

DEAD MAN'S NAME PUT ON PETITION

More Signatures on Referendum Petitions Are Found to Be Fraudulent.

FIELDS TO CHECK NAMES

Attorneys for Plaintiff Issue Statement and Declare Important Thing Is to Prove by Whom Fraud Was Committed.

Many witnesses, called yesterday in the University of Oregon referendum hearing, repudiated signatures alleged to be theirs, while others, fewer in number, testified to the authenticity of their signatures. Among the signatures declared void was that of P. Selling, father of Ben Selling, Senator Selling swore that the signature purporting to be that of his father was a fake and, furthermore, that his parent was dead before the petitions were put into circulation.

By stipulation between Attorney General Crawford and C. E. S. Wood, for the defense, and W. T. Slater and Martin L. Pipes, for the plaintiff, County Clerk Fields has been delegated the task of comparing the signatures in dispute with the signatures of voters as they appear in the registration books. The deputies assigned to this task will probably be called in expert capacity when the hearing resumes at Salem October 24, continuance having been deferred to that date by mutual consent.

Attorneys Make Statement. To make clear to the public the position which they are assuming in the controversy from a legal standpoint, the following statement was issued:

It seems to be the notion of the attorneys for the defendant in the University referendum case that if there is proof of a forged name or fraudulent name on any list, that thereby the whole list is invalidated, and those names are quoted in the papers as saying that such a rule would make it easy for any person to defeat the referendum by merely writing forged signatures on the list. The counsel for the plaintiffs do not contend for any such rule of law. Their contention is based upon a different principle, to wit: that the signatures of the petition have been proved to have themselves forged names or written in fictitious names with fictitious residences in the petitions, that the affidavits required by law to be made by them to the effect that they saw each person named in the petition write his signature, that they have seen he is a legal voter, is necessarily false.

The only proof authorized by the state of the party by whom the signatures and the qualification of the signers as legal voters is the affidavit of the circulator. No other proof could be accepted by the Secretary of State when the petition is offered for filing. He takes the affidavit as true when he files the petition.

Now, if that affidavit is shown to be false in the particular that the circulator himself has been guilty of a fraud, and that his affidavit is untrue, it is presumed to be untrue in every particular. It, therefore, has no probative effect anywhere. It is completely impeached. The result of that is that other names on his list stand without the proof required by law for their validity, and without any proof at all, and without any presumption in their favor. The names, therefore, could not be counted in such case by any court.

The important thing, then, to be considered is the party by whom the fraud, if any, was committed and perpetrated. If by a third party, without the knowledge or acquiescence of the circulator, the effect is limited to the single name written in, but if the fraud is perpetrated by the circulator himself, the whole work is destroyed, because it makes his affidavit false, and it would be greatly to the assistance and purification of the law to have the court hold that those who circulate referendums should be truthful men and not be guilty of a fraud.

CLAIM TO BE CANCELLED

Under Walla Walla Verdict Government Will Issue Patent.

LYLE, Wash., Oct. 7.—(Special).—Of marked interest to Kluckwalder voters is the verdict of the jury yesterday in the United States Court at Walla Walla, returned in favor of the defendant, L. C. Wright, in the suit brought by the Government to establish the owner of a valuable tract of land near Wrights, on the Lyle-Goldendale branch. Wright claimed ownership to the land by virtue of settlement, and it was established he had received a final receipt under the pre-emption act, which existed in 1890. The Wrights showed they had been in continuous occupation of the land for 20 years. On the other hand, Sally Wahkiacus, the sole surviving child of James Wahkiacus, an Indian, holds a patent issued by the Government August 7, 1893, by the terms of the decision the Government will be forced to cancel the patent issued to the Wahkiacus and issue a new one to Mr. Wright.

OLD NOZZLE UNEARTHED

Discovery at Hillsboro Recalls Use of Pump Fire Engine.

HILLSBORO, Or., Oct. 7.—(Special).—Workmen excavating for pavement this morning uncovered an old brass nozzle that was used here early in the '80s by the first volunteer fire department organized in the city.

The machine to which the nozzle belonged had a unique history. It was a pump affair, and was dignified by the name of "fire engine," although it was manned by six men and had no acquaintance with steam. It was first used in Sacramento, Cal., and was then sold to Portland in 1854.

Kenyon Crandall, a pioneer of 1852, now 81 years old, said this morning that he worked on the pump in 1854 when a sawmill burned in Portland in the latter part of that year, on the

Willamette, somewhere near the foot of Morrison street. The machine was sold by Portland to Albany, and then transferred to Hillsboro. It was later transferred as part payment on new apparatus, and is now exhibited by the Sacramento fire department as a relic of early fire-fighting days.

DOCTOR WOULD BE MAYOR

Kiggins Finds Opponent in Fight for Political Honor.

VANCOUVER, Wash., Oct. 7.—(Special).—Dr. Charles E. Irwin today filed his declaration of candidacy for the office of Mayor of Vancouver, after having been petitioned by more than 200 voters of the city, who urged him to run, promising their support. J. P. Kiggins, who has been Mayor for the past three years, also filed his declaration of candidacy for his fourth term.

STUDY OF ENGLISH AND OF EXPRESSION COMBINED BY INSTRUCTOR.



By combining the English and expression courses, the Young Women's Christian Association has made a departure from the technical study of English through analysis. Miss Frank Towles, recently appointed instructor, is a graduate of the Noyes School of Expression in Boston, and also of the University of Kansas. As she has made a study of the author's thought and purpose so as to convey it to her audience through reading, the aim of the association is to have her read to the class and stimulate a desire for good reading. The plan to combine the classes was originated by Miss Lina Hall, Janes, general secretary, and is the result of her experience in the class rooms of some of the best educational institutions where she taught on the Atlantic seaboard.

Kiggins also has aspirations for the gubernatorial chair. They say Irwin is a dentist and has lived in Vancouver for many years, coming from Louisiana, Mo. Last year he was urged to run for Mayor but he refused.

YE OREGON GRILLE.

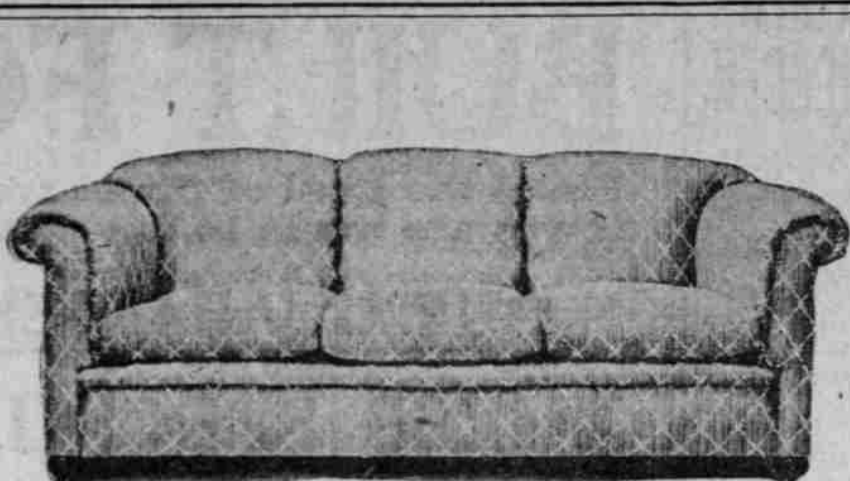
Nothing is so enjoyable as a good dinner. All that goes to make up a good dinner—the best in all the markets—the best of cuisine—the best of service—and the best of music—all found at Ye Oregon Grille. Pietro Marcus has no equal as a leader of orchestra, and he has surrounded himself with a class of musicians making an incomparable orchestra, led by an incomparable director and musician.

Mrs. Mattie Sears Dies.

Mrs. Mattie Sears, the wife of F. B. Sears, an attorney of this city, died Friday at her home, 316 Benton street. Mrs. Sears was born on a ranch near Hutchinson, Kan., April 21, 1872, and was married November 19, 1894, at Chicago, where her husband was practicing. A year ago the couple came to Portland from Chicago. Mrs. Sears is survived by one sister at Evansville, Wis., and two brothers, one at Chicago, and the other at Muncie, Ind. The funeral will be held from the family residence at 2 o'clock this afternoon, and interment will be in Riverview cemetery.

Baptist Revival Continues.

The series of special revival services being held in the Second Baptist Church by Rev. F. E. Yeakum, of Los Angeles, attracted large crowds during the week and are to be continued. A number of those who attended the meetings say Rev. Mr. Yeakum has power to heal diseases.



Our Upholstered Pieces

Are distinguished for their luxuriousness and durability, as well as their elegance of design and finish. There is real comfort in every piece. Frames are staunch, springs finely tempered, workmanship is of the highest grade. If you want a medium or low-priced davenport, or easy chair, we offer a selection of patterns and range of prices not equalled in Portland. On the other hand, if you want the finest upholstered furniture made in the world—that produced by Wm. Birch, of London—we have it in stock for immediate delivery.

We also design and make overstuffed pieces of any kind, rebuild or re-upholster old furniture, make loose cushions, window seats, ottomans and footstools. We offer a very wide selection of exclusive designs and colorings in tapestries, velvets, brocades, chintzes, linens and other covering materials.

We are glad to submit sketches or estimates.

Fifth and Stark

J. G. Mack & Co.

Fifth and Stark

ITALIAN FETE NEAR

Portland Colony Will Honor Memory of Columbus.

STREET PARADE FEATURE

Naval Militia to March and Floats Representing Italian Historical Events Part of Pageant—Mayor Will Take Part.

SKAMANIA VALLEY OPENED

Carson, Wash., Representative Here to Study Development Methods.

In the parade the Oregon naval militia will participate. It will be headed by the militia band of 30 pieces. G. J. Blomberg, lieutenant-commander, and his staff on horseback; the automatic gun detachment in command of Harry Malby, chief gunner, with artillery; the first company of seamen in command of F. W. Humphrey, lieutenant, and the second company in command of Otto Staron, chief boatswain; the pioneers, signal men and the hospital detachment. In all, 300 naval militiamen will march. Commander Blomberg has asked the naval authorities for permission to fire the morning salute of nine guns from the cruiser Boston on the day of the festivities. The Oregon National Guard, with band, will be in line.

One of the most elaborate functions of the day will be the crowning of Queen Isabella and King Ferdinand in front of the City Hall in the forenoon. Mayor Washlight will officiate at the crowning. The ceremony will be pre-

ceeded by a short automobile parade from the armory.

The dazzling brilliancy of the 15th century regal court will mark the crowning event. The King and Queen will have full trains of attendants, garbed in costumes, and Christopher Columbus, surrounded by his sailors, will be represented.

Many beautiful floats have been prepared for the afternoon parade. Among them will be the caravel of Christopher Columbus, which, it is announced, will be a faithful reproduction of the famous vessel in which he sailed; floats for the King and the Queen, and a float representing the eruption of the volcano Etna, in the island of Sicily. The Italian societies are vying with each other in coming forward with the finest floats.

A luncheon will be given in the evening at the Hotel Bowers at Eleventh and Stark streets, and a grand ball at the Armory, preceded by a concert.

The festival is in the hands of the Columbus Day Celebration Association, composed of the leading Italian societies of the day.

SKAMANIA VALLEY OPENED

Carson, Wash., Representative Here to Study Development Methods.

D. L. McMillan, editor of the Carson Journal, published at Carson, in the Carson Valley, Washington, was in the city yesterday gleaming ideas to be used in development work in that region.

Both the town and the valley are new and have been recently opened up, he said. Carson has about 400 inhabitants, and is on the North Bank Road. The valley is in the heart of the Cascade Mountains, and about 25 miles north of Mount Hood.

It comprises about 14,000 acres of land in Skamania County. The Wind River Lumber Company has recently put 6000 acres on the market, and the Home Valley Irrigation Company is putting 1000 acres on the market, and building an irrigation flume, with a capacity of 60 cubic feet an hour, and sufficient to irrigate 4000 acres.

Fruit, strawberries and garden produce have been found to grow wonderfully well there. "One man," said Mr. McMillan, "netted \$200 from the strawberries he shipped from two-

thirds of an acre this Spring. This does not include a large amount sold in the local markets or used in his home from this tract."

The Martins and the Shipyard Mineral Springs are within one mile of Carson, and the Government Springs are one mile away.

New York Society Meets Tuesday.

The New York State Society of Oregon will hold its regular monthly meeting Tuesday evening, at Christensen's Hall, Yamhill and Eleventh streets. A cordial welcome is extended to visiting, as well as to resident New Yorkers. An entertaining programme will be given and light refreshments served.

Reception for Miss Webster Held.

A delightful function of the past week was the private view, at the Art Museum, of a new exhibition of paintings by a small group of American artists, and an informal reception in honor of Miss Mary Hortense Webster, of Ober-

lin, Ohio, a new instructor in the school of the Portland Art Association. In the receiving line were Mrs. H. C. Wortman, Mrs. Lee Hoffman, Mrs. W. B. Ayer, Mrs. Elliott Corbett and Miss Henrietta Elliot. Over 200 guests attended, among whom were Dr. and Mrs. T. L. Elliot, Mrs. Gordon Vorhies, Mrs. William M. Ladd, Mrs. Richard Koehler, Miss Sarah Lewis, Mrs. Arthur C. Emmons, Mrs. Edwin Caswell, Roosevelt Dosh and the Misses Dosh and Mrs. William T. Foster.

Night Schools Open October 16.

Arrangements are being made for the opening of the public night school in the Lincoln High School building October 16. Classes will be opened in all the grammar school studies, including bookkeeping, typewriting and shorthand. High school studies will be furnished those who are prepared to receive such instruction. The attendance in the night school last year was 500 and an even larger enrollment is expected this year. A corps of 20

teachers will be maintained. W. C. Alderson, for 14 years a principal in the public schools and for the past seven years a teacher in the night school, has been selected as principal. Other appointments are to be made this week. Night schools are also to be opened in the Thompson and Sunnydale schools, as formerly.

GARAGE TO LEASE.

Will build garage, 50x100 feet, for suitable tenant on Thurman, near Twenty-fourth street; five-year lease. Phones: Main 3249, A 3229.

Winter Schedule Str. Harvest Queen.

Effective this week, the steamer Harvest Queen, of the O.-W. R. & N., will leave Ash street dock for Astoria daily except Saturday at 8:00 P. M.; returning, leave Astoria at 7:00 A. M., except Sunday. There will be no boat from Portland Saturday night, October 7.

CHARACTERS WHO WILL PARTICIPATE IN CHRISTOPHER COLUMBUS CELEBRATION.



FROM LEFT TO RIGHT, ANGELO CUNEO, REPRESENTING CHRISTOPHER COLUMBUS; A. P. SIMONI, REPRESENTING KING FERDINAND, AND FLORINDA FERRETTI, REPRESENTING QUEEN ISABELLA. TWO MAIDS OF HONOR AT RIGHT, JESTER AT THEIR FEET.

Laurelhurst

THE ADDITION WITH CHARACTER

Second Anniversary Sunday, Oct. 15

WE WILL FINANCE THE Building of Your Home

We allow you to choose your own architect and contractor. We finance the building of your home, and require only a small amount of cash down—you pay the balance like house rent.

Absolutely no fees charged by this office for financing a building proposition in Laurelhurst nor do we confine you to any particular architect or contractor.

Build your homes where the street improvements are completed, —not PROMISED.

All street improvements in Laurelhurst are completed. Twenty-six miles of paved streets—fifty-two miles of cement walks—shade trees and cluster lights. Twenty-six miles of water, gas and sewer mains. Fifty-two miles of nine-foot street parkings.

Lots \$850 and Up

TERMS 10 PER CENT CASH—2 PER CENT PER MONTH

Laurelhurst has three carlines—Laurelhurst car, Montavilla and Rose City Park all go to and through the property. Only 15 minutes out.

If you want a home come and talk to us about it. Our proposition is both practical and attractive.

MEAD & MURPHY, Sales Agents

Phones: Main 1503, A 1515. 522-526 Corbett Bldg.