

COUNCIL IS ASKED TO INSERT CLAUSE OF COMMON USER

East Side Merchants Want an Amendment to S. P.'s Franchise and Erection of Central Freight Warehouse.

Urging the amendment of the franchise of the Harriman Lines on East First, East Second, East Third and East Water streets by the insertion of common user clauses and of a provision requiring the Southern Pacific company to erect a central freight warehouse in the wholesale business district of the east side, a score of leading merchants of that locality appeared before the street committee of the council yesterday afternoon to ask the support of the committee.

Ordinances amending the various franchises have been introduced by Councilmen Allan R. Joy and William Schmeer. These were read at yesterday's committee meeting and referred to City Attorney Grant for an opinion as to the legality of the proposed amendments.

"Conditions have changed, gentlemen. In the past 30 years," declared President Dan Kellaher of the East Side Business Men's club, "and it is now time to pull the cork out of the bottle in which the Harriman lines have sequestered the business of the east side for three decades. We are asking for only what is right and fair.

"We want the Southern Pacific to get all the business it can, but we want other lines to have an equal chance.

The old city charter granted the franchise of the company on East Third street. One of the provisions of the franchise was for the erection of a great freight depot. Several years after the grant the company applied to the council and also to the freight house provision cut out of the franchise. We therefore ask now that the franchise be amended again and that the company be required to build this warehouse and also to grant the privilege of common user to other railroads now in the city and yet to come.

"The dock commission is working hand in hand with us in this campaign to bring competition to the great warehouse district of the east side. It is the earnest desire of the commission that the district shall be opened up to all the railroads by the time the dock system is completed."

Refuses to Spot Cars. W. B. McFall of the Blake-McFall Co., one of the largest wholesale firms of the east side, spoke in behalf of the amendments to the franchise. He and other business men declared that the Southern Pacific is not giving good service, that the company has refused to spot cars shipped by way of other lines and that present conditions are very unsatisfactory.

C. A. Bigelow said the wholesale implement business of Portland has grown so fast that this city now ranks fourth in the United States in volume of business transacted.

J. B. Zeigler outlined the history of the grants made to the Southern Pacific and declared that the council never had any right to vote away perpetual franchises from the city.

"I understand," said Mr. Kellaher, again addressing the committee, "that the Southern Pacific proposes to ask for a franchise to electrify its Fourth street line. I would ask in answer that the committee delay consideration of this or any other franchise until the amendments we propose for the east side lines have been disposed of."

Chairman Baker of the committee did not agree to the proposition of Mr. Kellaher, but he said that the committee would grant the east side a hearing when the Fourth street franchise comes up for consideration. This franchise, which was informally submitted to the committee yesterday, will be before the council next Wednesday and will be referred to the city attorney.

One of the complaints made against the Southern Pacific yesterday by shippers was that the company hauls freight assigned to the east side over the river and that the cars are then switched back at a charge of \$5 per car. Councilman McGuire suggested that the business men appeal to the state railroad commission. Mr. Kellaher replied that an appeal would be made if the commission stated it has no jurisdiction.

Road Building Would Furnish Work for Needy, Asserts West (Continued from Page One.) support them. So will others. What we want is the best; we don't care where from.

"Every workman, every farmer, should support the convict labor bill. They make it impossible to hire out prison labor in competition with free labor. As governor I have stopped the contract system at the state penitentiary. But my successor might institute it again, unless the convict labor bill is passed. Convicts at work on the roads will not be in competition with free labor. The passage of the bill and the building of roads will provide more work at better wages and get people on their farms."

Doesn't Want Magnates. Governor West was applauded when he said, in answer to a question, that he had told the trust magnates of the east that Oregon doesn't want them, that Oregon can carve out her own fortunes.

He approved division of the big holdings in Oregon and added that taxation seemed the only adequate method. "I was made very happy today," said Governor West to the crowd that blocked the street at the corner of Fourth and Alder.

"A lumberman of this city sent a letter by his attorney saying that if I could move a chain of convicts to build the road around Rocky Point on the Columbia river at the line of division between Hood River county and Multnomah county, he would send his check for \$10,000 to cover the additional expense. I will, of course, make the arrangement."

The governor said later that the name of the lumberman is S. Benson. He is well known in Portland and Oregon, and has taken great interest in the quality

BENTON MAN WOULD GO TO BALTIMORE



Victor P. Moses of Corvallis.

(Special to the Journal.) Corvallis, Or., Feb. 10.—Following requests from prominent Democrats in Douglas, Linn, Benton, Polk, Multnomah and Umatilla counties, Victor P. Moses, county judge of Benton county and merchant of Corvallis, has filed at Salem his petition for nomination as a delegate to the national Democratic convention to be convened at Baltimore June 19. In his petition to the secretary of state Judge Moses requests that on the official ballots of the Democratic primary, April 19, there shall be printed below his name: "In principle progressive, decidedly Democratic, and always active in its advocacy."

of road construction work done by Governor West's honor men.

Before he had finished his address to the Central Labor council, Governor West repeated his appeal that organized labor work with the commercial organizations in getting the commercialization of Oregon on a more truthful basis. A result of the appeal was action by the labor council authorizing the appointing of a committee of 10 to meet with the Commercial club and Chamber of Commerce next Tuesday evening. Governor West declared it is an obligation resting upon the people of Oregon to get the state ready for the thousands who will come when the Panama canal is opened. Then he talked about capital punishment:

"Do you know," he queried, "why I am opposed to capital punishment? It's because the poor devil is always the one to be hung. Did you ever hear of a rich man being hung? I don't want to raise class distinctions but the man with money, no matter how hideous his crime, is able to take advantage of the technicalities and intricacies of the law and by appeals from one court to another escape the death penalty."

Believes in Square Deal. "I believe in a square deal to the poor man. When I said there would be no more hangings in Oregon while I am governor I mean that I was opposed to hanging. I am not now commuting any sentences. They are reprieved until December 13, 1912. By that time the people will have said whether they believe in capital punishment, and if they say so every man with a death sentence will be hung."

"I was told my attitude was 'tying a rope around a neck to hang me politically.' I want to say in answer that I am not a candidate. Neither am I one to ride in the glittering chariot of political success over the crushed souls of those who have fallen through the trap."

Governor West said he had refused request to bring back from California a man accused of over shrewdness in a horse trade.

"I looked at the smallness of the offense," he said, "when I recalled that I had not been asked to issue requisitions for the fake bonding companies that recently mulcted the innocent and unwary of \$5,000,000 by selling worthless paper."

HOSTILE ACTION IS TO BE SIGNAL FOR CROSSING BORDER (Continued from Page One.) department of state on protest from Governor Colquitt of Texas.

Residents of El Paso fear a battle between the hostile forces on American soil, with inevitable damage to American property and possibly loss of American lives.

Secretary Knox is continuing today his investigation of the situation and it is not likely that the Madero government will succeed in securing permission to send his troops across the American line from Eagle Pass to El Paso.

S. P. IS INVADING CLARKE CO. WITH ELECTRIC PROJECT (Continued from Page One.) ards north crossing the tracks of the Yakot branch of the Northern Pacific at or near Bayborton station, through Manor, striking the east fork of the Lewis river by way of Potter's Mill and Canyon creek, then proceeding northeast up a creek over the divide to the north fork of the Lewis river at a point near the mouth of Cedar creek at Etna. From here the line would go almost due north to intersect with the stub line of the Washington-Oregon corporation running out from Chehalis. The company owns the line between Chehalis and Centralia and from Centralia the line would continue north to Puyallup sound.

The line from Orchards to Sifton will either be abandoned or later will be extended. It is contended that the extension is contemplated extension is evidently now worrying Lawrence Harmon, who is promoting a trunk line from Vancouver to North Yakima, and has posted \$1000 with the city of Vancouver that he will commence work by April 1, 1912, or forfeit the money. Mr. Harmon was in Vancouver yesterday and said: "I will build the Vancouver-Yakima road, but further than this assurance, I have nothing to say." Mr. Harmon is selling stock to farmers along the line and securing right of way.

Home Office: CORSET BUILDING, Cor. Fifth and Morrison Sts., PORTLAND, OREGON. A. L. MILLS, President. L. SAMUEL, General Manager. CLARENCE S. SAMUEL, Asst. Mgr.

ASKS CAMERON TO OPEN CASE BEFORE THE GRAND JURY

Parkison Insists That Solicitors Suspected of Fraud in U. of O. Referendum Case Be Prosecuted.

Declaring he has evidence of fraud and forgery against six circulators of referendum petitions signed at the University of Oregon appropriations, only one of whom has been arrested, H. J. Parkison has addressed a letter to District Attorney Cameron asking that the facts be placed before the grand jury and the matter referred to the grand jury.

This letter bears date of December 7, and two grand juries have since that time passed into history. Parkison has had no reply to his letter. He suggested that the district attorney was too busy to give attention to the matter through himself or one of his deputies, a special prosecutor could be secured without expense.

The six circulators named by Parkison are circulators whose petitions were acknowledged bad at the time of the trial of the university referendum case. Defended Circulators. Parkison at that time defended the work of some of the other circulators who had been placed under fire by the Bureau detectives and indicted by the grand jury. One of these, E. J. Rabies, was acquitted in Judge Morrow's department this week after testimony had been produced showing that names he had been accused of forging were genuine.

The Parkison letter to the district attorney reads as follows: "As you are aware, during last March, April and May, I circulated within this county and state referendum petitions against House Bills No. 210 and 211, appropriating over one-half million dollars to the University of Oregon.

"I employed in the neighborhood of 38 circulators. Upon my return from California on September 15, I have checked over the work of these 38 circulators, and find that six of the men employed by me procured names on their petitions by fraudulent methods.

The facts which I have ascertained by having the petitions checked over by County Clerk Fields and his deputies. "The procuring or writing in of these fraudulent names was done in this county, and as I understand it, it is your official duty to prosecute these persons who perpetrated fraud in this referendum petition.

Names Are Given. "For your information I will state that the circulators against whom I have evidence are Harry G. Zimmerman, Robert G. Cole, Charles Falk, Joseph Gorham, Fred Koch and Harry Coler.

"Mr. Coler is at the present time under indictment for his work on the referendum petition, but the other parties are still at large.

"I know the location of some of these parties, and believe that others may be easily located. "As district attorney, I request that you in person, or by deputizing some of your deputies to go over the facts relative to the fraud mentioned above, so that we can present these facts to the grand jury, thus to secure the indictment of the above mentioned parties and have them prosecuted for their crime in accordance with the laws of the state of Oregon.

"If for any reason, it is not possible for you to devote the proper amount of time to bring these parties to justice, I would suggest that you deputize some of your consent to the appointment of certain prominent local attorneys as special prosecutors in these cases."

FULLER TELLS OF GRAFT CARRIED ON BY HIS ASSOCIATES (Continued from Page One.) ficials have admitted having affidavits from these patrolmen, that are their chief weapons against Cole and Bailey.

On February 5, 1912, Patrolman G. G. Larfield made an affidavit before Judge Parkison in which he said that he was assigned to a beat in South Portland on August 1, 1910, between Columbia and Market streets and that soon after going there, Cole approached him about collecting money from wealthy citizens.

"I looked at the smallness of the offense," he said, "when I recalled that I had not been asked to issue requisitions for the fake bonding companies that recently mulcted the innocent and unwary of \$5,000,000 by selling worthless paper."

He said that he did not wish to do any more collecting, but they forced him to do it. The girls paid at the rate of \$2 a week, and if they failed to pay, Cole would make trouble for them, and plain clothes men would be sent to arrest them. In a day or two after, Larfield would drop in and see if there was any "loose change."

He said that he had seen Cole several times in bawdy houses. Kilgus Involved. The assertions of the patrolmen witnesses are said to involve Patrolman Kilgus, who recently sustained a serious wound when he engaged in a street fight, and created a sensation by being found in the city when he was supposed to be on a homestead in Montana.

Kilgus is said to have been the collector from gamblers south of Washington street. His presence in Portland when he was supposed to be in Montana is said to have been for the purpose of spying on Mayor Rusk's campaign.

Patrolman G. G. Larfield, also in Portland in reserve, will take on 4000 rounds of six inch shells and the remainder will be sent to the cruiser South Dakota at Honolulu.

Orders were also received today to rush repairs on the cruisers Cleveland and Denver.

FREQUENCY OF RECALL ROUSES TACOMA WOMEN



Legislature Fails to Make Law Retroactive, and Indicted Convict Takes Refuge Under Old Statute.

(United Press Leased Wire.) San Francisco, Feb. 10.—Abe Ruef cannot be compelled to testify against his former client, ex-Mayor Eugene Schmitz. District Attorney Fickert does not seem to be inclined to dismiss the indictments against Ruef. As the latter is the kingpin in the array of evidence against Schmitz, if he cannot be compelled to testify and if he does not do so voluntarily the case against the former mayor on trial under the new anti-bribery indictments is "in a bad way."

Such was the opinion in the district attorney's office today. Ruef was cloaked through the morning with Assistant District Attorney Berry.

It was only today that District Attorney Fickert discovered that he could not compel Ruef to give testimony. He found that the law passed at the last regular session of the legislature did not apply to this discovery. This discovery followed the statement on previous occasions that it did. The law in question provides that a man may be compelled to give testimony, even though it does incriminate himself, but that this evidence cannot be used in any future case against him. The words "hereafter offending," Fickert holds, exempt Ruef. The statute is not retroactive. Hence the ex-boss is under the old statute which prevents enforced self-incriminating testimony.

Fickert said today that Ruef was negotiating with a view to testifying provided the outstanding indictments were dismissed. These stand in the way of the parole he is seeking. Fickert admits that Ruef would probably never be brought to trial under them, but hesitates to dismiss them.

Ruef was further gladdened today by permission from Judge Lawlor to spend Sunday and Monday with his aged mother and his sister at home.

Ruef Holds Information High. (United Press Leased Wire.) San Francisco, Feb. 10.—Abe Ruef is trying to secure as much as he can with as little "bluff" to himself as possible. He is as bright as ever. This was the statement made here today by Assistant District Attorney Fred L. Berry, who has been conducting negotiations with Ruef in relation to Ruef's reward for appearing as a witness in the trial of former Mayor Eugene E. Schmitz, charged with bribery.

"Our negotiations are at an end," continued Berry. "I will have to take the matter up with District Attorney Fickert for his decision. For myself I would not trade with Ruef on any proposition. Ruef wants complete immunity from further prosecution but he will even tell what he will testify to. He wants all indictments against him quashed. There is a prison board rule that prevents a prisoner from being paroled if there are indictments standing against him."

IRISH NATIONALIST SAYS DEMONSTRATION WAS ONLY BIG BLUFF

John Redmond Says the Orangemen Alone Created Disturbance, and That British People Are Tired of Repeated Threatening.

(United Press Leased Wire.) London, Feb. 10.—"It was all bluff." This was the way John Redmond, Irish nationalist leader, commented today on threats of the Ulsterists to "rough house" Winston Churchill's home rule meeting in Belfast Thursday.

"I don't care if they failed to materialize," continued Redmond. "You should bear in mind that these threats did not come from the general body of Protestants in Ireland, nor from the general body of Protestants in Ulster itself. They came merely from the Orangemen, a very small but a very noisy minority.

"Such threats have so often been repeated that they have become worthless, but they are very tiresome. They have signaled every great change that has been proposed for the benefit of Ireland, whether Catholic emancipation, abolition of the tithes system, extension of the franchise, disestablishment of the church, reform of the land laws or extension of self government. The men who make these threats have always been the implacable foes of religious toleration and the development of their own country. England would be a nation of potrooms if it should permit itself to be diverted for a single instant by such stupid, hollow and unpatriotic howling from its purpose to bind Ireland to the empire by the only enduring bond—those of liberty and loyalty."

WAR MUNITIONS FOR COAST NAVAL VESSELS

(United Press Leased Wire.) Mare Island, Cal., Feb. 10.—Rush orders have been received at the navy yard here for immediate distribution of 18,000 rounds of armor piercing shells to five war vessels.

The cruisers Cleveland and Denver, now here, will each receive 3000 rounds. The cruiser Galveston, at Bremerton, will receive a similar number of rounds. The cruiser Chester, also at Bremerton in reserve, will take on 4000 rounds of six inch shells and the remainder will be sent to the cruiser South Dakota at Honolulu.

Orders were also received today to rush repairs on the cruisers Cleveland and Denver.

A Beautiful Face

It is What All Women Desire. Miss Dora Hansen, 1810 State street, Racine, Wis., writes that "a beautiful face is what all women desire, but what woman can be beautiful with her face covered with pimples and blotches? You ask 'what can we do to prevent the pimples and blotches appearing on our faces?' Take Hood's Sarsaparilla. It will soon give you a clear, soft skin. My mother and brother have taken it for impure blood and can't speak too highly of it." Get Hood's Sarsaparilla today. In liquid or tablets called Sarsapab.

CANNOT COMPEL RUEF TO TESTIFY IN SCHMITZ CASE

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SCHOOLBOY TO BE ASKED 1 QUESTION IN HARVEY HEARING

(Continued from Page One.) work of the state's case. It will give rise to a disconcerting series of why's. It will permit the prosecution, should Harvey be indicted for murder, to ask this hypothetical question: What reason had Harvey, presumably innocent, for attempting to establish his whereabouts on the night of the murder by false statements, if such statements are proved false?

Mysterious Woman Witness. Subpoenas have been issued for more than 40 witnesses to appear against the wealthy Clackamas farmer before the county inquest. Many have and will come from Portland. Most of them will tell of Harvey's movements in Portland on the evening of the midnight quadruple murder. County officers hint that the "mystery" witness is the detective who—Harvey admits failed to keep an appointment with him at the Woodmen of the World hall that night, is among them.

Other witnesses come from Milwaukee and Ardenwald. Through some the state hopes to prove that Harvey's reputation was unclean as to his attitude toward women; through others that Harvey, detaining at Ardenwald from the "cool" suburban from Portland on the night of the murder, waited in the shadow of the station house until other passengers had gone ahead; still through others that Harvey was a victim of uncontrollable "physical impulses," and further, through others, that Harvey, on his way home, must have passed first, by the cabin from which the Hill murderer took the sex with which the heads of the four were crushed, and second, by the Hill cabin at about the time of the crime—12:48 a. m.

Among the witnesses now in attendance is former Coroner Fox, of Clackamas county, who was called to view the bodies. He probably will testify as to the condition of the corpses of the woman and the little girl.

Howe's Name Be Called. Whether Jay Howe or W. H. Abel, the Portland attorneys with whom Harvey, before he was directly under suspicion, says he made a \$20,000 contract "through flight," to defend him in case of his arrest, will be called to appear could not definitely be learned. Both Sheriff Mass and Detective L. L. Levings, of Portland, acting for the state, were mute on this subject.

Levings' testimony consisted of the whole of yesterday. He would not say whether he introduced unpublished evidence, or whether he had sought to place before the grand jury the story of the remarkable series of crimes surrounding the Harvey family. He believed the investigation would stretch over a week's time.

Public sentiment here seems to cease for justice of the Peace Samsen for freeing Harvey of the murder charge at the preliminary hearing. Generally, the opinion seems to prevail that the evidence placed against Harvey at the examination, warranted his being taken to trial.

Tom Cowling, brother of the murdered Ruth Cowling-Hill, whose shooting at the nurseryman he said to have pre-empted Harvey's arrest two months ago, has not, if he has been summoned as a witness, made his appearance.

Warehouse and Manufacturing Floors.

Low rental in new brick building. 3x100, just being completed at Hood and Baker streets. This is the best proposition in South Portland from a rental standpoint. A. L. Fish, care The Journal.

The Sunday Journal. ACCURATE NEWS REPORTS—TIMELY ILLUSTRATED FEATURES. News. Three exclusive leased wire news services insure readers of The Sunday Journal all of the news from foreign fields correctly reported. All events at home are covered capably by a well organized local news staff.

Features. NEWS OF THE WORLD TOLD IN SHORT PARAGRAPHS—Brief review of the week's events chronicled for the busy reader. "VOTES FOR WOMEN" FIGHT IN ENGLAND—Impending struggle in parliament promises to be momentous with Chancellor Lloyd-George and Premier Asquith championing the cause of either side. PREMIER POINCARÉ OF FRANCE—Remarkable leader of French cabinet who is accorded universal public support. CHARLES DICKENS—HUMORIST AND HUMANIST—With reproduction of Mr. Pickwick's speech (From Pickwick Papers). OPIE READ AND HIS FANCIFUL PEN—Picturesque literary figure after visit to Portland promises to produce story of especial local interest.

The Sunday Magazine. Lincoln Features of Unusual Interest. ABRAHAM LINCOLN—ONCE DECLINED GOVERNORSHIP OF OREGON—Opportunity to direct territorial government is refused at wish of Mrs. Lincoln—By Rowland R. Gittings. LINCOLN'S LOVE FOR BILLY HERNDON AND HOW IT WAS REQUITED—The true story of Lincoln's last inaugural address. Errors concerning the martyr corrected by relatives and friends—By Wayne Whipple. BIRTHPLACE CROWNED BY MEMORIAL—Lincoln's first home in Kentucky; reclaiming and suitable memorial erected thereon. FOUR ILLUSTRATED PAGES OF EXCLUSIVE INTEREST TO WOMEN.

Tomorrow. STORM KING REIGNS AND PEOPLE SUFFER IN ATLANTIC STATES. HEAVY FINES AND JAIL SENTENCES CHECK TO WETS IN GRANTS PASS.

Pennsylvania and New York Experience Severe Weather While Eastern Canada Has Lowest Thermometer in Years. (United Press Leased Wire.) New York, Feb. 10.—Winter has put its freezing claw over New York state again today. The mercury dropped 28 degrees in 12 hours. Reports from Buffalo say it is 13 below there. At Dunkirk it is five below, at Oswego, eight below and at Erie, Pa., 10 below.

Toronto, Ont., Feb. 10.—This morning was the coldest since 1895. The thermometer ranged in different parts of the city from 12 to 34 below, the latter at Lambton, a suburb. All the streets are away behind time, while the street car service is badly disorganized. Relief is predicted for tonight. Montreal registers 19 below.

Grants Pass, Or., Feb. 10.—A crusade against illegal liquor places in Grants Pass and charges against dealers in towns of the county, involving nine men, has resulted in fines aggregating \$1650 and putting four residents in the county jail. This is dry territory. The crusade reached a climax in this city last evening.

In jail is a former city councilman, who is the owner of a bottling works here, and two other dealers in Grants Pass and one from Kerby. This is in addition to heavy fines, two being assessed \$200 each, one \$300 and one \$500. All the others, except one country dealer, pleaded guilty. He went to trial in two cases before juries and was convicted in both.

Two places in the city were raided and wet goods including full barrels were seized. The total value of the seized goods is estimated by the prosecuting attorney as \$3000. It is stated by the prosecution that all this liquor will be emptied in the gutter.

ILLS CURED IN 8 TO 14 DAYS. Your druggist will refund money if Pazo Ointment fails to cure Itching, Blind, Bleeding or Protruding Piles, 50c.

WHAT HAVE YOU IN THE WAY OF ENTERTAINMENT IN YOUR HOME?

With the children growing up and their friends dropping in, don't you think it would be nice to have a Victor for them?

They'll appreciate its splendid music and you'll get just as much enjoyment from it as they do.

We'll gladly show you the different styles and play any selections you wish to hear.

You can get a Victor as low as \$10, and other styles up to \$100. Victor-Victrolas \$15 to \$200. And we'll arrange terms to suit.

STORE OPEN TONIGHT. Sherman May & Co. MORRISON AT SIXTH. Victors, Victrolas and All the Records Steinway and Other Pianos.

A BLUE RIBBON. What is it? Ask Your Grocer.