

SUPREME COURT ASKED TO DECIDE

Lumber Rate Case Referred to Highest Tribunal of Nation.

POWER OF COMMISSION

Court of Appeals Asks Definition of Rate-Making Power and Continues Lower Rate, Pending Final Decision.

SAN FRANCISCO, Oct. 3.—For the first time since the passage of the Hepburn railroad rate law, the Supreme Court of the United States will be given an opportunity to pass upon the practical questions involved in the law.

Relying upon the statute which expedites proceedings in this character, the attorney in the case expect a final decision will be rendered within 90 days.

Case Under Discussion.

The application of the Southern Pacific and the Oregon & California Railways for an injunction to restrain the Interstate Commerce Commission from putting into effect the rate of \$3.40 per thousand feet on lumber between the points mentioned has had two hearings before Judges Gilbert, Morrow and Ross, of the Circuit Court of Appeals.

Low Rate Pending Appeal.

In an amended bill, filed the following day, the attorneys representing the railroads based their chief claim to relief on the court's hands upon the allegation that the rate fixed by the commission was confiscatory, presenting evidence and argument to support that contention.

When the decision had been announced, P. F. Dunne, chief counsel for the railroads, made a motion as to whether the status quo should be maintained until the Supreme Court should render its decision.

Victory for Lumbermen.

Solicitor Walters, who was assisted by Joseph N. Seal, counsel for the lumber dealers who protested against the increased rate, and by the United States District Attorney in Portland, Gilbert, expressed himself as well pleased with the outcome of the hearings.

The rate of \$3.40, established by the commission, will go into effect on October 15. It was an extension was granted upon petition of the railways.

CIVIL WAR RAGES IN INDIA

Interracial Feud Brings About State of Anarchy.

CALCUTTA, Oct. 3.—(Special.)—Civil War rages in the Orissa territory, in the Khank Valley and Samana Range on the south, to Tirah on the north. The various Orakazi tribes have thrown in their lot either with the Samak factor or Gar faction, and the quarrel with regard to Chinarak, the estate of the late Sarwar Khan, has resolved itself into a political intertribal feud.

The war is being waged with particular violence and hatred between the All Kheh and Mala Kheh. The former are Gars, the latter Samak. The contending factions are separated by a narrow gulch, not more than 100 yards broad, across which a hot fire is poured all day.

a charge of 20 rupees for every hit. He managed to make three holes in the chief tower.

Now the gun has been handed over to a well-known character, Jemadar Mir Khan, late of the Forlieth Pathans. Jemadar Khan is a Miahit, and has undertaken to level the Zanga Kheh fortifications for the Mala Kheh. He has taken on the business on a contract by which he gets 3000 rupees on the destruction of the fort.

DEATH OF OREGON PIONEER.



Mrs. P. T. Wallace. The funeral of Mrs. Alice Wallace, who died at Terrace Park yesterday, will be held this afternoon at 2 o'clock from Finley's chapel.

ing hostile towns. There seems absolutely no prospect of matters quieting down. The Afrids, Zamaht and other neighbors are taking no interest in the quarrel.

BIG FAIR FOR GRESHAM

ALL IS READY FOR SECOND ANNUAL DISPLAY.

Exhibits Will Utilize Every Inch of Available Space—Class Entries Are Well Filled.

GRESHAM, Or., Oct. 3.—(Special.)—The second annual exposition of the Multnomah County Fair Association will open Tuesday, and will continue five days. Scarcely every detail has been completed for the event and a most auspicious season is looked for.

The stock pens and poultry house are models of convenience and will accommodate a large showing of the best of the county's stock in those lines.

Attractions on The Furrow will be numerous and of an entertaining character. Each day will feature educational programmes and entertainments. Baseball and other athletic sports will be daily attractions.

TOO ACTIVE IN POLITICS

President Removes Two Under Civil Service Rule.

WASHINGTON, Oct. 3.—As the result of a report made by the Civil Service Commission, President Roosevelt has removed Lincoln Avery, collector of the port at Port Huron, Mich., and also directed the removal of Charles H. Daily, special agent of the treasury at that place.

Paint Portrait of King of Sweden.

NEW YORK, Oct. 2.—Miss Eva de Lagerstrom, Swedish artist, who is well known in this city, has received a call to paint a portrait of the King of Sweden and she will leave New York for her native land on October 15.

Here the Giants of Commerce are smiting the rocks of industry and rivers of shining gold are streaming forth. Here is the cornerstone of Portland's unparalleled future prosperity



Watch SWINTON—the business center of the great industrial district of future Portland. Join the crowds that go to SWINTON every day to see the tremendous scope of the work undertaken by Swift, Harriman and Hill on the Peninsula.

Business property in SWINTON is selling for less than residence property in any other part of the city. Business lots in SWINTON are selling for a third less than other property in the same locality not as well located.

THE COLUMBIA TRUST COMPANY SEVENTH FLOOR COUCH BUILDING, PORTLAND, OREGON

COLUMBIA TRUST COMPANY, Couch Building, Portland, Or. Please send me your Booklet, "THE COMING OF SWIFT." Name Address

AMERICAN WOMAN WRITES OF VENICE, THE FAMOUS CITY OF ROMANCE AND ANTIQUITY

Emilie Frances Bauer Is Disappointed on First View, and First Impression Deepens—Not Enthusiastic Over Gondoliers, but Marvels at Galleries and Churches.

VENICE, Italy, Sept. 30.—(Special Correspondence.)—I have shocked so many people by expressing a keen disappointment concerning Venice that I almost fear widening the ripples of reproach and wonder.

And as I use the word "American," it occurs to me that it was the American independence which prevented me from appreciating those things which other people love. When I descended from the train which landed me in the noted Italian city I called for a cab.

course, St. Mark's, made as famous by the pigeons as by the Doge's palace, or the famous church, which is one of rarest beauty. The people, however, have made the fatal error of building a new campanile to replace the one which fell a few years ago, and needless to say that it spoils the entire outlook, as it stands squarely and uncompromisingly in front of the Doge's palace, and at one side from the church.

To be honest, there is much that is beautiful in Venice, but coming into that sort of picture instead of entering the City of Romance and antiquity with the proper spirit of appreciation, I lost all the

found among the people, the common people, that, who live in the little alleys, ways called streets and who are as picturesque as they are unromantic. Nothing is more interesting than the market place as gondola after gondola unloads its stores of melons, of peaches, of figs, of grapes—indeed no pen can describe the picture and as everything must happen in the Venices my camera refused to act just at the critical moment.

There is nothing more charming than Lido the seabeach a few miles out of Venice. This is where the Adriatic rolls in, in exquisite blue waves and as far as the eye can see the line of blue is unbroken, as one can hardly distinguish between the sky and the sea. The peacefulness is indescribable and as I sat on the balcony of one of the most modern and most superb hotels of the world, it seemed really to be another world and one where there was no requirement except to dream.

keeping of a United States Marshal to be taken to Pittsburg to answer in bankruptcy proceedings. The reason for this was that "Thaw" was now cited in habeas corpus proceedings as to his sanity before Justice Mills at White Plains, N. Y., and was therefore in the jurisdiction of the court and not properly within the custody of the Sheriff.

Imports Show Prosperity.

NEW YORK, Oct. 3.—George Wanamaker, appraiser of port, believes the records of his office mean the prosperity has returned in the commercial world. The merchandise handled in the month just ended amounted closely in quantity and value to the imports during the corresponding month of 1907 and 1906.

Want Mare Island Improved.

SAN FRANCISCO, Oct. 3.—As a result of the combined action of 14 commercial bodies representing the interests about San Francisco Bay, Secretary of the Navy Metcalf will receive a communication calling his attention to conditions at Mare Island Navy-Yard, where the channel is said to be in need of dredging, and requesting that he embody in his forthcoming report to the President a recommendation for the appointment of a commission which will pass upon the advisability of establishing at Mare Island a great naval base for the Pacific.

one pound of rock is sufficient to support a man of ordinary size in the water

Thaw's Keeper Not in Contempt.

SCRANTON, Pa., Oct. 3.—Judge Archbold, in the United States Circuit Court this afternoon, decided that Sheriff Charles Lane, of Westchester County, New York, was not in contempt in not having delivered Harry K. Thaw into the