

HOCKIN, HE SAYS, "DOUBLE-CROSSED" IRON WORKERS

Prosecutor Miller at Dynamite Trial Severely Arraigns Association's Treasurer as a Traitor.

(United Press Special Wire.) Indianapolis, Oct. 5.—When the trial of the 48 members of the International Association of Bridge and Structural Ironworkers, charged with illegally transporting dynamite, was resumed here today, Prosecutor John D. Miller continued to outline the charges he expects to prove against the defendants. It is not certain that Miller will conclude today.

Before Miller started speaking this morning Judge Anderson cautioned the jury that Miller's statements were not to be considered as evidence by them but they were merely what the prosecution hoped to prove. The defense's statement, it was announced, will be brief.

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 today. In the checkbook, he said, the executive board of the International Association 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 dynamiting for which officers and members of the organization are on trial. President Ryan, he charged, signed 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 Orle E. McManigal \$125, for each dynamiting job. He charged that the union allowed \$25 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-crossed 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."

Charge Hockin Pocketed Difference. Miller declared that McManigal received \$100 with \$25 for expenses for the Mount Vernon job. Then Hockin, he said, charged up the union with \$235. Jim McManigal, Miller said, told McManigal that he received \$200 for pulling off the 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 McManigal that he never got more than \$100. Jim then told McManigal, Miller said, that the books showed \$225 was allowed for each case. Both men, Miller charged, went to Indianapolis and told John McManigal, the latter exposing Hockin and his associates.

Miller read letters purporting to have been written by John J. McManigal, referring to "balloon races," and "aero-naut stunts." The prosecutor charged these referred to dynamiting. Miller took up the dynamiting attributed to the union men one by one. He claimed that Orle McManigal was a humane man who cited the Mount Vernon dynamiting to emphasize his point. Then, he said, McManigal intended to dynamite a derick, 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 prevent his injury. Then, he maintained, McManigal returned and dynamited the derick.

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, Oct. 5.—School districts of the second class cannot borrow money for the purpose of liquidating indebtedness contracted for the maintenance of the district. This is according to an opinion of the attorney-general given today to H. J. Overturf, president of the school board at Bend. Money cannot be borrowed by the district only for buildings, or repair of school houses, or buying land for building purposes.

Motion Picture Actor Sues. (United Press Special 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 Nordell for \$25. Judge Flood, after witnessing the film, decided against Bond.

PRIZE YAMHILL BABY OUT OF 96 ENTRIES



Kenneth Whitmore Morris, McMinnville, 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 line. First prize was awarded to Kenneth Whitmore Morris, 11-month-old son of Dr. and Mrs. Henry B. Morris, of McMinnville. Mrs. Morris was formerly a Pendleton girl.

FIVE RAILROAD MEN ORGANIZE "FATHERS' CLUB" AS STORK GOES

A father's club has been organized in the Railway Exchange building. Meetings are held every morning on the sixth floor where are located the offices of 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. Froebel, of the 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 quintet 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. Froebel's present from the stork, too, was a girl, which they think the finest ever, and Mr. and Mrs. Cole have been receiving congratulations on the arrival of a splendid boy that some day may become president of these United States.

COUNTY NOT TO TAKE OVER PATTON ROAD

The portion of Patton road lying within the city limits will not be taken over by the city and made into a street, for the present at least, according to a letter from Deputy City Engineer Hanson to the county commissioners.

The communication, which was read at the commissioners' meeting yesterday, said that the city council had made an investigation to ascertain whether it would be advisable to take the road from county control and had decided that people residing along the road probably would be unable to stand the expense of improving it should it be converted into a street.

The investigation was made on the petition of a number of property owners along the road who stated that they desired the highway made into a street. A communication was read from F. L. Fuller of the Portland Railway, Light & Power company acknowledging the receipt of the reports of the opening and closing of the bridge draws during the latter part of September.

The night crew of the Sellwood ferry was discharged, the discharge taking effect October 3. The action was taken because the ferry's night runs have been discontinued.

To Enthroned Bishop Weller. Fond du Lac, Wis., Oct. 5.—The enthronement of Rt. Rev. Reginald Weber Weller, who succeeds the late Bishop Grafton as head of the Protestant Episcopal diocese of Fond du Lac, is to take place tomorrow in St. Paul's cathedral. The service will be simple, at the special request of Bishop Weller.

SHORT CHARTER PLAN INVOLVES INITIATIVE LAW

Judge Morrow to Pass On Vital Point in Legislation in Wood Short Charter Litigation.

The struggle to place the Wood short commission plan charter on the ballot was made to involve a fundamental issue of municipal government when the mandamus proceedings to compel City Auditor Barbur to place it on the ballot were argued before Judge Morrow in the circuit court this morning.

"Has the council arbitrary power to decline to place on the ballot at the special election a measure proposed by initiative petition?" This is the question which Judge Morrow is called upon to answer. City Attorney Grant says that if he decides 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. 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 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, declared that the state constitution gives the city power to determine the mode and manner of its administration of initiative law, and that in this case the city, by adopting the McNary ordinance, has chosen to act contrary to the state statute.

This phase of the situation makes the issue highly interesting, attorneys for both the plaintiff and the defense admitting that if Judge Morrow says any initiative petition filed with the city auditor must go on the ballot at special or general election then bond issues and constitutional amendments and ordinances may be placed on the ballot by initiative petition to be made to lengthen the ballot.

Barbur Appears. City Attorney Grant and Assistant City Attorney I. E. Latourrette appeared this morning for the city. City Auditor Barbur, who was mandamused by the promoters of the Wood charter to place it on the ballot, at present, but was not placed on the stand. When mandamused he answered that he had not the power under the city ordinance governing the submission of measures for the special election to place it on the ballot. E. S. J. McAllister and C. E. S. Wood appeared in behalf of the Wood charter. This charter conflicts seriously with the measure drafted by the official charter board and the council did not desire to invite the confusion which placing it on the ballot would precipitate.

BOOSTERS FOR DAVIS PLEDGE ACTIVE EFFORTS

Support for George N. Davis as candidate for judge of the circuit court this morning for the city. City Auditor Barbur, who was mandamused by the promoters of the Wood charter to place it on the ballot, at present, but was not placed on the stand. When mandamused he answered that he had not the power under the city ordinance governing the submission of measures for the special election to place it on the ballot. E. S. J. McAllister and C. E. S. Wood appeared in behalf of the Wood charter. This charter conflicts seriously with the measure drafted by the official charter board and the council did not desire to invite the confusion which placing it on the ballot would precipitate.

Mr. Davis made a short talk, in the course of which he declared in favor of the recall of judges, saying: "I do not believe a judge who is on the square has anything to fear from the recall. And if he is not on the square the sooner he is recalled the better off the community will be. If I am elected to the office of judge, I will be truthfully said that on a political question I have my car to the ground."

LEGISLATIVE TICKET FILLED BY BULL MOOSE

The Progressive party legislative ticket has been completed by the nomination of Arthur B. Baines for the remaining vacancy in the list of 12 representatives from Multnomah county. Mr. Baines is a straight Bull Moose, formerly in the grocery and meat business on Washington street, now salesman for a local meat dealer.

As completed, the Progressive legislative ticket consists of Robert M. Aistrop, E. O. Burdon, Edwin G. Amme, A. B. Baines, F. W. Valentine and Oliver M. Hickey, Bull Moosers; C. A. Applegreen, M. J. Murman, A. W. Lawrence, W. Irving Spencer and John H. Natta, Republican nominees, endorsed, and Robert W. Hagood, Democrat, endorsed.

N. B. AVERY WILL BE BURIED TOMORROW



N. B. Avery of Corvallis, who died in Portland Thursday.

(Special to The Journal.) Corvallis, Or., Oct. 5.—N. B. Avery, a native of Benton county, who died suddenly of heart failure at the Clyde hotel in Portland Thursday morning, will be buried here Sunday. "Pole," as he was familiarly called by his many acquaintances, was born in Corvallis in 1859, and has made this his home most of the time. He practiced dentistry here a number of years, having discontinued his practice, however, several years ago. Since then he has been chiefly concerned in matters of loans and investments. He was the son of the late J. C. Avery, an Oregon pioneer 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. P. A. Hahn of Corvallis, Mrs. B. F. Irvine of Portland, and Mrs. Florence Jones of Paisley; and a daughter, Mrs. Esther Avery Adams of Los Angeles. Mrs. Adams arrived today from Los Angeles.

The funeral services will be in charge of Corvallis Lodge No. 14, A. F. & A. M., and interment will be in the Masonic cemetery. He was also a member of Ferguson Chapter R. A. M., Corvallis; the Albany lodge of Knights Templar; Al Lodge Temple of Mystic Shrine, Portland; and the Elks of Albany.

ROOSEVELT'S "LOST BOOK" CAME BACK, SAYS FRED CURREY

The mystery of Colonel Roosevelt's "lost book" has been solved. The book wasn't lost at all, according to Fred B. Currey, of Hot Lake, Or., but was in the Colonel's pocket all the time, and turned up when he reached La Grande.

"I was a member of the La Grande committee to receive the Colonel," said Mr. Currey, at the Imperial, "and while we were in his private car waiting to be introduced, the Colonel said: 'Wait a moment.' He went to the other end of the car and returned 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 Republic' book."

Manager McRea of the Oregon Hotel who was severely called to task by Colonel Roosevelt for the loss of the book, and advertised offering a reward for its return, was not notified that the volume had been found.

NEW ENGLAND ORATOR TO SPEAK IN PORTLAND

George Fred Williams, of Massachusetts, ex-congressman and once Democratic candidate for governor of that 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 known as a brilliant speaker and was 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 nominated 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. Muniv, candidate for congress; Oglesby Young, nominee for circuit judge; Tom M. Word, for sheriff; Richard W. Montague, for state senator; Samuel White and Frank S. Myers.

MAYOR TAKES LEAVE; BAKER IN HIS PLACE

Portland has a new mayor today. His name is George L. Baker, theatrical manager and president of the city council. By virtue of this latter position Mr. Baker became acting mayor whenever 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 granting Dan Bedgigan permit to peddle flowers for a temporary term of office. The reason given in the veto message is that Bedgigan proposes to import flowers from another state in competition with local florists who pay rent and taxes and help to build up the city.

Peter Opens Serbian Parliament. (United Press Special Wire.) Belgrade, Oct. 6.—Great enthusiasm marked the opening of the Serbian parliament here today by King Peter. The most significant feature of the event was the fact that the address read to the members previously had been sent to all foreign legations except the Turkish representatives. The king's message was warmly received.

Tea has been used as a beverage in China more than 2000 years.

BLACKMAIL PLOT SUSPECTS HELD IN DEFAULT OF BAIL

Jack Kisbey and William Rase Unable to Furnish \$1000 Bonds in Alleged Extortion Scheme Against Lively.

Unable to furnish bonds of \$1000 required 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 last night, were held in default of bail today. A charge of vagrancy against them will be changed by Deputy District Attorney Fitzgerald to obtaining money under false pretenses before their preliminary hearing in the municipal court next Tuesday. They had intended to use Governor 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 reasons why no inquest was held over Miss Dow's death. 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 Police Silver yesterday afternoon happened to think of it in connection with the other evidence against Kisbey and Rase.

Would Mire Sleuths. As this letter was written at the same time that Kisbey was "sounding" newspapermen as to whether they would go into the scheme with him and more than a month ago, it is believed that it is believed that Kisbey was the author. 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 who may be compared with the writing of Kisbey and Rase.

Because the extortion scheme had not actually been put into effect, a charge of extortion cannot be placed against the men. Mr. Fitzgerald, however, is confident of obtaining a conviction for Kisbey and Rase under false pretenses, obtaining money under false pretenses, 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 Inquiry. "If necessary I 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 untrue. 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.

FIVE INDICTMENTS RETURNED BY GRAND JURY

Five not true bills and five indictments returned by the federal grand jury Saturday morning, completed the work of that body for the week and an adjournment was taken until Monday morning.

Tom Mokeave was indicted for perjury while acting as a witness in the commissioner's hearing of the case of Fred Beck, who was also indicted for selling liquor to Indians. Addie James, a Portland character, was indicted for having contraband opium in her possession. Samuel Slon was indicted for violation of the white slave traffic act, by taking a woman from Portland to Seattle and from Portland into an Indian reservation.

All five of the not true bills were charges that had been brought for selling liquor to Indians and the dismissals came because of lack of evidence. The original accusations were against E. Johnson, William Metz, E. L. Jarrett, Ernest Todhunter and William Thomason, most of whom were arrested during the Pendleton roundup festivities.

MOTHER SILVER PRUNE TREE IS DESTROYED BY DAYTON, OR., FIRE

(Special to The Journal.) Dayton, Or., Oct. 5.—The fire that destroyed the Dayton evaporator 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 Freestman Nursery company about 1875. Instead of being a grafted tree it proved to be a seedling but the fruit was of superior quality. Mr. Alderman took great pride in exhibiting it and named it the silver prune.

SERIES OF ACCIDENTS 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 ankles. She was brought to Portland yesterday on the train and removed to the Good Samaritan hospital late yesterday afternoon.

Attempting to step from a Mount Scott car at Hawthorne and East Fifth street at 7 o'clock last night, Clifford Hendrix, 26 years old, of 237 East Fifth street, fell to the pavement and fractured three ribs. He was rushed to the Good Samaritan hospital in a Red Cross ambulance. He was resting easily this morning.

Charles Anderson, 35 years old, a 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.

R. B. Miller, traffic manager of the O. W. R. & N. company, has gone to Spokane and other cities of the Inland Empire on a general tour of inspection. Mr. Miller will size up the crop and transportation situation and study conditions in general.

JUNCTION CITY MAN HEADS O. A. C. SENIORS



Cecil P. Moffett.

(Special to The Journal.) Oregon Agricultural College, Corvallis, Or., Sept. 5.—Cecil P. Moffett, of Junction City, was elected president of the senior class of the O. A. C. Thursday. Mr. Moffett is a senior in the division of agriculture, 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 STRIKE STREET CAR

David Cole and F. A. Dalsen, of 199 Ainsworth street, were badly bruised at 9:15 o'clock this morning when a small runabout in which they were riding struck a St. Johns streetcar at Killingsworth avenue and Northwick street. Both men were removed to their homes. Cole sustained injuries to his neck and legs, while Dalsen was bruised about the body.

According to Patrolman Niles, who saw the accident, the men were coming down Northwick street, in Cole's runabout, and did not notice the St. Johns car as it was going out Killingsworth avenue. Before the streetcar or machine could be stopped the automobile ran into the streetcar. The automobile was badly smashed and the streetcar was slightly damaged.

Sheriff Stephenson of Pacific county, Henry Nihart Raymond, A. B. Barclay, Eugene France and W. J. Patterson, prominent citizens of Aberdeen, testified to the truth and veracity and general good character of Mr. Creech in both counties. The court ruled that prosecuting Attorney Campbell could not cross-examine witnesses as to alleged family quarrels between Creech and his wife.

DAUGHTER TELLS STORY OF KILLING BY J. S. CREECH

She Phoned for Policeman Kempter But Welch Came; "No," Said He, Asked Whether Accident.

(Special to The Journal.) Montesano, Wash., Oct. 5.—Mrs. Olga Brown, daughter of J. S. Creech, the 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 foundation 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 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 to the back porch, where she recognized her father. He said he had killed a man and asked her to call the police and a doctor, which she did. She then asked the wounded man whether it was an accident, to which Welch in dying words replied, "Not by a d—d sight."

Mrs. Brown made a good witness for the defense and although she was considerably worried, gave a good, clear, concise statement of facts leading to the shooting, but evaded many answers. Sheriff Stephenson of Pacific county, Henry Nihart Raymond, A. B. Barclay, Eugene France and W. J. Patterson, prominent citizens of Aberdeen, testified to the truth and veracity and general good character of Mr. Creech in both counties. The court ruled that prosecuting Attorney Campbell could not cross-examine witnesses as to alleged family quarrels between Creech and his wife.

The Journal Building

Offices at Reasonable Rentals
Stores on Seventh Street Side of Building to Lease



Tenants' Directory

BLUMAUE, DR. F. M. M. D.	810-11
BROWNE, DR. AGNES M., Osteopath	808-9
BRUERE, DR. GUSTAVE E., Physician and Surgeon	10th floor
CHAMBERLAIN, DR. CHAS. T., Physician and Surgeon	816
DAVIS & DAVIS, Timberlands	11th floor
FOX, IRVIN R., Optometrist	316
GREATER PORTLAND PLANS ASSOCIATION	300
GRIM, DR. J. G., M. D.	802-3
HALL, DR. ROBERT G., M. D.	907
HEALY, JOSEPH M.	301
JAYNE & O'BRYON, Attorneys at Law	601-3
JONES, ABNER, Court Reporter	607
KISTNER, DR. FRANK B., Eye, Ear, Nose and Throat	10th floor
MONTGOMERY, DR. J. H., Physician and Surgeon	916
MYERS & MARTIN, DRS., Osteopaths	806-7
NELSON, DR. EMIL J., Dentist	307
OREGON ENGRAVING CO., Engravers	3d floor
SEUFERT, T. J., Real Estate	300
SMITH, DR. RICHARD C., Physician and Surgeon	10th floor
STERNBERG, DR. J. D., Physician and Surgeon	916
WARREN CONSTRUCTION CO., Paving Contractors	7th floor
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WRIGHT-BLODGETT CO., Ltd., Timberlands	11th floor

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