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No. 26.

FIRE DEPARTMENT TO BE REORGANIZED

Ordinance to This Effect Introduced Last Night at Council Meeting.

PLACED IN HANDS OF COMMITTEE FOR CONSIDERATION

Calls for Creation and Regulation of Department on Larger Scale.

That the Albany fire department may be reorganized, made more efficient and that six more men may be put on the pay roll, became known last night at the council meeting, when an ordinance was introduced creating and repealing all other ordinances in conflict therewith.

The ordinance was drafted and introduced at the instance of the board of fire delegates. The president of that body appointed a commission to draft it as a reconstruction ordinance for the department. Following the second reading of the ordinance it was referred to the committee on fire and water for consideration.

According to the ordinance the department is to consist of a chief engineer and assistant, president, secretary, treasurer and board of control of 5 members. Elections are to be held on the second Monday of December, 1913 and annually thereafter. Notice is to be given by the secretary. The first two named officers shall be liable to a fine of \$200 for absence or failure to perform their duties. When a vacancy occurs in the office of chief engineer the assistant is to serve for the unexpired term and the foreman becomes assistant, etc. The chief is to receive an annual salary of \$200, paid quarterly. The department shall be allowed for ordinary expenses the sum of \$25 quarterly. No person shall be allowed to vote in any election, unless he has been a member of same for 30 days prior. When a vacancy occurs in any office it shall be immediately filled through an election held by the board. At the annual election the department shall elect a foreman, two assistants, the president, secretary and treasurer to serve one year.

The chief engineer shall have power to appoint six call men who shall lodge at the fire house and at all times from seven o'clock p. m. until five o'clock a. m. shall be subject to the chief's orders and to answer all fire alarms. Each man is to be paid \$10 per month. The chief engineer is to report to the council all fires, their causes, damages, etc., and see that any persons criminally connected therewith are diligently prosecuted by the proper authorities.

The foregoing are the main features of the ordinance. Many other stipulations are made of more or less importance in the construction of the department. The committee to which it was referred is to render a report to the council before it will come up for final passage.

ANOTHER LODGE WAS ORGANIZED LAST NIGHT

Albany Council 2470 of Knights and Ladies of Security Starts With 30 Members.

The Albany Council 2470 of Knights and Ladies of Security was organized last night at Buzzard Hall with a charter membership of 30. Edward Shellenberger, state manager of Portland, instituted the lodge. The order was organized by Mr. and Mrs. E. K. Thompson, district managers.

The officers elected were: Charles B. Reynolds, president; Mrs. Rosa Lee Moore, vice-president; Rev. J. D. Cummins, prelate; Mrs. Winnie O. Chance, conductor; L. F. Walton, secretary; J. R. Pennington, financier; Carl Crawford, guard; Ray Stevens, sentinel. The trustees are: C. M. Mason, T. F. Chance and Douglas Ellison. The musician is Mrs. Chas. Reynolds. The captain of the degree team is Mrs. Vesta V. Newton. Dr. L. E. Tracy, is the medical examiner.

The lodge will hold its first meeting next Tuesday night at Buzzard's hall. At this meeting the first business is to be transacted. A place of meeting will be chosen and the date of the regular meeting will be designated. A most pleasant social session was held last night, after which refreshments were served.

News on This Page is From Daily Issue of THURSDAY, OCTOBER 24

LUMBER COMPANY CLAIMS OWNERSHIP OF PROPERTY

Brings Suit to Quiet Title to Timbered Tract in Lane and Linn Counties.

Praying for a decree requiring the defendants to disclose the interest claimed by them in an estate, that they have no right to title to the land, quieting the title to the same and for such other relief that the court shall deem proper, the Portland Lumber Co., a corporation of the State of Oregon, has filed suit in the circuit court of Linn county against Matt Munson and any other parties claiming title to lands involved in the suit, to quiet title to property in sections eight and ten of township fifteen, south range one east of the Willamette Meridian.

According to the complaint the property was secured by Munson through a United States patent. It is alleged that because he allowed the taxes to become delinquent, the sheriff sold it to Ina Finley, who later sold it to Justin Wentworth. The latter sold it some time later to the company, it is claimed, and that notwithstanding the premises, the defendants assert some claim in the property. It is timbered land, located partially in Linn and Lane counties. The plaintiffs seek a decree declaring the owners in fee simple of the land.

CITY NEWS.

Assumed Business Names Filed.—Certificates of assumed business names were filed this morning with County Clerk Marks by three concerns as follows: Lebanon Cash Produce Company, of Lebanon, W. D. Brown, proprietor; Bode Sales Company, of Lebanon, B. C. Bode, proprietor; Lebanon Hardware Company, of Lebanon, R. L. Gilson, proprietor.

Marriage Licenses Issued.—Yesterday afternoon and the day before the following marriage licenses were issued: Charles Sheppard, age 42, of Salem, and Lennie M. Andrews, age 33, of Lyons; E. E. Payne, age 24, of Albany, and Mae L. Seelye, age 20, of Lebanon; Thomas Ferguson, age 22, and Florence Fedemeyer, age 20, both of Albany, and Raymond Logan, age 25, and Stella Farmer, age 20, both of Halsey.

Here from California.—Here for the purpose of looking over the country with a view of locating, Jonathan Warner, of Frisco and W. A. Miller, of San Diego, visited the Commercial club this morning and gained considerable information from Manager Stewart. They said that they are looking for a better country and that they are tired of California. Both are favorably impressed with the Willamette Valley.

Has Civil War Sabers.—This morning Sam Worrell showed to a Democrat representative two old sabers that were used in the Civil war. They were secured by Mr. Wheeler, who recently returned from a trip to Missouri from an old time friend of his, for the collection of war antiques of the local G. A. R. The sabers are in fairly good condition. They bear the name of Company M. Missouri United States battery and are curved.

Mr. Worrell said that they are the regulation artillery sabers of the Civil war period.

Converted Comedian to Speak Here.—Capt. Chas. H. Stanley of California, well known in Europe and America as the converted comedian will speak and sing at the Christian church Friday and Saturday nights of this week, Oct. 24 and 25. Capt. Stanley was for 20 years a comedian and singer on the American stage and was acknowledged one of the leading lights in his profession. For the past 17 years he has been engaged in the uplift of humanity. He is a fluent talker, a ready wit and a natural entertainer. He sings his own original songs which have made him famous. Among the most successful are "I'm Serving the Lord in My Weak Way," "You Must Unload," "We Love You, Dear Old Oregon," "We Love You, Dear Old Oregon." He spoke seven consecutive Sundays at the Los Angeles, California, Y. M. C. A. Stanley comes in the interest of the "Out to Win" committee, the meeting being at 8 o'clock.

SHERIFF TAKES BARBER ON JAIL BREAKING CHARGE

A. F. Odell is Speeding Back to Ritzville to Serve Unexpired Jail Term.

Quietly and unexpectedly, Sheriff James of Adams county, Washington, arrived in Albany on a late morning train, took A. F. Odell, a barber who conducted a shop at the St. Francis Hotel, into custody and departed on the 1 o'clock train for Ritzville, Wash., where Odell is said to be wanted on a charge of breaking jail.

So suddenly and hurriedly was the Washington sheriff's mission in the city that when seen he could not give the details concerning the case. However, investigation of local police records show that Odell was serving time in the Ritzville jail on conviction of a charge, accusing him of contributing to the delinquency of a minor.

DIAZ DISREGARDS HUERTA'S ORDERS

Declines to Sail for Havana on Board Gun Boat. Friends Fear Violence.

WASHINGTON AWAITS RESULT OF SUNDAY ELECTION

Powers Now Appear to Agree With Administration View of President Huerta.

(By United Press Association) Washington, Oct. 23.—An urgent warning was today sent by Secretary Bryan to President Huerta against harming Daniel and Evarista Madero, the late president's two brothers. They were arrested in Monterey, charged with plotting to turn the town over to the rebels.

Vera Cruz, Oct. 22.—Felix Diaz boldly disregarded the orders of President Huerta to leave Mexico and the situation is threatening. If he persists in defying Huerta it is believed that another revolution will result. Friends of Diaz are urging him to obey Huerta but he declines to yield. They are prepared to fight however if Huerta attempts violence but it is feared that Huerta will act so suddenly that fighting will not save his life. The departure of Diaz would mean his elimination in the presidential contest. In his capacity as president and commander in chief of the army, Huerta ordered Diaz to go to Havana aboard the gun boat Zaragoza. In the event of his continued refusal Huerta will have him arrested and shot for disobedience.

Washington Awaits Election. Washington, Oct. 23.—Cipser messages received by the state department reported the Mexican situation extremely serious. The president and Secretary Bryan discussed the situation this afternoon. They denied that intervention was under discussion; at the conference. The administration's attitude will remain unchanged it is said, until after Sunday's election.

Washington, Oct. 23.—Admitting displeasure at the British attitude towards Mexico, the administration today denied that it was anything but gratified over the other powers' view of the situation. Certain newspapers attempted to make it appear that the strengthening of Germany's and France's naval forces in Mexican waters is a slap at the United States. The administration, it is explained, takes a different view of the situation. The fact that both Germany and France recognized President Huerta and later sent men of war to Mexican waters, indicates that these powers now recognize their mistake in treating with the Mexican president and now share the same view that is held by Washington. These powers have virtually said that Wilson is right and that they were wrong. It was intimated at Berlin and Paris that the foreign offices at these cities are considering the withdrawal of their former recognition of President Huerta.

Lives Lost Defending Church. Mexico City, Oct. 23.—Forty were massacred while defending the church Cheran Aticuran in the state of Michoacan against looters. According to the dispatch the church was looted and burned.

Diaz Watched by Sentries. Vera Cruz, Oct. 23.—Sentries were placed around the house where General Diaz has stayed since his arrival. He was warned that if he tried to leave he will be locked in a cell immediately.

Drunk in Police Court.—John Doe Berry was arrested last night on a charge of drunkenness and this morning arraigned in police court. He did not have the money and upon consideration that it was his first offense he was allowed to go out and borrow the twelve simoleans.

Married at Parsonage.—Edward E. Payne and Lucile Seelye were united in marriage at the residence of the officiating clergyman, Rev. F. W. Emerson yesterday afternoon. The immediate relatives of both of the contracting parties were witnesses of the ceremony. Mr. and Mrs. Payne went to Portland on the evening train. They will return the first of the week and be at home to their friends in their home on West 11th street near Washington.

Albany College Comes Back.—Albany College will play its first football game for several years when it meets the Halsey Athletic club at Halsey next Saturday. Several years ago the college abandoned football until this year. While the team is composed of new players, good timber is being developed.

ENTOMBED MINERS ARE RESCUED

Twenty-Three Men Hauled Out of Ground Today. Others Still Entombed.

FOURTEEN KNOWN TO BE DEAD IN DAWSON MINE

Rescue Work Proceeds. Woman and Children Beg for News of Relatives Fate.

(By United Press Association) Dawson, Oct. 23.—With a giant fan forcing the air into the gas-filled mine, rescuers are working furiously this afternoon to reach 247 miners believed to be imprisoned. It is estimated 287 were at work when the explosion occurred. Five were removed immediately. Fourteen bodies were brought to the surface today. This afternoon three survivors were found and are being cared for at the mine. It is admitted that there is small likelihood of finding more survivors.

Dawson, New Mexico, Oct. 23.—Fourteen corpses and twenty-three living men were taken out of the Stag Canon coal mine at 8 a. m. today. The explosion late yesterday afternoon entombed the entire day shift of miners, the number of men in the mine at the time being estimated at 287. The rescue work is proceeding cautiously owing to the deadly fumes. The men entrusted with this work are equipped with oxygen helmets and are working on short shifts. The government rescue car is enroute from Denver. Most of those entombed in the mine are Mexicans, only a small portion of those working on the shift being American citizens. General Superintendent McDermott and the foreman were in the mine at the time of the explosion. Judging from the condition of the mine which was badly wrecked, and the thick poisonous gases, few more are expected. Coroner Sipes estimated that 32 miners are still hopelessly imprisoned. He believes that some may still be saved. A throng of weeping hysterical men, women and children surrounded the mouth of the mine today begging for news of imprisoned relatives and imploring the rescuers to save them.

MANY NAMES PROPOSED FOR OFFICE OF MAYOR

Interest of Local Business Men Centers in December City Election.

With the city election only a few weeks in the future, interest now centers in the nomination of a candidate for mayor. A number of names have been mentioned but many of those approached upon the subject have positively declined to run. From present indications Mayor Gilbert will not be a candidate for re-election but he has issued no formal public statement declaring that he is out of the race. Judge Hewitt, L. M. Carl, L. L. Swan, Mark Weatherford, F. M. French, and J. L. Tomlinson are being talked of for the place but thus far none of those mentioned have entered the race. L. M. Carl has a strong following and while he has made no announcement of his candidacy it is believed by his friends that he will accept the nomination if it is tendered to him. During the past few days there has been renewed talk of placing in nomination either Dr. Davis or Dr. Wallace. While both of the doctors have it is known that they are not seeking public favor, it is believed that the nomination of either would necessarily mean their acceptance. It is claimed that in such event there would be no other candidates and a bitter municipal fight would thus be avoided. The matter of obtaining a candidate for mayor has been canvassed and canvassed by prominent local business men and the entire situation appears to be in the air at this time.

Married by County Judge.—This morning Ray Logan and Stella Farmer, both of Halsey, were united in marriage by County Judge Bruce McKnight in the county court room. It is the second marriage for the latter and the first for the former. They will be at home at Halsey after a few days honeymooning in the northern part of the state.

CITY COUNCIL MET LAST NIGHT IN SHORT SESSION

Transacted Much Routine Business, However, Including Important Matters.

Meeting last night the city council held a short session but transacted considerable routine business, including the passage of three ordinances, accepting a recommendation for street improvement, entering an order for the O. E. railway to install an electric light at the Denver street station, instructing the city attorney to proceed against delinquent tax payers and receiving the engineer's report of progress on sewer construction.

Present at the meeting were the mayor and recorder and all of the councilmen, including Building Inspector King, Street Superintendent Junkin and Civil Engineer Eaton representing City Engineer Penland. Councilmen Johnson and Hulbert were excused prior to the adjournment of the meeting.

The following recommendation for street improvement by Street Superintendent Glen M. Junkin was adopted: Cement sidewalk on Baker street on the east side of and adjacent to the southeast quarter of block 2, Eastern addition. J. L. Hill and P. C. Anderson are the owners or reported owners of land. A resolution for the construction of the same was passed.

A communication from Caldwell, Massich and Reed, of New York City, stated that they have examined certified transcript of the proceedings of the council and other proofs in relation to the issuance and sale of \$19,000 municipal bonds, consisting of 38 bonds of \$500 each and that they show lawful authority. The paper was placed on file.

On motion of Councilman Johnson, the Oregon Electric Railway Co. will be instructed to install an electric light, to compare with the regular street lights, at the Denver street station. Councilman Lyons brought the matter up, declaring that it was necessary in view of the extreme darkness at night time about the depot and by the fact that the depot is used by many people.

An ordinance was passed declaring a surplus on account of certain improvements on Sixth street from the west line of Walnut street to the east line of Elm street and directing the recorder to place to the credit of several parcels of real estate abutting that portion of the street as follows: Lena C. Marshall, \$387; D. O. Woodworth, \$387; W. A. Kimsey, 80c; Irvy Cady, 54c; E. Voss, 67c; and W. L. Jackson, 67c.

An ordinance was passed directing the mayor and recorder to enter into a contract for the construction of a lateral sewer through block 3, Eastern addition, to connect with the main sewer, now being constructed through Baker street. The contract is to be made with W. S. Weaver, he having been the successful bidder. The work is to start within 10 days of the signing of the contract and is to be completed by November 15th.

City Engineer Penland's report of the progress of sewer construction on Baker street was read. It showed that 900 feet of pipe has been laid from the water's edge to Third street and that the remainder of the pipe to complete the contract is on the ground. At the contract price of \$4.44 per foot, the work done thus far amounts to \$4006, according to the report, and deducting the 15 per cent until completion and acceptance of this contract, an amount of \$3490 is left due to the James Kennedy company. The recorder was instructed to draw a warrant for this amount.

Plans and specifications for the construction of a concrete bridge across Pennywinkle creek on Elzath street, were submitted by Mr. Eaton in behalf of City Engineer Penland. They were adopted. The plans call for an attractive and absolutely substantial bridge.

The committee on printing was instructed to go ahead and see to the printing in book form of all the ordinances in effect from 1890. All of them have been compiled and are ready to go to the printers. The booklet will be a great help to city officials for quick reference.

The city attorney was instructed to proceed against all delinquent property owners as the result of unpaid taxes for street paving.

H. J. Farwell, of Shedd, is a business visitor in the city this afternoon. J. H. McKinney, of Jefferson, is a visitor in the city this afternoon. C. Edwin Reinhardt, of Salem, attended business matters here today.

M. E. Pogue, of Salem, arrived in the city last evening to attend business matters here today.

J. S. Genders, of Peak, is a visitor in the city this afternoon.

A. J. Coss, of Ritzville, Wn., is a business visitor in the city today.

O. T. Murphy, of Independence, was in the city yesterday afternoon. He returned home this noon.

V. Luce, of Roseburg, is a visitor in the city this afternoon.

G. L. Kagle, of Bellingham, Wash., is at the St. Francis hotel.

Were in Portland.—To attend a meeting of the board of trustees of Willamette University of which he is a member, Rev. D. H. Leech was in Portland yesterday. He was accompanied by his son Paul. They returned home last night.

CASE INVOLVES PROPERTY RIGHTS

Mrs. Ellen C. Griffith Seeks Decree Declaring That Land Is Held in Trust.

WIFE AND BROTHER-IN-LAW ARE PRINCIPLES IN COURT

Brother of Her Husband Claims That Property Was Deeded to Him as Present.

A case that is being tried before Circuit Judge Galloway today, involves property rights, in which a wife claims that a brother of her deceased husband is holding a parcel of land in trust for her while the brother claims that it was deeded to him as a present and in a spirit of brotherly friendship.

The case went to trial this morning and is in progress this afternoon. The plaintiff in the case is Ellen C. Griffith, administratrix of the estate of John H. Griffith, her deceased husband and the defendant is George F. Griffith, brother of the deceased.

According to the complaint, John H. Griffith died in Multnomah county, October 30, 1911. The plaintiff alleges that his home was in Salem. At the time of his death, which occurred in a Portland hospital, she was suing him for a divorce but the case never came up in court.

On November 6, it is claimed that the deceased bought ten and a half acres of land in Linn county near Stayton and took a deed for it in the names of his brother George F. Griffith.

The point raised is the claim of Mrs. Griffith that her husband always owned this land, that he improved it and held it in his brother's name in order to keep her from securing it. On the other hand George F. Griffith claims that his brother made him a present of the land through brotherly friendship.

The plaintiff is seeking a decree of the court declaring that Griffith is holding the property in trust for her.

HENRY M'ELMURRY WILL RUN FOR COUNCILMAN

Petition Filed This Morning with City Recorder; Candidate Resides in 3rd Ward.

That Henry McElmurry will be a candidate for the office of councilman in the third ward became known this morning when a large petition bearing the names of prominent residents of that section of the city was filed at the office of the city recorder.

Mr. McElmurry was elected a member of the local school board last June and his friends believe that he will make a capable and efficient councilman in the event of his election. The race he made for school director is pointed to by those who are advocating his candidacy as an indication of his popularity.

Notwithstanding the fact that Mr. McElmurry has filed his petition, friends of Councilman Henry Lyons are urging him to become a candidate for reelection upon the creditable record which he has made during the past two years. Mr. Lyons has proven a capable public official and his supporters contend that he is entitled to reelection.

PROMINENT YOUNG COUPLE WEDDED HERE LAST NIGHT

Miss Florence Fedemeyer Becomes Bride of Thomas Ferguson at Home Wedding.

Yesterday evening at 8 o'clock at the home of Mr. and Mrs. Henry Fedemeyer, 128 Ellsworth street, their daughter Miss Florence and Thomas Ferguson were united in marriage in the presence of immediate relatives by Rev. D. H. Leech, of the Methodist church.

The newlyweds left for Portland shortly after the ceremony and will return in a few days and will be at home to their many friends at 828 East Third street.

The contracting parties are well and favorably known in Albany. For some time the bride has been connected with the millinery department at Chambers & McCune's store. The groom is engaged as salesman and window trimmer at Flood's store.