DENIAL OF CRIMINAL LIABILITY DEFENSE OF **EX-COUNTY OFFICIAL**

Prosecution of Frank S. Fields for Failure to Turn Over Fees, Is Begun.

As outlined by his counsel in the upening statement to the jury this foremen, the defense of Frank S. Fields. clerk of Multnomah county on ial before Judge Kavanaugh in the circuit court on the charge of larceny of public money, will be that while there may be a question of civil liability for the sum of \$18,651.96 which he falled turn over to his successor in office, estion of criminal liability.

The actual trial of the case began with the opening statements to the jury and the introduction of pr liminary testimony by the state. On behalf of the state District At-

state would attempt to prove, with many figures and much dry detail as to the sources of moneys coming inte from each source were intermingled and sited in banks.

Opens Account With Bank. The sources of moneys, he explained, were fees from litigants, fees from the

it and probate courts, from licenses from the recording department Those in which the county had an interest were held in custody by the erk until the end of each month, when e amount earned by the county was turned over to the county treasurer and the amount to be refunded to litigants returned to them.

On January 6, 1911, the district at-urney said that an account was opened w Mr. Fields with the American Bank Trust company. With this bank was eposited all moneys except fees from the circuit court until September 6, when the circuit court fees were district attorney's statement.

When the bank failed in December, 1911, Mr. Field had a balance due him in the bank of \$7,538.97.

Big Balance Is Left,
The total amount of county money
ceived by Mr. Field during his term of office from July, 1802, to January, 1913, said the district attorney, was \$105,863.99. Out of this there was grand over to the treasurer the sum f \$87,518.08, leaving a balance of 18,051.96, which was not turned over to the county.

conclusion the district attorney that the evidence would show it was impossible to tell what

and it was impossible to tell what beinds were short.

Attorney John F. Legan, chief council for the defendant began his statement to the jury by asking District Attorney Evans how long he had been resident of Portland. "Since 1903," eplied the state's attorney. Mr. Logan and that he asked the question for the surpose of showing that Mr. Evans was when there was a county clerk.

than the salaries given the heads of the former divisions. In handling county funds 'Mr. Field did just as his pre-

Continuing Mr. Logan said that the defense would show that Mr. Fields turned over to the county all moneys system used it was not always possible to assign the money to its rightful fund. Mr. Fields, he said, noted on the advice of the county judge and others who held that the bank was perfectly sound. The question of taking the interest on county funds, said Mr. Logan, was not garmane to the case on trial.

"We admit that Mr. Fields did get interest, but there was not a time when the money could not be handed over. The fact that he got interest was pub-licly known and it was an issue in one ney could not be handed over of the campaigns of Mr. Fields for re "The people of Mulinomah county

knew what he was doing, and he was returned to office by a hig vote." The first witness placed on the stand by the state was County Treasurer Lewis. Over the objection of the de fense on the ground that it was a mere encumbering of the record with the fact admitted that Mr. Fields was county clerk from 1992 to January 6, 1913, as charged in the indictment Mr. Lewis identified the bonds furnished by Mr.

fields in assuming office. Amount of Fees Moceived. He further testified that on Januar , 1913, he received from Mr. Fields

the following amount in fees for the month of December, 1912: Recording and probate, \$4,237.34; circuit court, \$2,105.18; Terrens, \$1.60. January 2, 1912, he received for the month of December, 1911, the following: Recording and probate, \$3,062.90; circuit court, \$1,169.16; fine, \$200.

On January 27 he received additional fees for the preceding month as fol-

lows: recording and probate, \$2929.75; eircuit court, \$1414.56.

These fees were turned over, Mr. Lewis testified, in the form of checks in pursuance of the usual custom and there was no itemizing of their source of origin.

When the court took a secess at noon.
County Auditor Martin was on the stand
explaining the method of accounting for
fees in the circuit court department.

CHEHALIS COUNTY ASKS: "WHY IS A POOR FARM?"

Hoquiam, Wash., Oct 27.-Chehalis ounty has a poor farm, but if there a procedure to be followed in utilisis a procedure to be followed in utilis-ing it, Police Judge Charles Smith of this city is unable to find it.

The city has several men who are unable to work and who claim their purse strings must be drawn on an

inpty receptacle.

It was the belief that when person became public charges the doors of the poorhouse would swing open to them. The city of Hoquiam rapped for the admission of one Mike McGovern, but Commissioner of the Poor McDermont said: "Nething doing. You must con-vince us that McGovern is unable to work before his case can be considered Now the Hoquiam authorities are looking up the law in an effort to as-certain the exact status of the poor

familiar with political history and port. It is contended that if this city ner methods of doing the county's is prevented from sending persons to the farm who are out and out public circuit court clerk and a recorder, charges, the same condition must pre-n 1901 these effices were con-vail in all towns and cities of the clidated and the county clerk given a county. They can see no use of the slary of \$:1500 per year which was less poor farm if no one can enter it.

COMPENSATION LAW IS SUPPORTED BY LISTER AND WORKMEN ALIKE

ton State Law Has Been Found Satisfactory.

to Administered in Washington State Law Has Been condition as best they could.

Facts and Figures. As Administered in Washing-Found Satisfactory.

Salem, Or., Oct. 27.—Strong indorse ments of the workmen's companisation law as administered in Washington have been received by Governor West from

the Workmen's Compensation Commis-"While there is and probably always the great majority of people are strong In fact many more people than wer favorable to it when it was under con

Under the title, "Workman's Com-pensation versus Linbility Law," Floyd L. Daggett, J. H. Wallace, and A. B. rnest, of the Washington commission have issued the following statement: "It will be readily acknowledged that furing the last five years a profound sentiment has been crystalized in favor of workingmen's compensation, operat ing under state supervision, aimed to give average justice promptly to those men injured in extra hazardous works

or to their necessitous dependents where injury has resulted in death. "Not only does this feeling exist among employers, but also among progreasive thinkers in the ranks of labo who feel that since industry has bee compelled to pay for protection out of the earnings of those who produce and the prices charged to the sume, its protection should be given in a substantial way where the benefits cruing would be equally satisfactory to employer and employe.

"Two things, however, must be considered in this subject of vital importance to those engaged in industrial operations. First, accident prevention, which is more desirable than any monetary consideration and without which the best compensation law ever enacted must be a failure; second, substantial compensation for these accidents which must be a railure; second, substantial compensation for these accidents which are not preventable. In this connection, let me add, that after a careful study of the various systems of compensation laws now in operation throughout the United States, we are of the opinion that state insurance as embodied in the Washington law in conjunction with the Washington law in conjunction trict safety regulations, gives the char-

mployer and employe alike, "The state of Oregon, our immediate neighbor to the south, enacted a com-pensation law during the last legislaure which excels, in many respects, the est legislation of its kind yet enacted by any sister state, and were it compulsory instead of optional, there is very little its crities could say against it. However, we understand it has been referred to the people to be voted on at the general election on the 4th of November next, when it will be definitely decided as to whether or not the new, intelligent, humane and civilizing influence will deminate or the old strife-breeding, inhuman and barbarous condition under the old common law system with its attendant evils, must still remain. by any sister state, and were it compul-

"In order to understand the merits of the new system as compared with the old, it may be necessary to quote facts and figures showing the relative differ-

and figures showing the relative difference in amounts received by injured workmen in the state of Washington for the two years previous to the enactment of the workmen's compensation law and for a relative period since the law became effective.

"During the years 1909-1916, 21,500,000 were paid by amployers of labor to casualty insurance companies for protection against personal injury litigation. Of this amount, less than \$250.000 reached the men injured or their dependents when killed. This amount, however, was paid by only a percentage however, was paid by only a percentage of the employers in the state, many of the smaller industries carrying no casualty insurance whatscever and some of the more hazardous operations, such as mining, being unable to secure in-

surance at any price.
"This initial cost did not include re-taining fees for legal services, witness fees, nor the added burden to the taxpayer in taxetien of the common law procedure necessary to handle this ever increasing personal injury litigation. A increasing personal injury litigation. A conservative estimate, however, of the entire expenditure covering all phases of this subject, could not be less than \$1,500,000 per year. Under the new method as adopted in the atute of Washington, employers pay these premiums to the state, and a board of three commissioners constitute a tribunal for the payment of moneys to those injured while engaged in hasardous work awards being made promptly acwork, awards being made promptly according to law without effort on the part of the injured workman excepting he was injured while working for his

"In the two years ending October 1, 1812, the state has received in premiums \$2,554,528.89, has paid out in final settlements \$1,428,529.80, has paid to dependents of those killed \$20,534.27, with balance in reserve on approved claims for pension purposes of \$784.206.24, leaving a working balance in the 48 classes of \$221,217.80. There has been reported 25,000 accidents to date, thus bringing to the attention of the people of the state, through this piece of progressive legislation, in a comprehensive and reliable manner, the toll demanded by industry for its operation and the need for education along the lines of accident pravention such as was unobtainable under the old casualty insurance method of doing business.

"It would not be admitted, by those entrusted with the administering of such laws, that they were perfect or even offered all benefits without some attending drawbacks, but since it is the intention of such legislation to prevent economic waste insofar as it may be done, both physical and monetary and while of necessity a few who received larger amounts under the old law max Lint Two Years.

while of necessity a few who receive larger amounts under the old law ma he required to accept a lesser sum

every sufferer receives the consider tion that under the law is his due. "The amounts paid may be question as to their sufficiency in many is sinces, but the underlying princip as to the relative marits of the chair ants would seem unquestionable. Man things can be said for and against as future as they have been in time ligent and honest desire to make perfect that which is defective, to do justice wherein justice is done, can be brought about by a cooperation of effort on the part of employer and employe alike when they work to the end that all waste, either of energy or material, shall be conserved for the public good.

"Workmen's compensation laws, this respect, are exercising a benefit influence by bringing into closer rehard, strendon and necessary were and we anticipate that with a proper under-standing on what might be done for the conservation of life and limb, the time is not far distant when because of the interest aroused among employers in behalf of their workmen, accidents will behalf of their workmen, accidents will be reduced to the minimum, necessitat-ing only a small premium rate to pro-vide ample funds necessary to make awards and permitting of more ample allowance where injuries are of a seri-

ous nature. truthfully and justly the success of this new, beneficial and humane system."

RAILROAD OFFICIALS VISIT AT CORVALLIS

(Special to The Journal.)
Corvailia, Or., Oct. 27.—Julius Kruttschnitt, chairman of directors of the
Southern Pacific company, William
Sproule, president of the railroad, Gensral Manager Campbell of the Southern
Pacific lines in Oregon, H. F. Hinshaw,
general freight agent of the Southern
Pacific lines in Oregon and President
Robert E. Straborn of the P. arrived in Corvallis yesterday aftern

By prearrangement the officials were guests of the Corvallis Commercial club guests of the Corvallis Commercial club-for 30 minutes, where a number of the business men of Corvallis had gathered to meet them. At the Commercial club the entire time was taken up in ex-changing personal greetings. Following the visit of the officials to the Commercial club a hurried autotrip about the city was made, Mr. Kruttschnitt having expressed a desire to see some of the many improvements that have been made in Corvallis and to see, for the first time, the Oregon Agricultural College. Owing to lack of time the trip to the college was limited to a ride through the campua. At 3:40 the officials left over the Portland, Eugene & Eastern for Monroe

and Eugene.

Florence, Or. Oct. 27.—The contract for planking Front street from Lincoln to Jefferson, has been awarded to E. S. Dyer. The amount of the contract was \$4290. Work will be rushed. The awarding of contracts for planking several other streets will come up before the city council at tonight's meeting.

Ogden Dark for Six Hours Ogden, Utah, Oct. 27.—An accident in the Utah Light & Railway company's that an injury to one is the concern of darkness for six hours, stopped street-all, then they must admowledge that cars, flooded many blocks and did \$75,-a greater public good accrues where 800 other damage.

NCOME FROM BRIDGE OVER COLUMBIA RIVER WOULD PAY ALL COST Ex-Governor Takes That Way

Data Upon Which Estimates **Based Dispute Contention of** Engineer.

In opposition to the interstate bridge, George Rae, a road engineer with of-fices in the Worcester building, has sub-mitted a statement.

He first estimates the total annual revenue to be expected from the leidge at \$18,000, on a basis of 20,000 street cars and 50,000 vehicles at 25 cents each and 500 pedestrians at 5 cents each. Explaining this assertion, Mr. Rae said he had not consulted the figures of revenue of the Vancouver ferry, which have been used as basis for estimates of the bridge income by the bridge committee, but that he made his own estimates.

The auditor of the Portland Railway, Light & Power company says the income of the ferry last year was in excess of \$66,000. The bridge committee estimates \$100,000 as the first year's income of the bridge.

Mr. Rae estimates the annual expense of the bridge.

of the bridge as follows: Sinking fund.

5 per cent. \$52,500; interest on bonds at

5 per cent. \$87,500; lighting, salaries,
upkeep and repairs, \$50,000, or a total
of \$170,000. Here again Mr. Rue says
he was his own authority.

Estimate of Auditor's Office.

Brimate of Auditor's Office.

Mr. West of the city auditor's office, after computation at the request of The Journal, says that \$25,719.50 compounded annually at 3 per cent will retire the \$1,750,000 in honds in 30 years, and this is very considerably less than Mr. Rae's estimate of \$52,500.

A report on the maintenance and operation cost of the Hill railroad bridge.

eration cost of the Hill railroad bridge, which spans the Columbia, is that the total is \$6000 a year. The interstate bridge committee, doubling this amount in its estimate, gives \$12,000 as the

unreasonable from the standpoint of a good roads advocate asking why bridge should not be delayed until the roads are built. In a personal state-ment he admitted ignorance of an in-vestment by the state of Washington that will amount to \$500,000 by 1916 in two hard surface trunk highways in Clarke county, also of considerable investments by the county in roads which will be improved in time for use upon the opening of the interstate bridge. He also insists that the roads in Multnoman county are not good, as macadam is no longer considered a good road. Permanent Approach Che

A hard surface approach almost two miles in length built and maintained as the Oregon approach, he says, is also an injustice to the taxpayer. There is now a frame approach supported on tresties, and the county estimates that he cost of constructing and maintaining a permanent, hard surfaced ap-proach will be less than the construc-tion and maintenance of a temporary approach, due to the frequent necessity

RYAN MURPHY'S PLANT SULZER INSINUATES

Liar Charge.

(United Fress Leaned Wire.)
New York, Oct. 27.-'I see by the papers that Allan A. Ryas says I am a liar," ex-Governor William Sulzer said here today. "Students of public affairs will wonder whether Ryan was a 'plant' of Murphy's—whether Murphy used him to 'get something on me' so that he could control me after I became governor.

"I am done with the Ryans and the Murphys. They thought they could use me, and found they were mis-

Ryan testified at the Sulzer impeachment trial that Sulzer asked him to use his influence with Elihu Root in the interests of Republican support at Al-

his influence with Elihu Root in the interests of Republican support at Albany and with Murphy to call off the impeachment proceedings, promising to do the "right thing" if this were done. Sulser dealed this story and Ryan declared him a liar.

District Attorney Charles S. Whitman announced today that if John Hennessy made further charges of graft against Tammanyites he would ask him to repeat his charges to the grand jury. Hennessy was Sulser's special graft investigator. In speeches in connection with the pending city and state legislative combination he has made wholesale charges of corruption against Tammany officials.

CLACKAMAS COUNTY PIONEER IS DEAD

Molalis, Cr., Oct. 27.—Thomas Rob-bins, a resident of Clackamas county since 1253, died last night at the home of his brother, Oliver Robbins. He had been a sufferer from paralysis for sev

eral years.

Mr. Robbins was born in Decatu county, Indiana, and came west when a boy, riding horseback as one of an emigrant train. His parents first settled at Salem and came to Molalla in 1868. He is survived by his wife, who was Miss Alice Rees, and by four daughters, two sons and seven brothers and sisters. Funeral services will be held at Molalia at 11 o'clock tomorrow morning.

Mr. Robbins was known generally in the nexthwest begins have seen as

the northwest, having been active business affairs in early days,

the bridge is that by waiting a few years a clear saving of \$200,000 can be effected in bringing the steel for the bridge through the Panama canal. It is believed that the expense of bringing steel through the canal would be much less than by any method of transporta-tion now afforded, but it is also sug-gested that the Panama canal now open oportunity for commercial use of it will be afforded in time to bring the put in place.

Broken Rail Caused Wreck. Westerley, R. L. Oot, 27.—Investiga-tion proved a broken rail responsible for for the renewal of the latter, urday night, in which 25 were slightly Mr. Rae's concluding argument against injured.

Come to the Woolen Mills Great Clothing and Woolen Goods Sale

During the past few years the retail stores in the neighborhood of Third and Stark Streets have given way to office buildings and banks, until we find ourselves nearly isolated, as far as retail trade is concerned. We have carefully thought this matter over, and it seems to us that there are enough people who are willing to walk a few blocks out of the way, in order to save good, hard-earned money; that this good old store can run and, with our low expenses, even make some money. With this in mind, we propose to run this as a strictly cut-price Clothing and Woolen Goods store, where all goods will be sold at from 10 to 30 per cent less than customary retail prices—and this, mind you, without cutting down the quality one To start with, we have made the following enomous cut in prices:

\$8.50 for Men's All-Wool \$12.50 Suits.

10.50 for Men's All-Wool \$15 Suits. \$12.50 for Men's High-Grade

\$20 Suits. \$15.00 for Men's Finest Quality \$25 Suits.

\$2.50 for Men's Pants Worth \$3.00.

\$3.00 for Men's Pants Worth

\$3.50 for Boys' All-Wool \$5.00

\$4.50 for Boys' All-Wool \$6.50

50c—Broken sizes Men's Wool Underwear worth to \$1.50.

95c-Men's Regular Wool Underwear worth \$1.25.

\$1.25 Men's Regular Wool Underwear worth \$1.50.

\$1.35 Men's Regular Wool Underwear worth \$1.75. 121/2c-Men's Wool Mixed Socks worth

20c for bl'k or gray cashm'r socks w'th 25c 25c for men's fine cashmere socks w'th 35c 85c for men's flannel shirts sold at \$1.00 \$1.00 for men's flannel shirts sold at \$1.50

Sweaters Reduced About One Fourth Outing Flannel Night Shirts Reduced Brownsville Fl'n'l Shirts Greatly Reduced Fancy Flannel Shirts Smartly Reduced Blankets, all weights and colors, Reduced

Merchant Tailoring Department

Suits Made to Order in the Finest Work at From \$25.00 to \$40.00

Men who have their Suits made to order are urged to make use of this department, which is in charge of a first-class cutter, and there is a stock of nearly \$10,000 worth of Domestic and Imported Woolens to select from. Then there are the fine Oregon goods made by Tom Kay at Salem, guaranteed the best wear-resisting and best-looking goods in the world. We have 20 different patterns which we will make to order at \$25.



am on the job every day from the opening until closing of the

store. Every man who trades here will have courteous treatment and his money back with a smile if goods do not please.

J. L. BOWMAN, Owner.

Third Stark