

NEARLY \$100,000 HELD BY FIELDS

Expert Reports on Money and Fees Said to Be Due Multnomah County.

CLAIM IS NOT RECOGNIZED

Ferguson Also Calls Attention to \$100 Municipal Court Bail Deposit That Has Apparently Disappeared.

More than \$7500 in interest money and fees have been withheld from the County Clerk's office and retained by County Clerk Fields, during the past six years of his tenure of office. This is the tenor of a report filed with the County Court yesterday forenoon by J. W. Ferguson, expert accountant, who is engaged in checking over the County's books and records.

Although official action has not yet been taken by the County Court, it is said, demand may be made on Mr. Fields at an early date for the return of this money as well as of fees on declaration of intention papers. The total sum due the county, according to the report of yesterday and a previous report, is close to \$10,000.

Fields Denies Signature.

Total disappearance of \$400 in gold, forfeited in a Circuit Court case, which was up on appeal from the Municipal Court, is the second feature of the report. Ex-Municipal Clerk Frank Hennessy and not Mr. Fields, however, will probably have to explain just where this sum has gone. The money was credited to Mr. Fields and a signature purporting to be his, appears on the Municipal Court record. But Mr. Fields disputes the signature and avers he never received the money. His records bear him out. The Municipal Court records are to be checked over without delay.

Payment of fees to the Law Library Association is also gone under the report. The system of paying to the library fund is held as unfair and not lawful even though authorized by the session laws of 1907. The custom has been to collect \$1 from plaintiffs and half that amount from defendants in each civil suit.

Thirty thousand dollars a year is the amount Mr. Fields has out at interest in his own name, the sum being reached as an average for the past six years. The money is in various banking institutions, and on certificates of deposit. The interest drawn is 4 per cent per annum, yielding \$1200 a year. In six years the total would thus reach a sum of \$7200.

Although Mr. Fields has retained this money on the contention that he was entrusted to him personally as trustee by litigants, Mr. Ferguson takes direct issue with him in the report, saying:

Objects to Clerk's Profit.

"The average balance on hand, from year to year, on account of fees and litigation, is \$4000. The clerk takes the use of practically all this money which he deposits in his own name with different banks, drawing 4 per cent. "It is my contention that the money should be deposited in his name as County Clerk, and the interest turned over to the county. I do not believe he should have the use of this money in any way to make profit for himself.

"I take the position that the county is responsible for the action of its officers, and would have to make good any shortages that might occur, and especially is this true as to unearned fees. In support of this position, I will refer you to my report on the office, July 7, 1902. There was then due from L. Q. Swetland, ex-County Clerk, in unearned probate fees, the sum of \$112.15. The amount turned over to Mr. Fields July 7, 1902, was \$386.25. On September 2, 1906, Mr. Swetland paid \$40 as an advance.

Two Cases Are Cited.

Taking up the details of missing bail money, Mr. Ferguson tells two cases, the one already referred to of the disappearance of \$400, and another case, that of the state against William Grimes, wherein the clerk had deposited only \$50 bail. The first case was that of the State vs. Maudie Newcome. She was held in the Circuit Court under \$400 bail. On September 5, 1905, when the case came to trial in the Circuit Court, the woman failed to appear. The late Justice L. L. Trautman entered an order of forfeiture. On the Municipal Court records there is a notation showing that the \$400 went to Mr. Fields. Another \$1000 of the original bail amount of \$500 went to J. H. Watters, a lawyer. The bail reduction note was made in the Municipal Court.

The notation on the Municipal records, which is to be the subject of further inquiry, is: "\$400 cash bail, forfeited, by J. H. Watters. Mr. Fields is sure he didn't stir it. It is no trace in his records of the amount ever having been turned in or acknowledged by him. He is sure he is positive that he never saw or received it.

On naturalization papers, the sum of \$622 is shown to be due from Mr. Fields. There is an additional \$6 claimed for a certification of naturalization. It has been the County Clerk's contention from the first, in keeping these funds, that he was authorized to do so under the rules of the Bureau of Immigration, which provide that half the fees shall be retained by the County Clerk. Mr. Ferguson contends that "County Clerk" means Mr. Fields in his official capacity rather than in his private, and that the money by all means should go to the county.

Pay to Private Corporation.

With reference to the collection of fees for the Law Library Association, Mr. Ferguson terms the association a private corporation, saying: "I do not believe the law requiring the payment of fees to the association is valid and can be used as a reason why litigants should be taxed to support a private corporation. It is not a public library."

In many respects the work of the County Clerk's office is commendable. Perfect organization and systematization is found and the corps of assistants are thoroughly trained.

It took just 24 days to go through the Circuit Court department, which is regarded as something of a record, in view of the vast bulk of records and papers that had to be checked up. Just why Auditor Brandes hasn't attended to this auditing during his tenure of office is a question that is being widely raised. The Auditor's office is set down for early investigation and checking up, in order that the Municipal Court re-

ords may be checked up without delay. Mr. Ferguson will probably begin working nights on them during the week. The discovery of the two missing items referred to affords foundation for a belief that many other irregularities may be discovered. This investigation may also bring about an inquiry into Chinese gambling. By many of those who claim to know, it is intimated that some disclosures more unusual than any yet made will be developed by the future course of the experting system.

As to retaining interest on certain litigation money entrusted to his keeping, County Clerk Fields makes free confession. He likewise makes no denial of the fact that he has been retaining fees in naturalization matters. His statement is that he was, at all times, acting within his rights.

Ex-Municipal Clerk Hennessy, now Deputy District Attorney, together with comes the impending investigation of his records. If there are any errors they are of a clerical nature, he avers, and he is sure he can explain any and all discrepancies as soon as he has time to look at the records and verify the memoranda made by him.

"FRATS" NOW ILLEGAL

NEW STATE LAW GOES INTO EFFECT TODAY.

Statute of Much Interest Here Because of Fight Made by Buzz Saw.

Agitation is rife among the student bodies at the Lincoln High School, particularly among the non-fraternity members, who are heavily in the majority, relative to the enforcement, by the Board of Education of the new "anti-frat" law which goes into effect today. This question has been the motif for much controversy in the school, especially since the miniature tempest was raised by the advent and distribution of the anonymous Buzz Saw.

The editors of the Buzz Saw gave out, voluntarily, much of their plans and one based on procedure, together with their names for publicity. Those concerned directly are Earl Peary, Scott Young, James H. Bain, Gilard M. Pierce and Norwood Nial. That the names were kept secret at all is said by the boys to be in keeping with a precedent established several years ago by the school board when it took the initiative in keeping names hidden when it probed the charges against the fraternities and the information reveal the source of the information made public.

These students deny emphatically that they are "knockers" or "sore" in any way, and insist that they are only endeavoring to eliminate the fraternity element. That they are in earnest and opposed to the tyranny of the organizations and intend to agitate the matter until the fraternities are abolished, is emphasized by the fact that the names of the students who have been taken out of the school are being kept secret.

An effort was made last night to get from members of the School Board statements in reference to their plans for exterminating the fraternities, and what steps would be taken to observe the new law.

L. N. Frieschner and H. C. Campbell and Superintendent H. R. C. Campbell are out of the city. Mrs. L. W. Sifton, a Board member, said that the subject had never been under discussion at any meeting. In a recent statement the Buzz Saw editors tell of the founding and reason for the existence of their publication. They are emphatic in their declarations that the Buzz Saw was not originated through malice. They maintain that they have no resentment against any member of the fraternities, but that the principle of the fraternities should have no place in the public or high schools. The opponents of the fraternities assert the contrary, and that the publication is a tool to be used to control the entire athletic department.

The statement further declares that if citizens of Portland were aware of the influence that the fraternities have on school life they would have demanded their banishment long before now.

In conclusion the authors of the article refers to the non-fraternity students and the fact that they are unorganized and cannot organize until the fraternities have been abolished. Owing to the fact that the athletics are controlled by these bodies, it is pointed out that no non-frat student can hope to take part in athletic sports, and this is given as the reason for the lessened public interest in athletic events.

"When the fraternities are out, school life will be worth living," says the writer. "Athletics will be run fairly; school spirit will be genuine, and Lincoln High School will be the pride of all students and the envy of all outsiders."

The new law is as follows: "Sec. 1. Secret societies of every kind, character, including fraternities and sororities, so called, which may now or hereafter exist among the pupils of any of the public schools of this state, including high schools, either local or country, are hereby declared unlawful.

"Sec. 2. It is hereby made the duty of each School Board within the state to examine, from time to time, into the condition of all schools under its jurisdiction, and to suppress all secret societies therein, and for this purpose such boards are hereby authorized to suspend or expel from school, in their discretion, all pupils who engage in, or organization, or maintenance of such societies.

"Sec. 3. This act shall not apply to the Agricultural College or the State University."

MUCH LAND FOR ENTRY

TAFT ISSUES PROCLAMATION OPENING 440,000 ACRES.

Flathead, Coeur d'Alene and Spokane Reservations to Be Thrown Open for Settlement.

WASHINGTON, May 22.—President Taft today issued a proclamation providing for opening up for settlement and entry of about 440,000 acres of land in the Flathead, Mont.; 200,000 in the Coeur d'Alene, Idaho, and between 30,000 and 100,000 in the Spokane, Wash., reservations.

Registration which will commence on July 15 and close August 5, must be completed and sworn to at either Kalispell or Missoula, Mont., for the Flathead lands; at Spokane for the Spokane land and at Coeur d'Alene for the lands in the Coeur d'Alene Reservation. Applications for registration must be delivered through the mails only to the superintendent of the opening at Coeur d'Alene which will be the principal in the drawing for all three reservations. The drawing will begin at 10 A. M., August 5, and continue until completed. The time for making the entries has been fixed as April 10, 1910, for all reservations in order to enable the successful applicants to make personal investigation of the lands which will be subject to entry.

Regulations regarding the opening of the lands will be available about June 1.

PROGRESS RAPID ON REED SCHOOL

Preparations to Found Big Institute Will Soon Assume Definite Form.

TRUSTEES HARD AT WORK

Which Will Report on Methods Followed in East, Where He Is Now Making Tour of Inspection. Site Not Yet Chosen.

With nearly \$100,000 available for use, an annual income assured of not far from \$100,000, and officers actively engaged in inquiry and research among leading educators for advice and suggestion concerning the educational work to be taken up, the proposed Reed Institute, as provided for under the will of Amanda Reed, is beginning to assume definite form.

In a statement issued yesterday from the office of Dr. T. L. Elliot, president of the Reed Institute, it is shown that rapid progress has been made since the formation of the institute. At present the energies of those who are directing the immense work of perfecting the preliminary plans are largely directed towards laying the foundation for the work to be taken up and carried out.

Which Inspects Eastern Schools.

Martin Winch, secretary of the board of trustees and business manager, has gone East, where he will inquire into the methods used by the leading institutions of learning. Letters from him show that he already has visited a Milwaukee trade school, as well as the Lewis and Armour institutes, the Grant High School and the University of Chicago. He is now en route to visit the Illinois University, whence he will proceed to Indianapolis, New York City, Worcester, Boston, Cincinnati, St. Louis, New Orleans, Houston, Tex., and other ports of his trip to the East.

Dr. Elliot and C. A. Dolph, vice-president, are engaged in corresponding with a carefully edited list of leading educators for the purpose of securing suggestions and advice relative to the course of work to be taken up here later. An effort will be made to have some of the distinguished educators of the country visit Portland, in order that they may be in a better position to consider the needs of the Reed Institute and of the community.

Will Confer With Lovett.

Before returning to Portland, Mr. Winch intends having a long conference with Dr. Lovett, president of the Reed Institute, at Houston. Dr. Lovett has been putting in a full year among the institutions of the entire world, and his observations and advice relative to the course of work to be taken up here later, are of great value.

Definite action has not yet been taken as to the choice of an administrative building. This matter is likely to be held in abeyance indefinitely, as will be the choice of a site for the buildings.

Until the principles along which the work is to be conducted have been evolved, the second stage of the work will not be entered upon. The trustees have been held recently, chiefly for the purpose of completing organization, taking over properties from the estate and establishing policies with regard to the handling of the property of the estate.

WANTED FOR HOMESTEADS

Jones Asks That Klickitat Land Be Restored to Entry.

OREGONIAN NEWS BUREAU, Washington, May 22.—Senator Jones has filed a petition asking that the lands of the Klickitat County, which certain isolated tracts, now being held by the Government for the Indians, be made available for homesteading purposes.

The land has been used by the neighboring settlers for many years, who would like to obtain and keep them legitimate, but, on account of the withdrawal of the land from entry, have been unable to do so. This withdrawal was made at a time when there were a large number of Indians in this particular locality, but now, owing to the fact that most of these Indians have moved away and the remaining few are scattered homes of their own, there is no apparent need for the reservation of these lands.

Appreciating the fact that, if the lands are no longer necessary for the use of the Indians, they could be used to advantage by the settlers in the vicinity for pasture and other purposes and the Government receive some return for them, Mr. Jones has urged the department that the land be restored to the public domain in order that it may be disposed of under the homestead laws.

Tillamook Has Ball League.

BAY CITY, Or., May 22.—(Special.)—Renewed interest in the National game is manifesting itself in Tillamook County. Baseball clubs have already been organized in Bay City, Tillamook and Nehalem, and other towns have signified their intention of placing teams in the field to compete for honors during the season just opened. The first game will be played between the Bay City and Tillamook teams at Bay City on Sunday, May 23. At both places new grounds have been prepared, and some lively contests are promised.

Postum

Helps wonderfully to build strong, robust constitutions, and to rebuild those hurt by Coffee.

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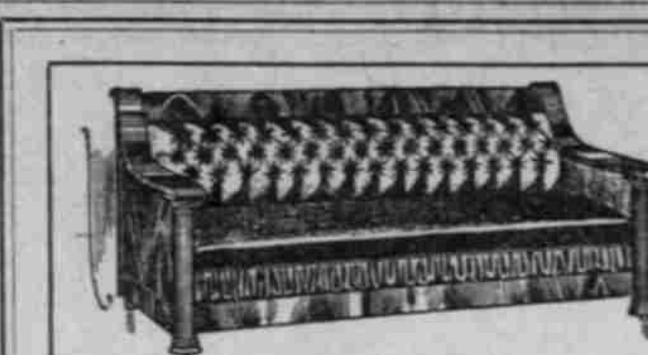
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though other styles are represented. The display is unusual, and should be seen by those interested in beautiful and comfortable furniture.

The "Hartford Saxony" Rug
famous as the "American Oriental," is in no sense a copy, but rather a substitute. Tested by years of service in famous hotels, banks, clubs and private houses, it has proved superior in beauty of pattern and in sheer durability and strength of color to any Oriental rugs except the best. Booklet showing designs and colors mailed on request.

NEW DINING-ROOM FURNITURE
The very popular fumed and waxed oak finishes are shown in a wide variety of clever designs. No other furniture at similar prices is so distinctive, so easily cared for, and so durable. Very large selection.
Pedestal Tables, \$7.00 to \$70.00.

FIFTH AND STARK
J. G. MACK & CO.
FIFTH AND STARK

Epworth Leaguers Pass Resolutions Indorsing Him.

MUCH WORK AT MEETINGS

Convention Closes After Profitable Sessions and Choosing Officers

Who Will Serve Throughout the Next Year.

T. S. McDaniels, prohibition candidate for Mayor, was indorsed by the second annual convention of the Epworth League, which was held last night at the Epworth Methodist Church.

The convention closed last night with a platform meeting, after having been in session two days. Rev. W. A. Hollingshead, district superintendent, installed the newly-elected officers last night.

The main portion of the day was given to reports from the district officers, all of which showed substantial progress during the first of the district Epworth Leagues. Report of Corresponding Secretary P. J. Mulholland showed that for all purposes \$1920 had been collected, which had been used for church erection and other improvement. The report also showed there are 1300 members in the district.

The invitation to meet at the Epworth Methodist Church was accepted. Rev. D. A. Watters read a paper on the "Intermediate League," in which he set forth the growth of the Epworth League and its great and growing force as a factor for good among the young people. He declared it to be one of the most effective forces in the church.

Officers elected for the ensuing year are as follows:

President, Professor Norman C. Thorne, of the First Church; second vice-president, Ernest Smith, of Trinity Church; third vice-president, W. M. C. Taylor, of the Epworth Church; secretary, Mrs. Lena Westland, of Laurelhurst; treasurer, W. H. C. Taylor, of the Epworth Church; corresponding secretary, P. J. Mulholland, of the Epworth Church; district superintendent, Rev. W. A. Hollingshead, of the Epworth Church; and district evangelist, Rev. W. A. Hollingshead, of the Epworth Church.

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