

THE ROOM IS BREWING IN ARSON DEFENSE

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

STATE'S ARGUMENT HEARD

Deputy District Attorney Collier 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 Albert, now on trial for arson, Attorney Malarkey is expected to pay his respects in pointed terms to Deputy District Attorney Maguire and Collier at this morning's session of Judge Morrow's court.

The attorney for the defense has chafed under the restraints imposed upon him by judge and opposing counsel.

Deputy District Attorney Maguire will give the closing argument for the state, and the case will go to the jury 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."

Deputy 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 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 have a chance to get under way.

Deputy Collier charged a conspiracy 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 Alberts under the stock of goods in June. In July, the evidence showed additional policies amounting to \$2000 were taken out, making a total of \$8000 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 first day, 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, tied closely with the story of the witness, Davis.

"Davis, whose word is attacked as being untrue, was the only one who by the defense to be unworthy of belief, was all right when he was doing the bidding of the 'arson trust,'" declared Mr. Collier, who has all his 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 the closing argument, 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

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

BANKING ACT EXPLAINED

Lumbermen's National Issues Booklet Outlining New Law.

MARTIN'S CONFESSION TOLD

Robbery of Spokane Bank Said to Have Been Admitted.

CLUB TO SEE LIVESTOCK

Harriman Members Also Will Attend Land Products Show.

REPUBLICANS URGE ONE NEGATIVE VOTE

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.

again 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.

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 lands in case the Supreme Court reverses the decision of Judge Wolverton.

TIES IRK TWO COUSIN WIVES

Divorces Asked on Plea That Marriages Were Illegal.

VIENNA PICTURED AS SAD

Dr. Ray W. Matson Says Austrians Mean to Fight Doggedly.

NEW MAINS AT CHEHALIS

City to Continue Work on Gravity System While Bonds Last.

NEW MILK HONOR TEMPTS

Portland May Enter National Contest in Chicago This Month.

SCENE FROM KLAW & BERLANGER'S "CHARITY BALL"

Scene Taken From "The Charity Ball," at the Malestie, Beginning Today and Continuing the Balance of This Week.

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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 joined forces to insure the election of Roscoe P. Hurlburt, Democratic nominee for Representative in the Legislature in the Seventeenth district, comprising Multnomah and Clackamas counties.

Hurlburt's opponent is C. M. Hurlburt, who was nominated at the Republican primaries, but who was repudiated recently by the 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 powerless to force him to withdraw, but is in position to withhold support. The committee, accordingly, has issued a declaration advising all Republicans not to vote for Hurlburt.

In his connection the committee called attention of the voters to the candidacy of Thomas M. Hurlburt, the regular Republican nominee for Sheriff, and the possibility of confusing the two Hurlburts.

"Voters should be careful not to associate the two Hurlburts together," says George J. Cameron, chairman of the Republican county committee. "Thomas M. Hurlburt, the Republican candidate for Sheriff, is in no way connected with C. M. Hurlburt. In fact, the two men are not related, nor even acquainted."

"The Republican committee is not supporting C. M. Hurlburt, but is active in its support of Thomas M. Hurlburt." Since the committee took this attitude an independent movement has been started among Republican voters to support Roscoe P. Hurlburt, the Democratic nominee.

Hurlburt 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 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.

Hurlburt now is making an active canvass of Multnomah and Clackamas counties. Democratic leaders in Oregon have sent up a cry of "help" and are looking to Washington for an early response.

In other words, they expect Senator Chamberlain soon to leave his "post of duty" and start for home. They think that his presence here is needed as much as Berlin, said Hurlburt, to defeat at the forthcoming election.

One tentative plan mapped out yesterday and submitted to Senator Chamberlain by telegraph provided 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 Tillamook, Holdon, The Dalles and Intermedia 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 100, which is supporting the "dry" movement, are alleging wholesale registration frauds in various North End precincts. They say that they have uncovered more than 100 names of supposed voters registered from addresses that upon investigation proved to be nothing more than saloons, washstands, docks and abandoned lodging-houses.

They propose to challenge every one of these voters on election day. C. N. McArthur, Republican district primary nominee for Congress in the Multnomah County district, accuses A. W. Lafferty, his independent opponent, of bad faith in his present candidacy.

"Lafferty promised to support me in the general election if I defeated him in the primaries," said McArthur yesterday. "We met early in the primaries and each pledged the other that he would support the other who was nominated. I made the promise in good faith and I assumed that Lafferty did likewise. On election day, however, he broke faith with me and showed he does not regard the direct primary nomination as a sacred expression of the people's opinion."

People of Lane County are planning a Republican rally to be held in the Courthouse at Eugene next Monday night. The demonstration will serve also as a tribute to Robert A. Booth, Republican nominee for the United States Senate, who lives in Eugene. Booth 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

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 committee held a meeting yesterday and arranged for a series of meetings to be held in the next few weeks at the schoolhouses in Portland. Application has been made to the School Board for permission to use the buildings for this purpose.

It is proposed to have the various candidates on the Democratic state and county tickets included among the speakers at these meetings.

At the regular weekly luncheon of the Oregon Civic League at the Multnomah Hotel tomorrow noon the several candidates on the municipal Republican ticket will be the speakers. B. E. Kennedy, candidate for Mayor, and W. A. Leet, H. E. Ahy and Dr. C. A. Parrish, candidates for Commissioner, will be heard.

R. A. Booth will go to Clatsop County today to continue his campaign work. He has many supporters in Astoria and other parts of Clatsop County and there have been many recent demands 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 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."

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Sam'l Rosenblatt & Co. The Men's Shop for Style and Quality Northwest Corner Third and Morrison

papers have been drawn into the mix-up and are calling one another harsh names.

Dr. Withycombe spoke on Tuesday of this week at Roseburg, where he addressed the Mental Culture Club on "Vocational Training." He also addressed other organizations and met many voters personally.

At a recent meeting of the Republican women of Polk County held in Dallas a women's auxiliary to the Republican County Central Committee was created. The purpose is to organize each precinct within the county to assist in the election of the Republican nominee for office at the November election. A committee woman has been appointed in each precinct. It will be her duty to organize her respective precinct thoroughly. Mrs. Mary A. Stine is president of the organization and Nettie S. Boche secretary.

E. A. Booth, Republican nominee for United States Senator, spoke before an audience of nearly 1000 persons in Columbia Hall, on Morris street, Wednesday night. He was listened to with interest and was frequently interrupted by applause. J. A. Walsh presided.

Mr. Booth, with a number of friends, was attending the fair being given at Columbus Hall by St. Mary's Catholic Church, when he was called upon to speak.

Senator Borah, of Idaho, who has been criticized by the Democratic press for attending the fair being given at Columbus Hall by St. Mary's Catholic Church, has written to friends in this city an explanation of his attitude as follows:

"I know of no one in the Western delegation in Congress who is not giving 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 been indifferent to this project or failed to do their duty."

"I have to say is that I have repeatedly stated that I was anxious to see a rivers and harbors bill passed which would take care of the legitimate interests and I have stood ready and anxious to support that kind of legislation, as everyone 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 members to support the bill is in this connection."

"I want to repeat that not only the Columbia project but every other legitimate project has had my earnest support. If the bad projects could be segregated from the good I believe that we would get the bill through and the Columbia and Snake rivers and the Cello Canal would be thoroughly protected."

This letter was written before the rivers and harbors bill finally passed, but it explains the attitude of Senator Borah on the various improvement projects in which the people of Oregon and Washington are interested.

A plan to divide Grant County into two separate counties is being submitted to the voters of that county at the coming election. The division would leave the southern portion of the county under the name of Grant, and would create a new county in the northern portion under the name of Wana County. This name was selected by an Indian appellation meaning

Coming 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 well-dressed 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 \$18 to \$35.

Sam'l Rosenblatt & Co. The Men's Shop for Style and Quality Northwest Corner Third and Morrison

scarcely a man under six feet in height, while some are giants.

Women passengers, including Mrs. J. P. Morgan, on the White Star liner Celtic, which arrived here today from Liverpool, spent many hours on the voyage arranging the stumps for Dr. Smith. A meeting is being arranged to take place in Portland within the next ten days, at which Judge Bennett is to be the principal speaker. He also proposes to speak in other parts of the state.

Mrs. Morgan knits socks for the soldiers who will endure hardships in the winter's campaigns of the European war.

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

PARIS, Oct. 8.—The British Indian army is said to be rapidly becoming acclimated. French generals who have inspected their artillery, cavalry, infantry, engineer and ambulance auxiliary corps, describe the army as splendidly equipped.

The people of the French cities where the men had been quartered are favorably impressed with the solemn courtesy of the orientals. They never, however, enter the cafes or accept hospitalities. All the men except the Gurkhas are great in stature. There is

INDIAN TROOPS IMPRESS Solemn Courtesy of Giant Orientals Is Noted in France.

Of course they are the late 88-note. Some as low as \$28. Other dealers ask anywhere from \$70 to \$80 for them. Player pianos, 88-note. They are the late models, \$145 and \$170. 388 Morrison St. Open tonight and tomorrow until 9 o'clock or later. Soule Bros. failed. Court ordered a sale. Adv.

TOO LATE TO CLASSIFY. ONE 3-year-old Jersey cow, giving milk, will be fresh in December. 368. Call at 309 S. Commercial, between Kern Park station. Take Mt. Scott car.

ONE 1-year-old, 10 per cent, \$20.00 securities. Income \$400. K 210. Oregonian.

WEBER PIANOLAS. Stock Pianos, Staycases Pianos. Any Price They Will Bring.

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WE HAVE CUT PRICES. RAISED THE QUALITY. Our offer is for you to go to any dental office and get prices, then come to us and we will show you HOW TO SAVE A DOLLAR, and we make a dollar on your dental work.

Paul C. Yates, DENTIST, Fifth and Morrison, Opposite Post-office.

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.

When you come in to see the new model youth suit that has just arrived, maintaining the place that belongs to the Hup.

DULMAGE, MANLEY AUTO CO. Sedan top for the touring car, and top for the roadster, make Winter driving easy and comfortable, and their cost is exceedingly attractive.

The Hupmobile. Car of the American Family. Five Passengers. 1200. F. O. D. Detroit 5-passenger touring car and speedster. WE HAVE CUT PRICES. RAISED THE QUALITY. Paul C. Yates, DENTIST, Fifth and Morrison, Opposite Post-office. 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.