plead or answer, made by Carey, and it had been cut down to five days.

The lawyer contended that the telephone corporation did not have a legal right to join in the defense of the suit and said that he would like an opportunity to present his authorities to the court. Judge Evans fixed the time for hearing as 3:36 o'clock tomorrow morning.

Within an home of the motion of the court at the according to Mr. Hickman; for 1917, 1.7 per cent; for 1918, 1.8 per cent; for 1919, a deficit of 3 per cent; for 1920, 3 per cent; for year ended March 11, 1922, 2.2 per cent, and the estimate for 1922, is 1.8 per cent; for 1919, a deficit of 3 per cent; for 1920, 3 per cent; for year ended March 11, 1922, 2.2 per cent, and the estimate for 1922, is 1.8 per cent; for 1919, a deficit of 3 per cent; for 1920, 3 per cent; for year ended March 11, 1922, 2.2 per cent, and the estimate for 1920, 3 per cent; for year ended March 11, 1922, 2.2 per cent, and the estimate for 1920, 3 per cent; for year ended March 11, 1922, 2.2 per cent, and the estimate for 1920, 3 per cent; for year ended March 11, 1922, 2.2 per cent, and the estimate for 1920, 3 per cent; for year ended March 11, 1922, 2.2 per cent, and the estimate for 1920, 3 per cent; for year ended March 11, 1922, 2.2 per cent, and the estimate for 1920, 3 per cent; for year ended March 11, 1922, 2.2 per cent, and the estimate for 1920, 3 per cent; for year ended March 11, 1922, 2.2 per cent; for year ended March 11, 1922, 2.2 per cent, and the estimate for 1920, 3 per cent; for year ended March 11, 1922, 2.2 per cent, and the estimate for 1920, 3 per cent; for year ended March 11, 1922, 2.2 per cent, and the estimate for 1920, 3 per cent; for year ended March 11, 1922, 2.2 per cent, and the estimate for 1920, 3 per cent.

Evans fixed the time for hearing as 2.36 o'clock tomorrow morning.

Within an hour after the verbal authority to intervene had been granted the telephone company, the corporation filed a notice in the circuit court that next Saturday it intended to file its petition and bond tended to file its petition and bond of the corporation filed to remove the corporation filed a notice in the circuit court that next Saturday it intended to file its petition and bond tended to file its petition and bond of the corporation filed a notice in the circuit court that next Saturday it intended to file its petition and bond of the circuit court that next Saturday it intended to file its petition and bond of the circuit court that next Saturday it intended to file its petition and bond of the circuit court that next Saturday it intended to file its petition and bond of the circuit court that next Saturday it intended to file its petition and bond of the circuit court that next Saturday it intended to file its petition and bond of the circuit court that next Saturday it intended to file its petition and bond of the circuit court that next Saturday it intended to file its petition and bond of the circuit court that next Saturday it intended to file its petition and bond of the circuit court that next Saturday it intended to file its petition and bond of the circuit court that next Saturday it intended to file its petition and bond of the circuit court that next Saturday it intended to file its petition and bond of the circuit court that next Saturday it intended to file its petition and bond of the circuit court that next Saturday it intended to file its petition and bond of the circuit court that next Saturday it intended to file its petition and bond of the circuit court that next Saturday it intended to file its petition and bond of the circuit court that next Saturday it intended to file its petition and bond of the circuit court that next Saturday it intended to file its petition and bond of the circuit court that next Saturda granted the telephone company, the corporation filed a notice in the circuit court that next Saturday it intended to file its petition and bond with the court, seeking to remove the action from the state circuit court to the district court of the Ented States.

Appearing in court were Charles

The original suit, which is now assistant attorney-general, on be-oming to life, was filed by Robert half of the public service com-G. Duncan, John F. Risley and Dora G. Duncan, John F. Risley and Dora B. Shreve against the former public service commission to set aside the rate increase order of February 28, 1921. Just prior to the recall elec-tion, the commission filed an answer tion, the commission filed an answer which was a general detail of the allegations by the persons who were active in the recall proceedings. The new commission has now filed a motion to withdraw the answer, the inference being that it was prepared to let the case go by default or confess the truth of the allegations. When there was no objection, Judge Evans said that the motion would be allowed, but the later developments caused it to be held in abeyance.

J. A. Benjamin, assistant attorney-general, appeared on behalf of the public service commission.

Intervention Held Just. Judge Evans stated that it was his opinion that a complete deter-mination of the cause could not be without the presence of the telephone company in the suit as a

defendant.

In the motion to intervene, the corporation charged that Newton McCoy and T. M. Kerrigan, the successful recall candidates, had conspired since their election with the plaintiffs in the suit and had framed a course of action which would make it impossible for any defense to be made to the suit. The telephone company contended that the new commissioners planned to repudiate the previous order without a public hearing and to prevent the corporation from eagning "a fair, or any, return on its investment in this any, return on its investment in this

#### Present Rates Defended.

In a statement, C. E. Hickman, division commercial superintendent of the company, defended the pres-ent rate structure, holding that even the present rates were not adequate to give the company a reasonable return on its investment in Oregon. The telephone company is required to give adequate service and

it desires to do so," said Mr. Hick-man. "In order to do this it must borrow and spend annually a large amount of new money to keep up with the requirements of growing cities and a progressive state, but



The simplest way to end a corn is Blue-jay. A touch stops the pain instantly. Then the corn loosens and comes Made in a colorless clear liquid (one drop does it!) and in extra thin plas-The action is the same.

Pain Stops Instantly

bregon even simple interest on its

existing rates now being charged, aithough somewhat higher than the old rates, really give the telephone company little more in actual net returns than the old rates, on account of increased wages and increased cost of materials.

"The new money being out in hy "The new money being put in by the company during 1921 and 1922 will aggregate not less than \$5,000.

000. This new money does not come from subscribers, and is not taken care of by the new rates. It represents fresh money which has to be borrowed at current rates by the telephone company and invested in

The earnings of the company in Oregon for the year 1916 were 2.2

CLEVER VAUDEVILLE ARTIST IN LOVE WITH PORTLAND.



Miss Agnes Johns.

Miss Agnes Johns, who is ap-pearing at the Hippodrome theapearing at the Hippodrome theater this week with her company
in "Green Eyes and Moonshine."
looks upon Portland as her second
home and says that when she retires from the footlights she intends to pass the remainder of
her life in this vicinity.
This is Miss Johns' fourth appearance under the Ackerman &
Harris regime. After completing
her engagement here she will return south to make preparations

her engagement here she will re-turn south to make preparations for her next dramatic playlet, en-titled "In the Shadows," which, she says, will be the hest play in which she has appeared in vaude-ville and which she hopes to pre-sent to Portland audiences shortly.

per cent on its capital investment, according to Mr. Hickman; for 1917, 1.7 per cent; for 1918, 1.8 per cent; for 1919, a deficit of .3 per cent; for

Appearing in court were Charles United States. The presumable basis of this request was the fact that the corporation transacted business in more than one state.

Original Suit Detniled.

The original suit, which is now assistant activities of the suit, and J. A. Benjamin, and the suit and the

> Willamette Slough Diking Project Big Scheme.

Drainage District Would Open 5000 Acres to Cultivation.

F THE petition of owners of 3500 acres of the low land on Willam-ette slough is granted by the county court and a draining and diking district formed, some 5000 acres of

land which has been little used and unproductive will be reclaimed and put under cultivation.

The petition filed with the court is signed by owners of 3500 acres of the 5000 acres in the proposed diking district. Should the petition be granted, when the dike is completed the land which has been completed the land which has been used only for pasture and for a few months during the year can be divided into small tracts and farmed as has been the case in the Delta Garden district near Clatskanie. Those in favor of the project

point out that theusands of tons of hay and grain can be raised on the land, which will result in a considerable saving to many of the farm-ers of this vicinity who buy much hay and grain shipped in from outside points.
President Griffith has given the

assurance that upon the organiza-tion and formation of the diking district the company will extend the electric power line to Scap-poose and beyond Scappoose to the pumping plant of the proposed drainage district. The company's line at the present extends to Rocky Point, where power is de-livered for a large rock quarry.

Four Acres Cherries Yield \$1200. Frank V. Brown has a farm which lies partly within the city limits of Dallas, Or., and during the season just closed he picked ten tons of cherries from four acres of the Montomerency type of trees from which he realized \$1200. From one-half an acre of seven-year-old trees he procured 2½ tons of cherries. From four to skx years is the age of the trees on the remainder of the four acres. He received for the cherries at the orchard 5 cents a pound. A strong believer in the cul-ture of sour cherries of the Montmorency type is Mr. Brown. He claims this variety is more adaptable to the climatic condition and soil of this state.—Dallas correspondence in Salem Capital Journal.

Farmers' Warehouse to Be Rebuilt. A movement is on foot to reorganize the Farmers' Warehouse & Milling company, at Redmond, whose property burned hast December. It is expected that arrangements will be completed soon to rebuild and go forward with the business which was so suddenly brought o an end.

Big Money in Berry Culture.

The Redmond strawberry has been liscovered by Portland buyers, and orders have been received for all hat can be supplied. The Redmond berry growers are raising a variety which is a continuous cropper for a period of four months. J. W. Bowers has a contract to ship all his berries to Portland at a price of \$4 per crate. He sends them out

Wednesday's Special Luncheon

69c
Served From 11:30 A. M. to
2:30 P. M.
Tea Room, 4th Floor.
Choice of
Cream of Chicken aux Crouton.
Rice Tomato Soun

Cresm of Chicken aux Crouton.

Rice Tomato Soup
Fried Salmon Trout—Lemon
Butter
Escalloped Crab in Shell—
Tartar Sauce
Pot Roast of Beef—Potato
Pancake
Fricassee of Veal—Green Peas
Baked Beans—Brown Bread
With Corn on the Cob
Choice of
Pie Sherbet Pudding
Tea Coffee Milk

GLENWOOD BUTTER 95c ROLL Delivered Only With Other Groceries

CANDIES

-Satin - Finish Hard Candy, special at 25¢ -Commercial Chocolates on special sale, lb. 25¢ Candy Dept., Main Floor

Khaki Trousers \$1.65 BASEMENT - A

men's Khaki trousers for outing and camp wear. Also splendid work pants. Cut-full and well made. Sizes range from 32 to 46, specialized at only \$1.65.

Men's Shirts \$1.65 Men's Khaki Shirts made of excellent quality of cloth with two pockets. Suitable for outing or for work. Broken lines, but splendid values at \$1.65.

## WEDNESDAY—BASEMENT

"Reading and Writing and Rithmetic" Days Are Soon Here. Are You Ready?

No amount of words will serve to settle the doubt of how well you can do here in outfitting school children as satisfactorily as a little journey through the store. In the various departments catering especially to children's needs lies the happy solution for every school problem, large and small. Even with no thought in mind of purchasing we shall be glad to have you come in with the children.

## New Fall Dresses \$16.95 and \$20.00



BASEMENT—New Fall Dresses in Canton Crepe, Satin and Crepe de Chine made up in style lines and blouse effect; some are embroidered, others plain with panel sides, with belt, short and large flaring sleeves. Shown in black, navy, brown, lavender, tan, mohawk. Sizes 36 to 44.

Basement Price \$16.95

Basement-New silk Jersey Dresses made up in long waist effect, also straight lines with belt and vest front; some have collars, others are round necks with plain skirts or panel sides. Shown in tan, brown, navy and black. Sizes from 16 to 44.

Basement Price \$20.00

Women's Blouses \$3.48 A big assortment of these blouses made of tricolette and crepe de chine, trimmed with laces, etc. All the leading colors in all sizes. Priced ex-

ceedingly low in the basement, \$3.48.

## Girls' Tub Dresses \$1.00 and \$1.69



Boys' Suits \$8.50

Made up in good woolen mixed

cloth in brown and gray mix-

tures; styled with all around

loose belt and two pairs full

lined knicker trousers. Sizes

BASEMENT - Girls' Dresses of splendid quality gingham in neat, attractive styles in plain colors, checks and plaids. Full range of sizes from 3 to 6 years.

Wednesday Special \$1.00

Basement - Delightful frocks for girls, made up in fine quality ginghams in novelty plaids, checks and stripes. Variety of styles, many with sashes, fancy collars and cuffs. Sizes range from 7 to 14 years. Wednesday Special \$1.69

Rain Capes \$1.39 Girls' rubberized rain capes, especially good for school wears Styled with hoods, navy blue color. Sizes from 6 to 14 years. On special sale today, \$1.39

Boys' Blouses 50c

Made up in good quality per-

cale in neat patterns. Excep-

tionally well made and perfect

fitting. Sizes range from 6

## New Fall Sweaters \$3.75 and \$3.98



BASEMENT-Newest type of slip-on sweaters in neat fancy weave, round neck with short sleeves and belt, trimmed in white or tan. Colors are white, red, pink, lavender, blue. Sizes 38 to 44. Base-

ment Price \$3.75

Basement-Slip-on sweaters in plain weave with neat collars and long sleeves and belt, trimmed in white or tan. Colors are tomato, white, jade, orange, brown, navy, black, peach, orchid.

Sizes from 36 to 44 Basement Price \$3.98

OTHER SWEATERS at prices ranging up to \$6.19.

#### ANNUAL BASEMENT SALE

### Remnants and Mill Ends

Silks—Dress Goods—Domestics

Wednesday will be a big day in our Basement. Tables will be piled high with Remnants of desirable merchandise at bargain prices. You will find Remnants of Satins, Taffetas, Crepes, Sport Silks, Pongees, etc. Remnants of Wool Coatings, Suitings, Serges and Granite Cloth. Remnants of Wash Goods, Sport Cottons, Domestics, Curtain Material, etc. This is your opportunity to save. Come to the Basement.

#### Pongee at 65c Yard

Basement. Again we offer imported Pongee at a price much lower than regular. Several hundred yards offered for sale Wednesday.

ROYAL WORCESTER CORSETS \$3.19 A few numbers of these famous Corsets on a special sale for one day only at this price. Splendid quality coutil in medium and medium low bust, long skirts, excellent boning. Back-laced styles only. Sizes 22 to 30. On sale Wednesday in the Basement, Special \$3.19

Brassieres Special 50c

Made up in pink broche of good quality, wide backs, front fastening. Also white princess stripe of splendid material, back fastening. Sizes 32 to 44 in these 2 lots. On special sale today at 50¢

#### Children's Hose Special 25c

Odds and ends of black Cotton Hose in heavy or light weight, fast black dye, double heel and toe. Values up to 50c. Sizes from 61/2 to 10. On special sale today at 25¢

## GIRLS' KNIT BLOOMERS 17c

Girls' Knit Bloomers made up in good quality knitted fabric with elastic at waist and knee. Pink or white. Sizes 2 to 12. Wednesday, Basement, Special 17¢

BOYS' KNICKERBOCKER PANTS \$1.50

Made up in serviceable gray and brown mixtures also

corduroys. These are extra good values at this price.

Sizes 6 to 16 in the lot. Wed. Basement Special \$1.50

9 to 18. Special at \$8.50 up to 13 years. Special 50¢

GIRLS' SATEEN BLOOMERS 50c

Made up in good quality sateen in either black or white, cut full and nicely finished with elastic at waist and

knee. Most useful for school wear. Sizes 6 to 14.

On sale in the Basement Wednesday, Special 50¢

GIRLS' LISLE HOSE 3 PRS. \$1.00

Girls' black silk-lisle hose of an exceptionally good

grade. Double heel and toe. All sizes from 5 up to 9.

Supply the children's needs. Extra good values. On

sale in the Basement Wednesday, pair 39¢, 3 for \$1

We Give S. & H. Green Trading Stamps

•Girls' Middies Special 98c

Middies in red galatea with white braid trimming. Also some made up in plain white material. Nothing more useful for school wear. Sizes 8 to 14 years. Special at 98¢

#### Girls' Combinations Special 75c

Made up of barred nainsook material in bloomer style for girls and athletic style for boys. Extra buttons and hose supporters. Sizes from 4 to 12 years. Special 75¢

#### BASEMENT SALE OF COTTON AND

## Wool Blankets

Buy Now and Save

Heavy Single Cotton Blankets-\$1.39 Each -These are large size and come white, tan or grey.

Large-Size Double Sheet Blankets—\$1.75 Pr. -Tan and grey only; colored border.

Fancy Plaid Double Blankets-\$2.25 the Pair

-These are large enough for double bed. Heavy Gray Wool-Mixed Blankets-\$5.00 Pr.

-Double; 5-lb. weight; fine for camp. Portland Woolen Mills Blankets-\$6.75 Pr.

-Large plaids in pink, blue, tan or grey; size 66x80 inches. Auto Robes at \$3.98

-Plaid or plain single robe blankets for the car or as extra blan-

FANCY BEAD NECKLACES 39c We have just received an express shipment of fancy bead necklaces in a nice selection of styles, sizes and colors. A special purchase containing extra values, On sale Wednesday in the Basement, Special at 39¢

Hair Nets 12 for \$1.00

Hair Nets of real human hair. Cap shapę. Medium and dark, brunette, blonde and black. Invisible, sanitary and durable. Limit 12 to a customer. 12 for \$1.00

## Toilet Paper

20 Rolls \$1.00 Good quality Crepe Paper in a large size roll. No telephone or C. O. D. orders will be accepted. Limit 20 wells to a customer, 20 rolls for \$1

## Women's \$8.50-\$10.00 Shoes \$4.95



Women's genuine hand-turned strapped pumps in one, two and three straps. Covered heels in Spanish, Cuban and French. Come in all patent, beaded patent, black and brown satin, gray suede-and patent combinations, white, kid, etc. Some are slightly imperfect, but not enough to affect the wearing of the shoe. Would sell regularly at \$8.50 to \$10. Special \$4.95.

Women's \$4.95, \$6.95 Pumps for \$2.95

lumbian.

Four hundred pairs of "Remnants" or short lines of women's pumps grouped for quick disposal, all leathers, all styles and patterns, all style heels—all sizes from 2½ to 8. Regular at \$4.95 to \$6.95. Special in the Basement at \$2.95 pair

# women and children and it comprises practically our entire stock, \$1.

## Basement Sale of Millinery

\$4.98 HATS FOR \$1.00

In the Basement underprice store a cleanup of all our trimmed summer hats formerly selling up to \$4.98 for \$1.00. BETTER HATS, \$2.50-This lot comprises all of our trimmed hats priced in the regular way up to \$8.98 in the Basement BANDED HATS \$1.00-This lot comprises only banded hats for

UNTRIMMED HATS-A special lot, worth up to \$4.69, for 25c each.

All Hat Trimmings Half Price In the Basement-A genuine clean-up sale of our entire stock of hat trimmings. Women who make their own hats will do well to come in early and look through the stock and choose without restriction at just one-half the marked price.

Land Irrigated From Well.

Bruce Hawkins, farming on Skyline flat, east of Haines, Baker
county, is watering about 40 acres
of land with water pumped from a
well. Forty feet deep and 40 miner's
inches of water can be pumped from
it without diminishing the supply.
There is 27 feet of water in the
well. Mr. Hawkins uses a tractor
for power to run the pump. He
starts the engine and pump and
goes about his work without giving
any attention to the machinery.
Mr. Hawkins has 160 acres of land
and expects to develop the well and
pumping plant to where he will be
able to water about 80 acres.—Baker
Herald.

Carload of Wool Shipped.
W. A. Reichmiller shipped from
Redmond the other day the last carload of wool which has been stored
in the Redmond Lumber & Produce
company's warehouse. Mr. Reichmiller is president of the N. B. Sheep
& Wool company of Portland and in
the past few months has been buying large clips from the growers
hereabouts.—Redmond Spokesman.

Wrecking of Thresher Attempted.
Sabotage was attempted on the
N. M. Conner farm, southeast of
Sheridan, last week. Pieces of sorap
iron were hidden in the bundles of
wheat, but luckly the weight of
the iron caused it to drop from the

Carload of Wool Shipped.

wheat, but luckily the weight of the iron caused it to drop from the loosened bundles and serious damage to the thresher and possibly in-jury to life was averted.—Sheridian to life was averted .- Sheridian

on the evening train and they arrive on the market in Portland the next morning in splendid condition. It is expected that next spring will see a large acreage of land planted to strawberries by the ranchers around Redmond, as with a market of this size and at the prices offered, profits of nearly \$1,000 per acre are possible.—Redmond Spokesman.

This makes it possible for the three cities to hold celebrations, although the honor will probably fall to one. Whether it will be La Center, to was two years ago. The books will be opened immediately as the union station here though the honor will probably fall to one. Whether it will be La Center, Woodland or Kalama is problemant to single proposed death due to he profitable. Iama. This makes it possible for suddenly at the union station here though the honor will probably fall to day on route from Portland to the union station here though the honor will probably fall to one. Whether it will be La Center, Gray, He was aged 74 years. Physicians pronounced death due to heart disease.

The prestige of Oregonian Want-Ads.

The prestige of or the circles to hold celebrations, although the honor will probably fall to one. Whether it will be La Center, Under the union station here the union station here though the honor will probably fall to one. Whether it will be La Center, Under the union station here the union station here though the union station here though the honor will probably fall to one. Whether it will be La Center, Under the union station here though the union station here though the union station here the un

Dr. S. W. Gray of Newberg Dies. SPOKANE, Wash., Aug. 22 .- Dr. istering voters in the five Kelso pre-

KELSO, Wash., Aug. 22 .- (Spe dal.)-With the registration books closing today for the primary election, City Clerk Lord was busy reg



POWERS & ESTES PRESCRIPTION SPECIALISTS ANNOUNCE

WILCOX BUILDING

THE REMOVAL OF THEIR DRUG STORE THREE-FOURTEEN WASHINGTON STREET

OPEN ALL NIGHT