THE OREGON DAILY JOURNAL, PORTLAND, SATURDAY EVENING, OCTOBER 5, 1812.

in Portland Thursday.

a number of years, having discontinued

his practice, however, several years ago.

Since then he has been chiefly concerned

He was the son of the late J. C. Avery

an Oregon ploneer of 1844, who gave

Corvallis its name, which he coined

from two Latin words, meaning heart

of the valley. He is survived by two

brothers, ex-Senator Punderson and

George Avery, both of Corvallis: three

sisters, Mrs. F. A. Helm of Corvallis,

The mystery of Colonel Roose-

"I was a member of the La

Colonel," said Mr. Currey, at the

Imperial, "and while we were in

his private car waiting to be in-

troduced, the Colonel said:

'Walt a moment.' He went to

the other end of the car and re-

turned with a book in his hand.

"'Which one of you slipped this book into my car' he said,

laughing heartily. It was the missing 'Second Roman Repub-

Manager McRea of the Oregon

Hotel who was severely called

to task by Colonel Roosevelt for

the loss of the book, and ad-

vertised offering a reward for

its return, was not notified that

ENGLAND URATUR

TO SPEAK IN PORTLAND

the volume had been found

"lost book" has been

The book wasn't lost at

velt's

solved,

lic.

matters of loans and investments



It is not certain that Miller will con-clude today. Before Miller started speaking this morning Judge Anderson cautioned the jury that Miller's statements were not to be considered as evidence by then but they were merely what the prosecution hoped to prove. The defense's statement, it was announced, will be brief. Kenneth Whittmore Morris, McMinn-

"DHIBLE FRUSS

Traitor.

Ironworkers,

Green Checkbook Important. That a "little green checkbook" will play an important part in the trial is evident from the frequent references made to it by Miller yesterday and to-day. In the checkbook, he said, the executive board of the International Asso elation of Bridge and Structural Ironworkers kept an account of money paid for various "dynamiting jobs."

In this connection he told the jury that the board met regularly and appropriated money for the expenses that attended dynamitings for which officers and members of the organization are on President Ryan, he charged FIVE RAILROAD MEN trial. eigned the checks with the knowledge of the board.

Accounts of the union were juggled, Miller asserted, to hide these alleged expenditures from anyone not of the inside circle.

### McManigal "Double Crossed."

Miller today flatly charged that H. S. Hockin, treasurer of the ironworkers' organization paid Ortie E. McManigai \$125, for each dynamiting job. He charged, that the union allowed \$233 for these jobs but that Hockin pocketed the difference. Miller's arraignment of Hockin was particularly severe. He said that Hockin sought to save himself by furnishing incriminating evidence against his associates to federal authorities,

"I want this man Hockin to take the stand now," Miller shouted. Miller advanced to the witness stand and stood with flushed face. "That man," said Miller, pointing to Hockin, "double prossed McManigal and his own organization. I will tell you later how he conveyed information to the federal authorities. I will show you how he double crossed everybody.

Charges Hockin Focketed Difference. Miller , declared that McManigal re-ceived \$100 with \$25 for expenses for the Mount Vernon job. Then Hockin, 🕈 he said, charged up the union with \$235. Jim McNamara, Miller said, told Mc-Manigal that he received \$200 for pulling off a job in Pennsylvania. McManigal then asked Jim, Miller said, if the union had doubled the ante. Jim told him no, according to Miller, that \$200 Was the regular fee. McManigal is then said to have told McNamara that some day may become president



the operating departments of the Spokane, Portland & Seattle Railway and the Hill lines in Oregon. Members of the club are Walter Cole, superintendent of motive power; H. Proebstel, of the

ville, age 11 months.

(Special to The Journal.) McMinnville, Or., Oct. 5.-The recent baby show held at McMinnville had 96

entries and the baby parade prior to

the show was a pretty sight as more

than 40 carriages and go-carts were in

son of Dr. and Mrs. Henry E. Morpis, of

McMinnville. Mds. Morris was formerly

First prize was awarded to Ken-

Whittmore Morris, 11-months.pld

line.

neth

a Pendleton girl.

traffic department; James T. Middlemas and Paul McKay of President Young's office, and Carl R. Gray, Jr., trainmaster of the Oregon Electric Within five weeks the above

five young men have become the happy fathers, respectively, of five bouncing babies, three girls and two boys, the last of the guintet being a daughter born to Mr. and Mrs. Gray. Mr.

and Mrs. McKay's youngster, an 11-pound boy with active lungs and a good shrill voice, was born September 21, and the day before the stork visited the home of Mr. and Mrs. Middlemas and left a pretty little girl. Mr. and Mrs. Procestel's present from the stork, too, was a girl, which . they think the finest ever, and Mr. and Mrs. Cole have been re-

the council has no such power, unlimited initiative measures may be placed on the ballot of every election, including proposed bond issues, and that, as a result every bond issue hereafter voted upon, may be vitiated, and the bonds rendered unsalable. The argument was

continued this afternoon. Large Petition Filed. The Wood short charter was filed by initiative petition, carrying 6000 names

(Special to The Journal.) Corvallis, Or., Oct. 5.-N. B. Avery, a native of Benton county, who died sud-It was asked by the promoters that the measure be placed on the ballot at the special election. The council declined to do so. Acting under the McNary be buried here Sunday. ordinance the council ordered a separate special election for every measure ordered on the ballot.

In behalf of the Wood short charter, E. S. J. McAllister declared that the state law governing the initiative requires that any initiative petition for the placing of a measure on the ballot when properly filed must be placed on

the ballot. If the city council orders it on the ballot all well and good. But if the city council declines or ignores the petition, then the city auditor must place the measure on the ballot.

Attorney Grant Answers. City Attorney Grant, answering, de-

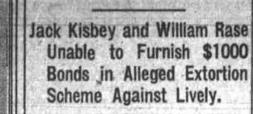
clared that the state constitution gives Mrs. B. F. Irvine of Portland, and Mrs. the city power to determine the mode Florence Jones of Paisley; and a daughter, Mrs. Esther Avery Adams of Los and manner of its administration of initiative law, and that in this case the Angeles. Mrs. Adams arrived today city, by adopting the McNary ordinance, from Los Angeles. The funeral services will be in charge has chosen to act contrary to the state

of Corvallis Lodge No. 14, A. F. & A. M. and interment will be in the Masonic This phase of the situation makes the issue highly interesting, attorneys cemetery. He was also a member of Ferguson Chapter R. A. M., Corvallis for both the plaintiff and the defense the Albany lodge of Knights Templar; Al Kader Temple of Mystic Shrine, admitting that if Judge Morrow says any initiative petition filed with the Portland; and the Elks of Albany.

city auditor must go on the ballot at special or general election then bond is sues and constitutional amendments and **ROOSEVELT'S "LOST** ordinances galore may by initiative pe-BOOK" CAME BACK. tition be made to lengthen the ballot. SAYS FRED CURREY

Barbur Appears. City Attorney Grant and Assistant City Attorney L. E. Latourette appeared this morning for the city. City Audi-tor Barbur, who was mandamussed by the promoters of the Wood charter to place it on the ballot, was present, but

all, according to Fred B. Currey, was not placed on the stand. When mandamussed he answered that he had not the power under the city ordinance governing the submission of measures of Hot Lake, Or., but was in the Colonel's pocket all the time, and turned up when he reached La Grande. for the special election to place it on the ballot. E. S. J. McAllister and C. Grande committee to receive the



**SUSPECTSHELDIN** 

**DEFAULT OF BAIL** 

Unable to furnish bonds of \$1000 re-quired of each of them, Jack Kisbey and William Rase, involved in a plot to extort \$7000 from Karl V. Lively in connection with the death of Miss Grace Dow in a night auto ride on July 81, are held in jail today. A charge of vagrancy against them will be changed by Deputy District Attorney Fitzgerald to obtaining money under false pretenses befode their preliminary hearing in the municipal court next Tuesday. That they had intended to use Gov

ernor West to help them "shake down' Lively is indicated by an anonymous letter to the governor, commending him for saying he would look into the reasors why no inquest was held over Miss Dow. A copy of this letter was sent to the police by the governor, but as the letter was unsigned little attention was paid to it until Chief of Poilce Slover yesterday afternoon hap-N. B. Avery of Corvallis, who died pened to think of it in connection with the other evidence against Kisbey and Rase.

### Would Hire Sleuths.

As this letter was written at the same time that Klabey was "sounding" denly of heart failure at the Clyde honewspapermen as to whether they would tel in Portland Thursday morning, will go into the scheme with him; and more "Pole," as he than a month after the governor had was familiarly called by his many taken up the matter with the coroner acquaintances, was born in Corvallis in it is believed that Kisbey was the au-1859, and has made this his home most of the time. He practiced dentistry here

ther. Governor West last night did not remember whether the original was typewritten or in hand writing, but promised to send it to Captain of Detectives Baty so that if it is in handwriting it may be compared with the writing of body.

Kisbey and Rase. Because the extortion scheme had not actually been put into effect, a charge of extortion cannot be placed against inasmuch as last Tuesday in his note to Lively asking for \$150 Kisbey declared he had a \$350 a week theatrical job in sight. When Mr. Lively lent him \$75 it

was based on the security offered by this job. To Make Full Inquary.

"If necessary 1 am willing to go to the extent of hiring private detectives to run down the rumors that there was a second woman in the auto with us the night of the accident," said Mr. Lively today. "I repeat that I want, and am going to have, a thorough investigation, with the widest publicity, to clear up the case once and for all With the witnesses I have, I think it can be clearly proved to the satisfaction of everyone that all these rumors are absolutely false. I see now that Governor West was imposed upon as much as I was."

Any investigation of this sort, it, was said today by the detectives who revealed the extortion plot, would probably have to be done privately, as it is hardly a matter now for police inquiry.

RETURNED BY GRAND JURY

Five not true bills and five indict-

ments, returned by the federal grand

Jury Saturday morning, completed the

work of that body for the week and an

adjournment was taken until Monday

"Tom Mokeave was indicted for per-

FIVE INDICTMENTS

morning.

reservation.



JUNCTION CITY MAN

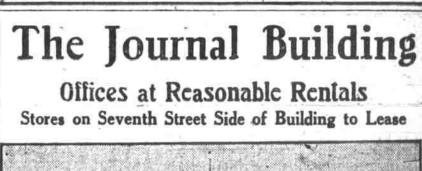
(Special to The Journal.) Oregon Agricultural College, Corvallis, Or., Sept. 5.-Cecil P. Moffitt, of Junction City, was elected president of the senior class of the O. A. C. Thursday. Mr. Moffitt is a senior in the division of argiculture, and has made a good record in his college course. Last year he gained prominence. in the military department, being made cadet colonel for this year.

AUTOMOBILE DRIVERS

David Cole and F. A. Dalson, of 199 a man and asked her to call the police

struck a St. Johns streetcar at Killings-

about, and did not notice the St. Johns testified to the truth and veracity and the men. Mr. Fitzgerald, however, is car as it was going out Killingsworth general good character of Mr. Creech confident of obtaining a conviction for avenue. Before the streetcar or machine in both counties. The court ruled that obtaining money under false pretenses, could be stopped the automobile ran into Prosecuting Attorney Campbell could the streetcar. The automobile was bad-ly smashed and the streetcar was slight-ly damaged. not cross-examine witnesses as to al-leged family quarrels between Creech and his wife.





lumberman of Raymond on trial for the murder of Detective Frank J. Welch, whom he killed in his yard during the night of June 4, spent the morning on the witness stand, and gave the first story of the shooting as told by any of the Creech family and laid the foun-dation for the defense. Mrs. Brown said that she and her mother went to town during the afternoon and returning home found a stick of stovewood under a bedroom window. Later about 9:45 in the evening she found a file under the window and telephoned for an officer, asking that Officer Kempter be sent to the home. Forty-five minutes later, she said, Detective Welch came to the house and

BY J. S. I

Whether Accident.

She Phoned for Policeman

Kempter But Welch Came;

"No," Said He, Asked

(Special to The Journal.)

Brown, daughter of J. S. Creech, the

Montesano, Wash., Oct. 5 .- Mrs. Olga

spent a few minutes making an examination of the rooms, later going to the back yard, after assuring the women there was no need for alarm.

Five minutes later she heard a shot in the yard and ran with her mother STRIKE STREET CAR to the back porch, where she recog-nized her father. He said he had killed

Ainsworth street, were badly bruised at and a doctor, which she did. She then 9:15 o'clock this morning when a small an accident, to which Welch in dying runaboutgin which they were riding words replied, "Not by a d----d sight." Mrs. Brown made a good witness for worth avenue and Borthwick street, Both the defense and although she was conmen were removed to their homes. Cole siderably worried, gave a good, clear, sustained injuries to his neck and legs, concise statement of facts leading to while Dalson was bruised about the the shooting, but evaded many answers Sheriff Stephenson of Pacific coun

According to Patrolman Niles, who ty, Henry Nihart Raymond, A. B. Barsaw the accident, the men were coming clay, Eugene France and W. J. Patterdown Borthwick street, in Cole's run- son, prominent citizens of Aberdeen

never got more than \$100. Jim then told McManigal, Miller said, that the books showed \$235 was allowed for each case. Both men, Miller charged, then went to Indianapolis and told John Mc-Namara, the latter exposing Hockin and his associates.

Miller read letters purporting to have been written by John J. McNamara, referring to 'balloon races," and "aero, naut stunts." The prosecutor charged these referred to dynamitings. Miller took up the dynamitings attributed to the union men one by one. He claimed that Ortic McManigal was a humane man and cited the Mount Vernon dynamiting to emphasize his point. There, he said, McManigal intended to dynamite a derrick, but that the watchman refused to leave.

McManigal then arranged, Miller said, to set off explosives elsewhere to attract the watchman's attention and to at the commissioners' meeting yesterprevent his injury. Then, he main- day, said that the city council had made tained, McManigal returned and dynamited the derrick.

Miller also declared that alarm clocks to set off explosives were first put in use at Mount Vernon.

## DISTRICTS OF 2D CLASS LIMITED IN BORROWING

(Salem Bureau of The Journal.) Salem, Or., Oct. 5.—School districts of the second class cannot borrow money for the purpose of liquidating & Power company acknowledging the indebtedness contracted for the maintenance of the district. This is according to an opinion of the attorneygeneral given today to H. J. Overturf, president of the school board at Bend Money can be borrowed by the district only for buildings, or repair of school nouses, or buying land for building discontinued. poses,

## Motion Picture Actor Sues.

(United Press Leased Wire.) San Francisco, Oct. 5.-Insulted because he was tendered \$10 for his services as a moving picture actor for a week, John Bond sued Spaulding Nor-dell for \$25. Judge Flood, after wit-The service will be simple, at the spenessing the film, decided against Bond, | cial request of Bishop Weller.



son to the county commissioners.

converted into a street.

the latter part of September.

some day may become president

the official charter board and the counwhich placing it on the ballot would precipitate. BOOSTERS FOR DAVIS PLEDGE ACTIVE EFFORTS

statute.

Support for George N. Davis as can-Support for George N. Davis as can-didate for judge of the circuit court to succeed C. U. Gantenbein was The portion of Patton road lying withpledged at a meeting at Women of Woodcraft hall last night, when a good in the city limits will not be taken over by the city and made into a street, for the present at least, according to a

crowd turned out to hear the candiletter from Deputy City Engineer Handate and discuss plans for his cam-Daigh. Mr. Davis made a short talk, in the The communication, which was read course of which he declared in favor

of the recall of judges, saying: an investigation to ascertain whether it "I do not belleve a judge who is on would be advisable to take the road the square has anything to fear from

from county control and had decided the recall. And if he is not on the that people residing along the road square the sooner he is recalled the probably would be unable to stand the better off the community will be. If am elected all men shail be equal in expense of improving it should it be court, and I promise that it can never The investigation was made on the be truthfully said that on a political petition of a number of property owners question I have my ear to the ground.'

#### along the road who stated that they de sired the highway made into a street. LEGISLATIVE TICKET A communication was read from F. I

Fuller of the Portland Railway, Light receipt of the reports of the opening and closing of the bridge draws during The night crew of the Sellwood ferry maining vacancy in the list of 12 reprewas discharged, the discharge taking sentatives from Multnomah county, Mr. effect October 1. The action was taken Baines is a straight Bull Mooser, forbecause the ferry's night runs have been

To Enthrone Bishop Weller. Fond du Lac, Wis., Oct. 5 .- The en-

thronement of Rt. Rev. Reginald Weber trop, E. O. Burdon, Edwin G. Amme, A. Weller, who succeeds the late Bishop Grafton as head of the Protestant Lpiscopal diocese of Fond du Lac, is to take The service will be simple, at the spe-Republican nominees, indorsed, and Robert W. Hagood, Democrat, Indorsed.

et has been completed by the nomina-tion of Arthur B. Baines for the re- one of the leading campaigners for one of the leading campaigners for Bryan in previous years. Before the convention he was a supporter of Champ Clark, but is now for the ticket nomimerly in the grocery and meat business nated at Baltimore.

A Democratic rally will be held at the city hall in St. Johns Monday night, at which the speakers will be M. G. Munly, candidate for congress; Oglesby Young, nominee for circuit judge; Tom M, Word, for sheriff; Richard W. Mon-

George Fred Williams, of Massachusetts, ex-congressman and once Democratic candidate for governor of that

Ities. state, will come to Oregon to speak for Wilson and Marshall, according to a dispatch received by Chairman Hanley of the state committee. Williams is BY DAYTON, OR., FIRE

(Special to The Journal.) Dayton, Or., Oct. 5.—The fire that destroyed the Dayton evap-2 orator last week also destroyed the mother tree of the silver prune. This tree was purchased with other fruit trees by E. M. Alderman from the Prettyman Nursery company about 1875. Instead of being a grafted tree tague, for state senator; Samuel White it proved to be a seedling but the fruit was of superior qual-Mr. Alderman took great ity. pride in exhibiting it and named it the silver prune.

## 4444444 KEEP HOSPITALS BUSY

A series of minor accidents late yesterday afternoon and last night kept ambulance and the attendants at the Good Samaritan hospital busy.

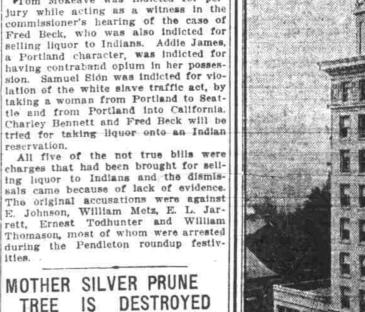
While climbing the stairs to her home in Sheridan, Or., Mrs. K. Murphy, fell and bruised one of her elbows. She was brought to Portland yesterday on the train and removed to the Good Samaritan hospital late yesterday after-

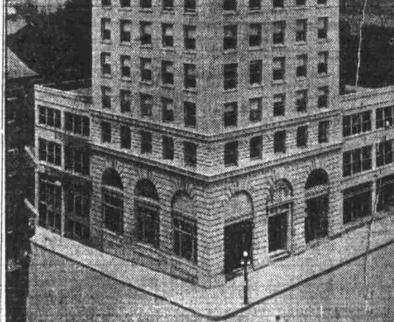
peddle flowers wihout paying a license Scott car at Hawthorne and East Fifti-The reason given in the veteo message eth street at 7 o'clock last night, Clif-ford Hendrix, 26 years old, of 237 East is that Bedigian proposes to import flowers from another state in competi-Fiftieth street, fell to the pavement tion with local florists who pay rent and fractured three ribs. He was rushed to the Good Samaritan hospiand taxes and help to build up the city.

resting easily this morning.

wood chopper of Quincy, Or., was struck by a falling tree and severely injured. Yesterday he was brought to Portland and removed to the hospital. His condition is not serious.

was the fact that the address read to the members proviously had been sent R. B. Miller, traffic manager of the to all foreign legations except the Turkish representatives. The king's O.-W. R. & N. company, has gone to Spokane and other cities of the Inland Empire on a general tour of inspec Mr. Miller will size up the crop Tea has been used as a beverage in and transportation situation and study conditions in general,





## **Tenants' Directory**

	BLUMAUER, DR. F. M., M. D
	CHAMBERLAIN, DR. CHAS. T., Physician and Surgeon 910
	DAVIS & DAVIS, Timberlands
	FOX, IRVIN R., Optometrist916
	GREATER PORTLAND PLANS ASSOCIATION
	GRIM, DR. J. G., M. D
	HALL, DR. ROBERT G., M. D
	HEALY, JOSEPH M
	JAYNE & O'BRYON, Attorneys at Law
	KISTNER, DR. FRANK B., Eye, Ear, Nose and Throat. 10th floor MONTGOMERY, DR. J. H., Physician and Surgeon
	NELSON, DR. EMIL J., Dentist
3	OREGON ENGRAVING CO., Engravers
	SEUFERT, T. J., Real Estate
-	WARREN CONSTRUCTION CO., Paving Contractors



FILLED BY BULL MOOSE

The Progressive party legislative tickon Washington street, now salesman for

a local meat dealer. As completed, the Progressive legislative ticket consists of Robert M. Ais-

B. Baines, F. W. Valentine and Oliver M. Hickey, Bull Moosers', C. A. Applegren, M. J. Murnane, A. W. Lawrence, and Frank S. Myers. W. Irving Spencer and John H. Nolta,

# MAYOR TAKES LEAVE:

# BAKER IN HIS PLACE

Portland has a new mayor today. His name is George L. Baker, theatrical cil. By virtue of this latter position Mr. Baker becomes acting mayor when-

ever Mayor Rushlight is away from the city. By advice of his physician Mr. Rushlight left this morning for the Tillamook country to take a week-end rest and Mr. Baker automatically became

acting chief executive of the city. Mr. Baker's temporary term of office will expire Monday morning, when Mayor Rushlight is expected to return. Before leaving the city today Mayor Rushlight vetoed an ordinance passed at the last session of the city council

marked the opening of the Servian par-

assage was warmly received.

China more than 2000 years.

Attempting to step from a Mount granting Dan Bedigian a permit to

tal in a Red Cross ambulance. He was Peter Opens Servian Parliament.

Charles Anderson, 35 years old liament here today by King Peter. The most significant feature of the event