

PUTER AND WOMAN ADMIT FORGERY

Falsification of Entries by Which Kribs Party Profited Confessed.

SCHOOL LANDS INVOLVED

Defense Will Contend That Kribs Believed When He Purchased Deeds That They Were Genuine.

Frederick A. Kribs, of Portland, again became a defendant before the United States court yesterday, when District Attorney McCourt began trial of the suit to recover title to about 1500 acres, now a part of the Cascade National Forest. The specific case on trial concerns a school scrip, alleged to have been taken up by Kribs, S. A. D. Puter and others.

FAULT LAID TO SYSTEM

"I do not believe D. D. Clarke, chief engineer of the Water Board, is as black as he has been painted," said C. F. Swigert, president of the Pacific Bridge Company, yesterday. "In fact, I know he is blamed for things for which the system under which he is compelled to work is responsible."

"He has been accused of estimating jobs so low that no contractor will bid on them. The real difficulty, in my opinion, is not so much low estimates as the manner of payment for the work. We have seven water pipe contracts, taken at practically the engineer's estimate, and would be glad to have more at the same price if we, in common with other contractors, did not fear our payment would be long delayed and that we were only likely to be subjected to expensive litigation."

"In addition to the completed work here I have figured on a number of other jobs, and while I do not think Engineer Clarke intends the contractor to make any exorbitant profits, I must say the prices are very fair if there were any certainty of the assessments being promptly paid. In only a single instance could I find any fault with the estimate, and that was due to an error."

"If the people were to give the Water Board authority to return to the old system and pay cash for its work, there would be no lack of bidders and the little fault found with the estimates. We have built several water systems at lower prices than allowed by the engineer's estimates, but we got our pay on monthly estimates as the work progressed, which is an important detail in contracting work."

"It should be remembered that a water main contract is over 99 per cent pipe and other material that can be bought as cheaply by the city as by the contractor, and the engineer does not allow as great a profit on material bought in the open market, on which the contractor does no work and takes no risk, as he would on work composed largely of labor, where the element of risk and uncertainty is much greater."

"If we could go back to the old system, which prevailed before the last administration, whereby water improvements were paid for out of the general fund instead of by assessment on the abutting property-owners, this complaint on the part of the Water Board's engineer would soon cease and there would be plenty of bidders for any job offered."

"The money that has been obtained has been put into the pocket of the contractor. This committee was increased yesterday at a meeting of the finance committee by the Charles Huber, for the Barber Asphalt Pavement Company, \$50; Martin Winch, \$10; McNaughton, Raymond & Lawrence, architects, \$100.

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CLARKE'S ESTIMATES RIGHT, SAYS C. F. SWIGERT.

Contractors Do Not Bid on Jobs Because Their Pay is Uncertain Under Assessment Plan.

Three Witnesses Confess.

Among the witnesses yesterday were S. A. D. Puter, Horace McKinley and Marie Ware, now the wife of McKinley. All confessed their part in the conspiracy as to the school scrip on the school lands granted by Congress.

It is alleged that Kribs and Puter forged deeds to the school lands after the patents were issued by the Government in the names of Miller and Robinson, and that these papers were used again to defraud the Government.

It is understood that Kribs will deny entering into any conspiracy with Puter to obtain possession of the school lands in the first instance, and will assert that when he purchased the deed of Miller and Robinson he thought they were genuine.

Mr. Marie Ware McKinley testified that she forged the signatures to the various Government papers in the case. It is understood in Government circles that Kribs represented large timber owners in Minnesota in his operations in this state, but every effort to get service upon them has failed. Even if the Government should succeed in recovering the lands to the National domain it will be unable to sustain a criminal prosecution because of the intervention of the statute of limitations.

The State of Oregon has no interest in the case, as the alleged conspirators received the indemnity scrip after paying the state in full at the acreage price fixed by the Land Board.

FIFTEEN DENTISTS PASS

Semi-Annual Examinations Concluded at North Pacific College.

The State Board of Dental Examiners concluded its semi-annual examinations yesterday at the North Pacific College, where it has been in session since Monday. Fifteen candidates qualified and will be permitted to practice dentistry in Oregon.

Most of the applicants were practitioners in the Middle West states previous to their coming to the coast and taking up fruit ranches in Oregon.

The State Board of Dental Examiners is composed of the following: President, Dr. A. S. Benson, The Dalles; secretary, Dr. H. H. Olinger, Salem; Dr. Mark Hyster, Dallas; Dr. F. Vaughan, Astoria; Dr. J. M. Yates, Portland.

The next annual meeting will be held in Portland in June. The successful candidates are: F. H. Johnson, R. L. Tower, D. M. Field, R. H. Hoskins, A. Ladlaw, A. W. Downey, F. Westerfield, S. P. Johnson, D. C. Brett, E. L. Scober, W. M. Vanascoy, W. E. Moxley, C. W. McKenna, J. S. Lyon, L. L. DuBois.

COMPANY IS NOT BLAMED

Coroner's Jury Holds Death of Bradford Callif Was Accidental.

OREGON CITY, Ore., Nov. 18. (Special.)—At the inquest by Coroner Holman into the death of Bradford S. Callif, who was killed yesterday afternoon while working at the Willamette Pulp & Paper Co.'s mill on the West Side, the verdict was accidental, and no blame was attached to the company. Callif's neck and left leg were broken.

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NO STREET IN 1889

Lewis Russell Says Morrison Was Road.

ONE EASEMENT WAS GIVEN

Contention Offered That City's Action in Case of Sewer Proves It Has No Title to Thoroughfare.

Lewis Russell, of the firm of Russell & Blyth, one of the owners of the property condemned for the extension of Morrison street, said yesterday that there was nothing in the recent discussion about the street having been opened in 1889.

"As a matter of fact," said he, "there was no Washington street in 1889, that thoroughfare being called the Barnes road, and under the jurisdiction of the county. The city limits in those days went only as far as Fourteenth street, which is now called Chapman street. So if the Council put through a resolution to open Morrison street to Washington street it was entirely beyond its jurisdiction and the proceedings were utterly void."

Sewer Easement Given.

"I have not examined the records, but I think it is likely that these proceedings opened an street to Fourteenth street, now called Chapman street. As a further evidence that this street was never opened beyond Chapman street, the Tawner Creek sewer, in 1889, went to A. N. King, the owner at that time, and acquired a deed from him and the Fair Association for a right of way for the sewer. It was stipulated in the deed that the sewer was to be put south of the Exposition building. It does not seem likely that the city would go to the trouble of getting a deed for a right of way through property that belonged to the people."

"As a further knock-out to the contention, in a decree rendered in the suit of A. N. King against T. R. Brigham, et al., for a settlement of the boundary line between the different owners in that vicinity, held among other things, it is considered and decreed that Morrison street in the City of Portland does not extend further west than the west line of Fourteenth street in said city. Fourteenth street is now called Chapman street."

Adverse Possession Complete.

"Even if the street was put through 40 years ago, the present owners of the property have an undisputed title to adverse possession. It is true the Legislature passed a law declaring that adverse possession would not be against cities, but the present owners had adverse possession long before this law was passed and any law student would know that this law would not apply in this case."

"The bringing up of this question at this time has no doubt been caused by the assessment for the opening of the street by owners of property on the east end of Morrison who are dissatisfied with the amounts which they will have to pay. Some of the largest property owners are anxious for the street to be put through and are quite willing to pay the assessments against their property, but the present agitation will delay matters a considerable time."

have been represented in the newspapers as being opposed to the opening of the street on the basis of the 'viewers' report, but this is a mistake. Not a single protest has been made by them. Some of the owners would much prefer not to have the street go through, but they are public spirited enough to acquiesce in the movement."

ANCIENT DOCUMENT DUG UP

Assistant City Attorney Thinks It Strengthens Morrison Street Case.

Records at the City Hall disclose a new feature of the Morrison-street proposed extension pending in the Council, which has encouraged the City Attorney. Tending to strengthen the contention that the street, from Fourteenth to Washington, was dedicated in 1889 is the remonstrance filed against the construction of the Exposition building in the street in 1888. The judicial committee, then composed of Councilmen Woodard and Gerdes, considered the lengthy remonstrance and recommended that it be overruled. This report was adopted.

According to Assistant City Attorney Grant, who has been looking into the case, this strengthens the city's case, and in his opinion, on the face of the records, the Council has but to order the improvement of the street without payment of any damages. City Attorney Kavanaugh, however, is still engaged in compiling his statement, which is to be given to the street committee at an early date.

The fact that the Council in 1888 granted permission to the Exposition building project to erect that structure in Morrison street is said to show that the city had control, and that the street must have been dedicated prior to that time. This, together with the record which shows that condemnation proceedings were started in 1889, is taken by the municipal authorities to prove that the street is dedicated and under control of the city. If this is the case, it is said, and adverse possession has not run sufficiently long to give to the present owners a clear title to what they have long supposed to be their property, all the city has to do is to proceed in the usual way to open the street. At the meeting of the street committee of the Council yesterday afternoon all of the papers in the case were ordered sent to the City Attorney for his guidance.

The street committee, upon recommendation of Councilman Ellis, of the Tenth Ward, adopted a report that the city do not take over Portland and Willamette boulevards as city streets. City Engineer Morris was asked for his views and replied that he had not changed his opinion, which was that the boulevards should be taken over by the city and improved, and that they should not be retained by the county and not improved. The opposition to the taking over of them, however, was so strong that Mr. Ellis will not recommend it.

A special meeting of the committee will be held next Tuesday at 2 P. M. for the purpose of considering the proposal to take over Macadam road as a city street, the proposed extension of Hancock street and other matters that must be acted upon soon.

Denver-Washington Game Off.

SEATTLE, Wash., Nov. 18.—The athletic board of control of the University of Washington tonight decided not to accept the challenge of Denver University for a football game to be played here December 11.

Forced Into Exile.

Wm. Upchurch of Glen Oak, Okla., was an exile from home. Mountain air, he thought, would cure a frightful lung-racking cough that had defied all remedies for two years. After six months he returned, death dogging his steps. Then I began to use Dr. King's New Discovery. He writes and after taking six bottles I am as well as ever. It saves thousands yearly from desperate lung disease. Infalible for Coughs and Colds. It dispels Hoarseness and Sore Throat. Cures Grip, Bronchitis, Hamorrhages, Asthma, Croup, Whooping Cough, Sore and Stiff, trial bottle free, guaranteed by all druggists.

Two Subjects He Will Discuss--Portland First, Then the Stage

Paul Everton, of 'The Third Degree,' at the Bungalow, Here Ten Years Ago With Edna Wallace Hopper, Makes First 'Straight Visit' Now--'Avoid Footlights,' His Advice to the Ambitious.

IT IS no easy task to get Paul Everton, of 'The Third Degree,' now playing at the Bungalow, to enter into conversation concerning himself. There are it seems, only two topics on which he will open up. One of them is Portland.

"This place is great," he said yesterday. "I've been coming here for several years; ten years ago was my first visit. I was then with Edna Wallace Hopper in 'The Country Mouse' and we played at the old Marquand Theater. But this is my only visit. So far as I can observe, Portland has more than kept stride in the Marathon race for advancement. The place grows immensely between my visits. I only hope I may play here some day at the head of my own company, and, incidentally from present indications that day may not be far distant."

After 20 years' work, during which Mr. Everton has played leads and characters, he has decided that the latter is particularly his work.

"In discussing the relative merits of two plays in which Portlanders have seen him in recent years, Mr. Everton said: 'As an acting proposition I prefer the character of John Ryder in 'The Lion and the Mouse,' but the audience invariably likes much better the lawyer Brewster, in 'The Third Degree.' The average 'connoisseur' never stops to consider the actor--it's his role. You might ask 30 people and they will tell you they prefer the character of Brewster--ask the actor and he will say 'Ryder.'"

The pleasant nature of the former role have a certain bearing, the role is that of a brusque, bluff lawyer, who is persuaded to give in and assist a girl whom the audience wants him to assist. It's rather as if the audience scores a personal triumph."

Mr. Everton is 40 and doesn't look 20. His face is full and unwrinkled, there are only a few gray hairs at his temples, and his skin is so healthy and ruddy that you can almost see the red blood pounding under its surface. His carriage is decidedly military, and his wide-open gray eyes are as penetrating and searching in their glance as if he were in truth Lawyer Brewster.

"If I had my life to live over again I'd be a civil engineer, I think, or, in fact, any old job that would guarantee a \$2-week stipend, instead of an uncertain \$9 or perhaps \$6 week that an actor may look forward to. I do not want to rap the stage, but I do want to discourage the fools. Everyone, no matter who or where or what he is, at sometime hankers for the footlights. I think that an actor may look it wise they stay away. I do not say this in detriment of the stage, but rather, I speak of its instability. One-third of idleness applied to any other business or profession would return 75 per cent better results."

The one other subject Mr. Everton will discuss with vigor is the seeming prejudice in favor of original companies, asserting that the organizations sent out here were as good as the originals. "When good plays, and good performers are well received and encouraged like our company has been in Portland," he said, "it's an inspiration to the managers to send out high-class players." "While it is true that the average, I may say, popular mind, thinks it is only the actor who creates a leading part that



Paul Everton, in 'The Third Degree.'

is worth while, still it is true that, in many instances, the road actor gives a better portrayal than the actor who made the part originally. They realize and the manager realizes that more, much more, is expected of them. No actor likes to play any role year in and year out. I grew so tired and sick of Ryder in 'The Lion and the Mouse' after I had played it constantly, every day, and sometimes twice daily, for two years, that I would come the change to Brewster. I wouldn't even like to play the latter role too long. It cannot help becoming mechanical after a certain time. It is equally true of original roles, and the actors who create them.

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