## **VENOM IS BREWING** IN ARSON DEFENSE

Attorney Malarkey, Smarting Under Judicial Restraint, Likely to Be Vitriolic.

### STATE'S ARGUMENT HEARD

Deputy District Attorney Collies Makes Opening Address on Behalf of State and Case Will Go to Jury Today.

Smarting under what he contends is unfair prosecution of his client, Max now on trial for arson, Attorney Malarkey is expected to pay his respects in pointed terms to Deputy District Attorneys Maguire and Collier at this morning's session of Judge Morrow's court. He will make the argument for the defense, and unless all signs fall he will put into it much of the vitriol and venom that has accumu-lated during the trial of the case. The attorney for the defense has

him by judge and opposing Deputy District Attorney Maguire will give the closing argument for the state, and the case will go to the jury

chafed under the restraints imposed

before night.

After the Albert case is disposed of, there will come a series of from six to eight prosecutions calculated to break up the alleged "arson trust."

District - Attorney Collier made the opening argument for the prosecution yesterday. He sketched to the Jury the high lights in the testimony as the state sees it and reviewed in brief the mass of evidence that has been produced in court during the past week.

He referred to the oil-soaked shirts found in the store of L. Sax & Son, 207 found in the store of L. Sax & Son, 207 First street, by the firemen after they gained entrance to the place late on the night of August 5, 1912, directly after the fire upon which the present indictment of Albert is predicated. He spoke of the testimony to the effect that the counters in the front of the store had seemingly been so arranged as to block access to the store and delay the firemen so that the blaze might lay the firemen so that the blaze might have a chance to get under headway. Deputy Collier charged a conspiracy between L. Sax and Sam Sax, his son.

between L. Sax and Sam Sax, his son, Max Albert and Philip Davis. The last named has confessed, and the two Saxes remain to be tried on the same charge that Albert is facing.

Insurance amounting to \$6000 was carried by the Sax Company on the stock of goods in June. In July, the evidence showed additional policies amounting to \$3000 were taken out, making a total of \$9000 at the time the fire occurred in early August.

The allegad in the same James H. sues Hannah Turk for divorce, alleging that his wife has refused to live with him.

VIENNA PICTURED AS SAD Dr. Ray W. Matson Says Austrians Mean to Fight Doggedly.

lief, was all right when he was doing the bidding of the 'arson trust,' declared Mr. Collier, "They were all friends then. It is just by such a falling out among thieves as this proved to be that honest men get their dues. Court adjourned shortly after 3 o'clock until this morning. The defense probably will occupy most of the morning with its argument, and Deputy District Attorney Maguire will make the closing argument this afternoon. Then, with the instructions Judge Morrow will give the jury, the trial will end.

## NEW PENSION MEASURE UP

Supreme Court is to be started at once by City Auditor Barbur and City Attorney LaRoche. Copies of the pension laws of other cities have been secured and an attempt will be made to work out a satisfactory law for the Portland department.

At present the police have the old relief and pension ordinance, which is considered insufficient in that it does not provide reasonable relief or pensions. It has been ruled that the City Council has the power to pass a new pension ordinance, it is proposed to raise money to finance the system by a direct assessment against the salaries direct assessment against the salar of the policemen and by a small tax

### BANKING ACT EXPLAINED

Lumbermen's National Issues Booklet Outlining New Law.

A brief explanation of the new bank. ing act has been compiled in vest pocket form and is being distributed by the Lumbermens National Bank of Portland, which is a member of the ederal reserve system as provided by

the new act.
The booklet describes why the law was passed, the new features of the bill, the terms of membership and the procedure under which the system is conducted and explains in terms free from technical phraseology the opera-tions of the whole Federal banking

map of the United States shows the country divided into the 12 districts provided for by the Federal Reserve Board, with the location of the re-gional bank center in each district.

### MARTIN'S CONFESSION TOLD

Robbery of Spokane Bank Said to Have Been Admitted.

SPOKANE, Wash., Oct. 8 .- George M. SPOKANE, Wash, Oct. S.—George M. Martin, who was arrested recently in Portland, charge with committing a daylight bank robbery here August 28, confessed today to the police.

The bank was robbed of \$1542 by a masked man, who threatened the book-keeper with a bottle which he said contained nitroglycerin. The thief locked the bookkeeper in the bank's yault.

### CLUB TO SEE LIVESTOCK

Harriman Members Also Will Attend Land Products Show.

Members of the Harriman Club, who helped to make the Pacific International Livestock Show 2 success last year,

ngain will attend the exposition in a body this year.

They have selected Wednesday, December 5, as the date for visiting the show and will go to the grounds in a special train to be operated for their benefit by the O.-W. R. & N. Company. J. D. Farrell, president of the O.-W. R. & N. Company, has declared the day a boliday in the general offices and it is expected that the Southern Pacific and Portland, Eugene & Eastern roads will follow suit.

will follow sult.

The Harriman Club also will take a holiday to attend the Manufacturers' and Land Products Show at the Armory this month.

### BACK TAX OFFER REFUSED

Lane County Orders Southern Pacific Grant Lands Kept on Rolls.

EUGENE, Or., Oct. 8 .- (Special.)-The Lane County Court today rejected the offer of the Southern Pacific Company to pay all back taxes at 6 per cent on the Oregon and California grant on the Oregon and California grant land in case the Supreme Court reverses the decision of Judge Wolverton, and ordered that the land remain upon the assessment rolls. The order follows the advice of the Tax Commission and County Attorney, but is opposed to that of the Attorney-General. The railroad, through Judge William Colvig, has said that it would resist the collection of back taxes, amounting to more than \$50,000 yearly, if its offer were refused.

to more than \$90,000 yearly, if its offer were refused.

The Lane County Court set a precedent today when it accepted the compromise offer of the Willamette Pacific and reduced the taxes to 55 per
cent of the cash valuation. The railroad contended that it has been assessed for full cash value, and that the
Tax Commission has determined that
property in Lane County is assessed at
65 per cent of cash valuation. The
railroad company offered to split the
difference and avoid a suit. The difference in this case amounted to \$2400.

### TIES IRK TWO COUSIN WIVES Divorces Asked on Plea That Marrlages Were Illegal.

Two wives sued for divorce yesterday, each alleging she was married to a cousin and that the marital tie was illegal. Bessie Signett sued Joseph Signett, complaining that when they were married here in 1910, she was under 15 years of age and did not have the consent of her parents. A witness, she says, swore to a false affidavit in obtaining the license. The custody of a child is asked.

Evelyn Overholt sues Egbert Roy Overholt, alleging that her husband beat her. She says they have not lived together since 1911, when she was advised her husband was her first cousin, Ethel Donnelly sues Charles Donnelly for divorce, alleging they were married in September of last year and that he deserted her in the same month.

James H. sues Hannah Turk for divorce alleging that her

making a total of \$9000 at the time the fire occurred in early August.

The alleged payment of part of the profits from the fire to Davis and Albert upon the basis agreed upon, according to the testimony of Davis, was reviewed, and it was declared that the placing in bank of \$200 by Albert on November 20, 1912, tailled closely with the story of the witness, Davis.

"Davis, whose word is attacked as being worthless, who himself is said by the defense to be unworthy of belief, was all right when he was foing the bidding of the 'arson trust,' declared Mr. Collier. "They were all friends then. It is just by such a falling out among thieves as this proved to be that honest men get their dues. Court adjourned shortly after 3 o'clock until this morning. The declared with the carries of the collier of the carries of the collier of the carries of the collier of the carries of the carries

### NEW MAINS AT CHEHALIS City to Continue Work on Gravity System While Bonds Last.

CHEHALIS, Wash., Oct. 8 .- (Special.) The Chehalis City Commission will roceed with improvements and exten-

Police Relief Ordinance to Be Prepared to Take Place of Old.

Work of preparing a new police pension system to take the place of that passed by the State Legislature at its last session and invalidated by the State Supreme Court is to be started at once by City Auditor Barbur and City Attorney Laftoche. Copies of the pensions of the city's water acrevice under the new gravity plans until all the bond issue is used. Then monthly revenues will be used when needed. Several old stretches of water mains will be replaced by new piping, some of it to be larger than that now in use. The old city reservoir is being used temporarily. The new reservoir will be ready for service within a few days.

Winning the honor in North Yakima recently of having the best supply of pure milk of any city in the Northwest, Portland now may go after National

A plan will be submitted to the City A plan will be submitted to the City
Commission this morning to enter Pertland milk in a National pure milk contest under Federal supervision in Chicago October 22. The Bureau of Animal Industry will test the milk and
might.

SCENE FROM KLAW & ERLANGER'S "CHARITY BALL."

Taken From "The Charity Ball," at the Majestic, Beginning To-day and Continuing the Balance of This Week.

# ONE NEGATIVE VOTI

Steps Being Taken to Insure Defeat of C. M. Hurlburt on Legislative Ticket.

### DEMOCRATS CALL FOR AID

Effort Made to Have Senator Chamberlain Leave Washington Sunday and Vice-President Is Urged Also to Hurry Here.

Republicans and Democrats have sined forces to insure the election of Roscoe P. Hurst, Democratic nomine for Representative in the Legislature in the Seventeenth district, comprising Multnomah and Clackamas counties.

Hurst's opponent is C. M. Huriburt, who was nominated at the Republican primaries, but who was repudiated recently by the Republican county cen-

centry by hie Republican county central committee on the grounds that he is not qualified to hold the office.

Hurlburt was asked to withdraw from the ticket but refused. The Republican committee is poweriess to force him to withdraw, but is in position to withhold its support. The committee, accordingly, has issued a declaration advising all Republicans not to vote for Hurlburt.

vising all Republicans not to vote for Huriburt.

In this connection the committee cailed attention of the voters to the candidacy of Thomas M. Huriburt, the regular Republican nominee for Sheriff, and the possibility of confusing the two Huriburts,

"Voters should be careful not to associate the two Huriburts together," says Georget J. Cameron, chairman of the Republican county committee.

"Thomas M. Huriburt, the Republican candidate for Sheriff, is in no way connected with C. M. Huriburt. In fact, the two men are not related, nor even acquainted.

"The Republican committee is not supporting C. M. Huriburt, but is active in its support of Thomas M. Huriburt."

Since the committee took this attitude an independent movement has been started among Republican voters to support Roscoe P. Hurst, the Democratic nomines.

native of lilinois, but has lived in Oregon for nearly 10 years and lives at 223 East Forty-first street. He is held by his friends as a man of excellent character and well qualified to represent the district in the Legislature. Hurst now is making an active canvass of Multnomah and Clackamas counties.

Democratic leaders in Oregon have sent up a cry of "help" and are look-ing to Washington for an early re-

In other words, they expect SenaIn other words, they expect Senalor Chamberiain soon to leave his "post
of duty" and start for home. They
think that his presence here is needed
right away if he is to be saved from
defeat at the forthcoming election.

One tentative plan mapped out yesterday and submitted to Senator Chamberiain by telegraph provides for the
Senator's leaving Washington about
Sunday of this week and traveling directly to Baker. He is scheduled to
arrive at Baker next Wednesday, October 14, according to this programme,
and to speak there. He then would
hold other meetings at La Grande, Pendieton, The Dalles and intermediate dieton. The Dalles and intermediate points, arriving in Portland on or about Sunday, October 18. Senator Chamberiain's approval of this plan now is awaited.

that upon investigation proved to be nothing more than saloons, warehouses, docks and abandoned lodging-houses, ey propose to challenge every one

docks and abandones instance.

They propose to challenge every one of those voters on election day.

C. N. McArfuir, Republican direct primary nominee for Congress in the predicts that the Republicans will vote the primary nominee for Congress in the predicts that the Republicans will vote to the primary nominee for Congress in the predicts that the Republicans will vote to the primary nominee for Congress in the predicts that the Republicans will vote to the primary nominee for Congress in the predicts that the Republicans will vote to the primary nominee for Congress in the predicts that the Republicans will vote to the primary nominee for Congress in the predicts that the Republican state headquarters years the day and reported that Josephine County in the good in the solemn county.

The general election if I defeated him the would support the one who was nominated. I made the promise in the would support the one who was nominated. I made the promise in the that he would support the one who was nominated. I made the promise in the thin by a big majority in the feet of the primary in the primaries and naturally looked to him for the primary nominees and naturally looked to him for the primary nominees and naturally looked to him for the primary nominees and naturally looked to him for the primary nominees and naturally looked to him for the primary nominees and naturally looked to him for the primary nominees and naturally looked to him for the proper I was surprised when I learned that he intended to run independent him by a long majority of the primary nominees and naturally looked to him for the primary nominees and naturally looked to him for the primary nominees and naturally looked to him for the primary nominees and naturally looked to him for the primary nominees and naturally looked to him for the primary nominees and naturally looked to him for the primary nominees and naturally looked to him for the primary nominees and naturally looked to him for the primary nominees and naturally looked to him by

## on the state ticket also will be invited to attend.

Fred Hollister, Democratic nominee for Representative in Congress in the First Oregon district, was in Portland yesterday. He is opposed by W. C. Hawley, the incumbent, who is a Republican. Hollister just returned from a visit to Clatsop County. He called at Democratic headquarters and left last night for points in the Willamette Valley, where he will continue his campaign work.

William Hanley, Progressive candidate for United States Senator, was in Grants Pass yesterday and attended several political meetings. He will return to Portland this morning.

Hanley and other Progressive candidates will speak at a political rally in St. Johns tonight. George Arthur Brown will preside.

The Democratic county central com-mittee held a meeting yesterday and arranged for a series of meetings to be held in the next few weeks in the schoolhouses in Portland. Application has been made to the School Board for permission to use the buildings for this purpose.

urpose.
It is proposed to have the various andidates on the Democratic state and



Roscoe P. Hurst, Democratic Leg-islative Nomince, Who Is Sup-ported by Republicans.

county tickets included among the speakers at these meetings,

At the regular weekly luncheon of started among Republican voters to support Roscoe P. Hurst, the Democratic nominee.

Hurst is an attorney, 32 years of age and a graduate of Notre Dame University at Notre Dame, Ind. He is a native of Illinois, but has lived in Oregon for nearly 10 years and lives at 222 East Forder.

R. A. Booth will go to Clatsop County today to continue his campaign work. He has many supporters in As-toria and other parts of Clatsop County and there have been many recent de-mands for his appearance there.

Joseph Hume, of Brownsville, member of the Republican State Committee from that place, was in Portland yesterday and predicts a big vote for Booth and Withycombe. "Things look good from a Republican standpoint," is his announcement.

"You can count on the Fort Rock
Precinct for a good Republican majority, as registration figures show it
three to one Republican. Both Withycombe and Booth can be assured of the
whole Republican vote in this precinct
as both are well spoken of by the peoole here"

was at
Column
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Speak.

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hold other meetings at La Grande, Pendleton. The Dalles and intermediate points, arriving in Portland on or about Sunday, October 18. Senator Chamberlain's approval of this plan now is awaited.

Officials of the committee of 190, which is supporting the "dry" movewhich is to make to the Pacific Coast states. He will speak in support of the Democratic candidates, if he comes that upon investigation proved to be nothing more than saloons warehouses.

was at the Republican state headquarters in the Imperial Hotel yesterday and reported that Josephine County will be for Booth and Withycombe. He predicts that the Republicans will vote the ticket straight this year.

mal inclustry will test the milk and award prizes on the basis of purity.

The Chicago contest will take in the leading cities and will provide a test on about 85 per cent of the milk supply of every city. Samples from about 56 dairies in Portland would be sent.

D. W. Mack, head of the city milk inspection bureau, may represent Portland at the Chicago contest.

Dr. Withycombe is scheduled to make an address at Klamath Fails on Monday, but meanwhile will visit many smaller towns and villages in Klamath has been invited to be the guest of the people of Eugene on this occasion. The celebration is being arranged by the business men of that city. It is probable that a number of other candidates an address at Klamath Fails on Monday, but meanwhile will visit many smaller towns and villages in Klamath has been invited to be the guest of the celebration is being arranged by the business men of that city. It is probable that a number of other candidates an address at Klamath Fails on Monday, but meanwhile will visit many smaller towns and villages in Klamath has been invited to be the guest of the celebration is being arranged by the business men of that city. It is probable that a number of other candidates an address at Klamath Fails on Monday, but meanwhile will visit many smaller towns and villages in Klamath has been invited to be the guest of the celebration is being arranged by the business men of that city. It is probable that a number of other candidates an address at Klamath Fails on Monday, but meanwhile will visit many smaller towns and villages in Klamath has been day, but meanwhile will visit war on the celebration is being arranged by the business men of that city. It is probable that a number of other candidates.

SCENE FROM KLAW & ERLANGER'S "CHARITY BAIL." trips to nearby points.

Dr. H. C. Fixott, who is campaigning the state in opposition to the "den-istry" bill, has returned from a trip that included Eastern Oregon as far as Baker, and the Williamette

as Baker, and the Wilinmette Valley and Southern Oregon as far as Klamath Falls. He reports a strong sentiment against the bill.

"It is used on the initiative for personal ends," he says. "I believe that there is a general sentiment among the voters that the educational and moral requirements of any profession should not be lowered by legislation."

Over in Malheur County the Booth-Chamberlain-Hanley contest and the Withycombe-Smith scrap sink into in-significance when contrasted with the local scrap over removal of the county seat from Vale to Ontario.

This question now is the all-important issue before the voters and will be decided by the voters on elec-

tion day. The county seat now is at Vale, which is the eastern terminal of the new line being built across the state by the O.-W. R. & N. Co. The people of Ontario agree to donate a people of Ontario agree to donate a site and to build a new Courthouse free of cost to the county if the county seat is moved to that city. Ontario at present is the larger town of the two. It is on the main line of the Oregon Short Line Railroad and near the Idaho border.

The entire population of Malheur County has taken sides on this momentula question and even the news-

OMING home or going away from home: in a crowd on the boulevard or at the county fair; with just a few friends, or all alone, you'll be welldressed and look so if you wear

### Hart Schaffner & Marx

clothes and that is the only way you can be sure of it.

There are lots of other clothes to be had, but they're not like these. We want you to get the benefit of the service we're trying to render in this matter of clothes for men and young men.

See us about it; find out the economy in our suits and overcoats at \$25 and at

## Sam'l Rosenblatt & Co.

The Men's Shop for Style and Quality

Northwest Corner Third and Morrison

R. A. Booth, Republican nominee for United States Senstor, spoke before an audience of nearly 1990 persons in Co-lumbia Hall, on Morris street, Wednes-day night. He was listened to with in-Fred C. Elckenmeyer, of Pilot Rock, yesterday wrote Edward D. Baldwin, secretary of the Republican State Committee, in the following encouraging tone:

"You can count on the Fort Rock Precinct for a good Republican ma-

Senator Borah, of Idaho, who has been criticised by the Democratic press of Oregon for his part in the filibuster against the general rivers and harbors bill, has written to friends in this city in explanation of his attitude as fol-

delegation in Congress who is not giv-ing active support to that portion of the rivers and harbors bill that pertains to the Columbia River projects. I would be pleased to know in what particular the Western members have support of been indifferent to this project or failed

he Democratic candidates, if he comes. The Democratic organization in Orecon is appealing for him to come here and help Chamberlain.

George H. Durham, of Grants Pass, was at the Republican state headquar-would take care of the legitimate projects of the state of the legitimate projects of the duty. would take care of the legitimate projects and I have stood ready and anxious to support that kind of legislation, as sveryone here knows. There are a number of projects included in the bill which are wholly indefensible and the only failure on the part of Western

NEW YORK, Oct. 8. NEW YORK, Oct. S. — Women pas-sengers, including Mrs. J. P. Morgan, on the White Star liner Celtic, which arrived here today from Liverpool, spent many hours on the voyage across knitting socks, jackets and mufflers for the soldiers who will endure hardships in the Winter's campaigns of the European war.

uropean war. Mrs. Morgan completed five pairs of Mrs. Morgan completed five pairs of socks, one jacket and two mufflers and turned them over to the Ceitic's purser on the ship's arrival here. The wool was sold to her and the others who knitted after they went aboard the Ceitic in England, and the patterns were supplied by the British government. Mrs. Morgan is a member of a needlework guild organized by Queen Mary.

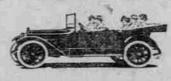
### INDIAN TROOPS IMPRESS Solemn Courtesy of Giant Orientals

Is Noted in France. PARIS, Oct. 8.—The British Indian army is said to be rapidly, becoming acclimated. French Generals who have inspected their artillery, cavalry, in-

fantry, engineer and ambulance auxiliary corps, describe the army as splen.
didly equipped.

The people of the French cities where
the men had been quartered are favorably impressed with the solemn cour-

## The Hupmobile



1200

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Distributors for Oregon and Washington, 46-48 N. 20th St., Portland. hones-Marshall 1690, A 1290.



Five passengers in all the com-fort and ease that reason can ask Power and to spare for anywhere you can travel.

Five Passengers

Equipment complete, even to small details like license carriers. Refinements that belong to the Hup alone this year—because the Hup leads progress. All this and more the new Hup gives you. For you get the old Hup quality, the old Hup service at low cost, the old Hup reliability.

And those, let us tell you, are essentials worth having, as well as a big, roomy body, conveniences throughout, and everything connected with the operation of the car made simple and easy.

The Hup has always stood head and shoulders above the general run of cars. We hardly need tell you When you come in to see the new model you'll say that it is maintaining the place that belongs to the Hup.

Sedan top for the touring car, coupe top for the roadsler, make Winter driving cosy and comfortable, and their cost is exceedingly attractive.



### · Every Weight of Underwear for Men

is found in the Lewis Union Suit for Fall and Winter; cotton, cashmere, cotton and worsted, silk and worsted and Sea Island Cotton Mercerized. You can get light, medium or heavy weight

# For Men, \$1.50 to \$6.00

For Boys, 75c to \$2.00 We display and sell these famous Lew-is Union Suits and want you to examine the different weights and materials and note the big consumer-value.

> Get your Lewis at BUFFUM & PENDLETON BEN SELLING GLDS, WORTMAN & KING AUGUST PAUTZ & SON

NINE YEARS OF HONEST DEN-TISTRY IN PORTLAND. Dr. PAUL C. YATES



### WE HAVE CUT PRICES RAISED THE QUALITY.

Our offer is for you to go to any come to us and we will show you how To SAVE A DOLLAH, and we make a dollar on your dental work.

Gold Crowns. \$4.00 Bridgework. . ...... \$4.00 Fillings. . ..... All Work Guaranteed 15 Years.

Paul C. Yates, PAINLESS DENTIST.
Fifth and Morrison, Opposite Postoffice.

### READ THE FACTS

Soule Bros. Piano House sale. By order of court the stock was sold to a wholesale piano man so that all pianos would be immediately turned into cash or plano contracts, that the manufacturers would know at some stated fime they would actually receive their money and stop all expense at the earliest possible moment. That's why pianos are now being offered at less than their wholesale cost landed in Portland. All new instruments, \$258 values \$97.20. \$850 player planos at \$1.53 and others equally low, including buby grands, \$427 for \$1009 values. 388 Morrison St., opposite Morrison-St. entrance of Olds, Wortman & King's Tomorrow (Saturday) the last day. Store open in the evening until 3 or 19 o'clock,—Adv. Soule Bros.' Piano House sale, By

