

MORE CARE NEEDED

Initiative Petitions Are Sometimes Defective.

LEGAL FORMS MUST BE USED

If Petitions Are Returned for Correction, Consequent Delays May Be Fatal—Names of Signers Must Be in Certificate.

SALEM, Or., Jan. 28.—(Special.)—Initiative petitions offered for filing in the office of the Secretary of State are being returned for correction. The petitions are being returned for correction because they are defective in form, and some of them must be sent back for correction. Those having the petitions in charge will save time, and perhaps avoid a fatal delay, if they take pains to comply with all requirements.

A petition for the submission of the local option law was offered for filing today from Coos County. Because the County Clerk's certificate was defective, it was sent back, and will scarcely be returned within the time that now remains. As the forms of petition are printed, and are carefully prepared, they are correct, but the error occurs in the form of certificate, which is left for each County Clerk to prepare. The certificate is a referendum amendment authorized the Legislature to enact laws providing the manner in which petitions shall be prepared, and such an act was passed by the Legislature of 1902. The right to file petitions depends upon compliance with the law, and even if the Secretary of State were disposed to overlook irregularities, any voter could enjoin the filing of petitions which do not conform to the requirements.

Mr. Dunbar desires that every petition shall be prepared in such a manner that there can be no question as to the right of the petitioners to have it filed. Section 3 of the act of 1902 provides:

"The County Clerk of each county in which any such petition shall be signed shall compare the signatures of the electors signing the same with their signatures on the registration books and blanks on file in his office for the general election, and shall thereupon attach to the sheets of said petition containing such signatures his certificate to the Secretary of State, substantially as follows:

STATE OF OREGON, County of _____, ss. To the Honorable _____, Secretary of State for Oregon:

I, _____, County Clerk for the County of _____, hereby certify that I have compared the signatures on (number of sheets) of the initiative petition, attached hereto, with the signatures of said electors as they appear on the registration books and blanks in my office; and I believe that the signatures of (names of signers) numbering (number of signers) are genuine, and that the remainder of the signatures thereon, I believe they are not genuine, except that the following names (names) do not appear on the registration books and blanks on file in my office.

It will be noticed that the law specifies that the signatures shall be compared with the signatures in the registration books for the general election, and that the form of certificate does not require that the certificate shall state that the names shall be compared with the signatures in those registration books, but the Secretary of State has the opinion that would be best to include this statement so that there can be no doubt. New registration blanks are being issued, but it is not sufficient to use the old blanks comparing the signatures to initiative petitions.

The petition received today from Coos County was defective for a reason that the certificate did not contain a list of the names found to be genuine. The form provided requires that the certificate attached to the petition shall contain a list of the names found to be genuine. As it requires over 800 signatures to complete an initiative petition, the County Clerk must copy this number of names, and the names copied by notaries public if the petitions be certified in that manner.

It is not sufficient to certify that all the signatures on an attached petition are genuine. The requirement that the names shall be made a part of the certificate was probably intended to prevent the addition of any names after the certificate had been made. The form of certificate required when the verification is by a notary public is as follows:

SALEM, Or., Jan. 28.—(Special.)—Attorney-General Crawford rendered an opinion today in which he holds that initiative petitions must be filed in the office of the Secretary of State not later than February 3. In answer to an inquiry from Secretary of State Dunbar, the Attorney-General says:

"Relative to your inquiry as to the last day upon which petitions under Section 1 of article 4 of the state constitution, for the initiative may be filed, permit me to say, I am of the opinion, February 3 is the latest day you can file a petition. The section of the constitution above referred to reads: 'Initiative petitions shall be filed with the Secretary of State not later than four months before the election at which they are to be voted upon.'"

"It is almost universally held in this country that when the word 'month' is used in any statute relative to the time within which anything or an act may be done, that calendar months are to be considered as intended, unless there is something in the statute to the contrary; and our Supreme Court, in the case of Grant vs. Padlock, 36 Or. 216, has held that section 31 of B. & C. Comp. applies to all computations of time.

"Said section provides that: 'The time within which a thing is to be done, as provided in this code, shall be computed by excluding the first day and including the last day.'"

"Applying these rules to the computation of the four months under the said section 1 of article 4 of the constitution, and remembering that we must have not less than four months, which means four full months must elapse after the election is filed before the election: The petition will be held June 6 next, and on June 6 to be before that time, the four months must end at midnight of June 5. Counting backwards by calendar months, we find that the four months commence at midnight of March 5, 1904, and said day is the last day upon which petitions can be legally filed."

EIGHT-HOUR DAY A REMEDY.

Mayor West Says It Will Check Overproduction and Clean Up Stock.

ABERDEEN, Wash., Jan. 28.—(Special.)—Mayor West, of the West & Slade Company, gave his unqualified endorsement of the eight-hour system with double pay for overtime, as the only solution of the lumber situation as it exists today. This, he says, will relieve overproduction, which is the real cause of the slump in the lumber market.

HID UNDER LETTUCE BED

PROPERTY STOLEN FROM O. R. & N. BOX CARS FOUND.

Plants Were Growing on Mound of Earth Covering Several Hundred Dollars' Worth of Goods.

THE DALLIER, Or., Jan. 28.—(Special.)—In his hunt for goods recently stolen from O. R. & N. box cars, City Marshal Wood this afternoon met with signal success when he uncovered about \$500 worth of stolen property in the gardens of China Pete, a Chinese huckster, about half a mile south of this city, snugly stowed away under about two feet of earth with lettuce sprouting well over it.

The officers found a quantity of tobacco, cigars, men's clothing, handkerchiefs, cutlery, shoes and watches. Upon arrest, Pete and another Chinaman found upon the premises identified Fred Huston, or John Whitehead, now in the County Jail for obtaining box cars, and the man who brought the property to the gardens.

Mr. Woods states that a tip as to this probable hiding place of the goods was given him by a black convict recently, being found on the premises until the officer's investigation of the lettuce bed.

THREE TACOMA SAFES CRACKED

Burglars Finish Work in Two Hours and Get \$300 Cash.

TACOMA, Wash., Jan. 28.—Three safes were blown open by expert cracksmen last night. The burglars, who worked in three different business establishments, and the four robbers escaped with over \$300 cash.

The safe of John G. Campbell & Co., appliance manufacturers, the Tacoma Bank, wagonmakers, and the Tacoma Steam Laundry Company's safe were all broken open in succession. Nitro-glycerine was used in the case of the Campbell safe, and the four robbers escaped with over \$300 cash.

A quantity of postage stamps was secured from the safe, and the robbers escaped with over \$300 cash. The safe of the Tacoma Steam Laundry, while one of the robbers held a revolver at the heads of two employees of the laundry who were sleeping in a rear room.

Held for Criminal Assault.

ALBANY, Or., Jan. 28.—(Special.)—Delbert Devine, of Waterloo, in the foothills of Linn County, was incarcerated in the County Jail at Albany today charged with criminal assault.

The action was taken pursuant to an information issued at the last term of court by District Attorney J. N. Hart. The victim of the assault is a woman named Powell. She is a motherless girl and lives in Waterloo, Devine, while not pleading innocence, says the girl was not of chaste character, and claims that she is a prostitute. A sensational trial is expected.

FISHING CHARGES IN ALASKA.

Union Scale Calls for an Increase Over Last Year.

ASTORIA, Or., Jan. 28.—(Special.)—Notification has been received by Secretary Lorensen, of the Alaska Fishermen's Protective Union, that the San Francisco branch of the organization has fixed the rates that will be charged for fish at the canneries in the various districts of the Alaskan waters during the coming season.

The Behring Sea district, which includes Bristol Bay, where the Astoria and Portland companies are interested, shows a decided increase over last year's prices in some particulars. The demand for red Alaska and silver salmon is 2 cents each, while last year but 1½ cents was paid. The price for working the vessels to and from Alaska and discharging and loading the vessels at the northern ports is increased from \$50 to \$70 per man and the beach men and trappers add an advance of \$5 per month. Last season the unit on the boats for the canneries owned by the Astoria and Portland companies was 100 fish per day, while the limit at the other plants was 100 fish, but for this coming season a limit of 120 fish is demanded at all the canneries in that district.

The Astoria branch of the union will hold a meeting on the evening of February 5 to take action on the prices as fixed by the San Francisco organization, and it is expected they will be ratified. The statement issued by the San Francisco union setting the price for the various districts is as follows:

"Behring Sea—Three cents for each red salmon, 2 cents for each dog salmon, dog salmon to be left to the discretion of the superintendent, and for each king salmon, 10¢ for the season's work and 120¢ fish per boat per day to be the limit. For beach men and trappers, who are paid by the month, an increase of \$5 per month; for King Salmon beach men, \$7 per month and one-sixth of a cent per case.

"Copper River—Four and one-half cents for each red and silver salmon caught by net or gillnet, and for each king salmon, 10¢ for the season's work and 120¢ fish per boat per day to be the limit. For beach men and trappers, who are paid by the month, an increase of \$5 per month; for King Salmon beach men, \$7 per month and one-sixth of a cent per case.

"Cook Inlet—One cent per case for all fish caught and packed at Cook Inlet and 2¢ for the season; everything else the same as last year.

"Chignik—One-third of a cent per case for all fish caught and packed at Chignik, as well as all fish brought in or shipped away from Chignik, and 1¢ per month from time of leaving San Francisco to Seattle till time of arrival at said place.

"Loring—Everything same as last place; for beach men, \$7 per month.

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It requires 17,000 feet of these slabs to enclose the grounds around the building. The building and enclosure will be a reproduction of the fort of Clatsop, and the stockade surrounding the fort.

High School for Weiser.

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WEISER, Idaho, Jan. 28.—(Special.)—The trustees of Independent school district are preparing to call an election for the purpose of voting on bonds to build a new high school. The two buildings now in the city are totally inadequate to accommodate the school children of the city, many being compelled to remain away from school.

Hon. Thomas C. Galloway will donate to the school district one-half block of land for the location of the building. It is estimated the building will cost about \$25,000. It will be modern and up-to-date in every respect, and provided with fire-escapes and exits. It is intended to have the building completed by the time school begins next fall.

Water Company Threatens to Take Out Hydrants.

CORVALLIS, Or., Jan. 28.—(Special.)—Much interest prevails here in the situation with respect to fire protection. The local water company has given notice to the City Council that unless negotiations are undertaken for a new contract with it for water supply for city use, the fire hydrants will be taken out, and the connections with the city lines be cut. The city government claims that it could, if desired, enjoin the proposed action by the company.

Contracts Let at the Barracks.

VANCOUVER BARRACKS, Wash., Jan. 28.—(Special.)—The firm of Larnay & Kigene, of this place, has been awarded the contract to erect a new building for the barracks. The building will be a 3-story structure, and will be used for the barracks of the 1st Cavalry Division. The contract is for \$250,000.

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Inquiry for C. and J. W. Bullmer.

SALEM, Jan. 28.—(Special.)—Governor Chamberlain has received a letter from Mrs. C. W. Bullmer, of 317 West Washington street, Springfield, Ill., asking for information concerning the whereabouts of her uncle, Christian and John W. Bullmer, who came to Oregon some 30 years ago.

Opp Mine Resumes Operations.

JACKSONVILLE, Or., Jan. 28.—(Special.)—The Opp mine, located two miles west of Jacksonville, and which has been idle for more than a year, was started up last week by C. W. W. Opp, and the mill in being run day, night and Sunday on ore that is producing good values. It is probable that the mine will be operated constantly hereafter.

Fishermen Discharge Chinese Crew.

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Vinegar Plant for North Yakima.

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Diphtheria in Wallawa County.

ENTERPRISE, Or., Jan. 28.—(Special.)—Many cases of diphtheria are reported in the north end of this county, near Flora and Ray's Ferry. Several cases have been put under quarantine.

TURNED ON THE GAS AND DIED

Mrs. S. A. West Had Frequently Threatened to Kill Herself.

SAN FRANCISCO, Jan. 28.—Mrs. S. A. West, widow of J. W. West, a candy manufacturer, committed suicide last night by turning on the gas. Her dead body was found today in her apartments. She was in ill health and had frequently threatened to kill herself.

A short time ago her husband, J. W. West, dropped dead on the street, and a few weeks later the daughter, Grace Clark Perkins West, ended her life in a local restaurant. Mrs. West had been robbed of her money and some property in Denver. A letter from John Sullivan, Chief of Police of Seattle, was found in her apartments, saying:

"If you will send full particulars regarding this man Rostenfeld I will do his best to help you."

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