

PART II

COURT TO DECIDE IMPORTANT ISSUE IN RECOUNT CASE

WILL PASS ON VALIDITY OF PROBE INTO PRIMARIES

ARGUMENTS MADE BY ATTORNEYS FOR CANDIDATES

Smith's Counsel Declares There Is No Provision for Inquiry into the Result of Primary Elections

Judge N. P. Conroy of department five of the superior court will decide tomorrow morning whether the courts have a right to inquire into primary elections, when he will render a decision on the motion of George A. Smith, majority candidate, to set aside the proceedings brought by W. C. Musket, minority candidate at the primaries, asking for an official court recount of the ballots. Arguments were made for four hours and a half yesterday before Judge Conroy by attorneys representing Smith and Musket. The case finally was submitted to Judge Conroy after 4 o'clock, but because of its being a legal holiday Judge Conroy put the matter over until Monday morning. He has given absolutely no intimation of his judgment.

If Judge Conroy holds that the citation which was issued against Smith at the instance of Musket, calling Smith into court, is not valid within the meaning of the code of civil procedure, then the contest between the machine candidate and the enemy of the school bonds will end.

If Judge Conroy holds that the citation is valid, then the Smith forces will have to reply to the original complaint charging that Smith's name should not go on the ballot and demanding a recount to prove it. In this latter case Smith's attorneys will have to enter an appearance in the original case, which will come up Friday. Judge Conroy will have ten days, according to law, in which to file his answer, which probably will be in the form of a demurrer to Musket's complaint which charges the 1909 election officials with malconduct at the primaries.

E. A. Meserve appeared as chief counsel for Smith and conducted the arguments in Smith's behalf. Mr. Meserve was assisted by John Mott of Mott & Dillon, Dudley Robinson of Willis & Robinson, John R. Layton and Richardson & Martin, Judge John D. Works and his son, William R. Works, on Musket's side of the controversy. Assisting them were W. C. Craig, Gessner Williams and W. H. Sparks.

Declares Election Unassailable

Stripped of its legal verbiage, Mr. Meserve's argument was to the effect that the primary law provides for an election which entitles the elected men to hold public office; that there is no provision in the statutes for the recounting of votes cast at a primary, and that that provision was omitted by the last legislature purposely so as to prevent contests under the direct primary law; that even though a man's name is placed upon the ballot through fraud at the primaries, and he subsequently is legally elected to the office, that fact does not invalidate the election, and is not grounds for a contest; that the law provides for a recount only in the case of a defeated candidate; that the proceedings now before the court are illegal because they should have been brought by a regularly qualified elector and not by a candidate; that the true legal method of bringing the action by Musket was either by a proceeding in equity or by a mandamus of the city council sitting as a canvassing board; that if Judge Conroy holds he has a right to inquire into the primary election, he will have to constitute himself a special election commission, and as such will have to certify Musket's name to the city clerk if it is found on examination that Musket is entitled to a place on the ballot; that such action would be illegal, as there is no provision in law for it; that if Judge Conroy does desire the ballot boxes should be opened and the ballots recounted, there is not time enough in which to investigate and count the ballots, as the names of the two candidates selected at the primaries as candidates for mayor must be placed on the official ballot by the city clerk at least ten days before the election, or in the present instance next Saturday, and that it is impossible to count 31,000 ballots in the manner they must be counted in one day, even though the Smith forces waived every right they have in law; and that any judgment rendered by the court cannot become effective until after the election is held. Mr. Meserve quoted a mass of authorities in support of his contentions.

Lewis R. Works argued that mal-

LANDS ON THE WEST COAST OF MEXICO, IN THE STATES OF SONORA AND SINALOA

I call your attention to the following special offerings on the Sonora, Yaqui, Mayo and Fuerte rivers, suitable for immediate colonization.

12,000 acres on the Sonora river, 25 miles from Hermosillo, in the grain belt, bordering on the river; ten miles to a flour mill, available for alfalfa and garbanzo, as well as grain; \$1.50 an acre; \$2.50 for any subdivided lots.

11,000 acres on the Yaqui delta near Esperanza, with the privilege of digging a canal from the Yaqui river; underlaid with water at 45 feet; with railroad station on the ground; a splendid subdivision project; \$2.50 an acre.

20,000 acres on the Mayo river, two miles from Sonora railway, with a present \$60,000 crop; water available for the entire tract; \$5.00 an acre.

On the Fuerte delta in the district of Los Mochis, 11,000 acres; ideal cattle ranch, with fresh water lake near shipping port on the gulf; suitable for agricultural colony; \$2.00 an acre.

These are the best buys from Hermosillo to Culiacan.

H. A. SMITH

Main 5566; F4487. 540 Byrne bldg.

JOIN NEW CLUB

You must own a piano in order to join—no initiation fee—membership limited to 50—Unlimited supply of music free. Write, call or telephone.

BARTLETT MUSIC CO. 231 S. Broadway, opposite City Hall.

MILLIONAIRE PRISONER AT SAN QUENTIN PAYS EACH DEBT HE OWES

SAN RAFAEL, Nov. 20.—W. H. Bradbury, the aged millionaire of Madera, who is serving a year's sentence in San Quentin for perjury, is paying his debts. He has had two agents busy during the last two weeks making a list of his creditors, and others who thought that he owed them money, and more than \$2000 has been paid.

He has sought consolation in religion, and is one of the prison's most devout Bible readers. The result is that from his cell he has sent forth the command: "I put up every one to whom I owe a dollar, or who thinks that I have injured him, and settle with them so far as money can settle a wrong."

conduct had occurred in every precinct to the detriment of Musket, and cited the reported fact that 500 ballots had been cast out for various reasons, and that in one precinct alone 38 ballots had been cast out. He declared that Musket's contest was not as a candidate but as an elector, and that for that reason the proceedings were legal. He declared also that the primary was an election to all intents and purposes within the meaning of the law. He argued that to keep the ballots sealed and not to make a most comprehensive investigation into the case was to allow frauds to go unnoticed, and to franchise voters. Judge Works argued along the same line, declaring that he as an individual was more interested than he is as a lawyer, for he feels that in the present contest the primary law is being tested in its real efficacy for expressing the will of the people. Scarcely a point made by Mr. Meserve was overlooked by Musket's attorneys, who cited dozens of authorities in line with their arguments. The one main point made by the Musket forces was that the primary contest is an election to all intents and purposes, and that that which inquires into it should be made in the same manner as in a regular election for the selection of candidates to hold office.

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AERO CLUBMEN WILL BE FETED

THOMAS WALSH PLANS FEAST FOR AVIATORS

WANTS INTERNATIONAL MEET FOR NEXT YEAR

Washington and Baltimore in Field for Big Contest—Denver and Los Angeles Leading Bidders

NEW YORK, Nov. 20.—Thomas F. Walsh, the western mining millionaire, will entertain the directors of the Aero Club of America at dinner at the Metropolitan club next Tuesday evening, and at the same time he will present the claims of the Aero club of Washington and Baltimore for the international aviation meet of 1910.

The two cities named no special amount which they are willing to give, but it is understood that it will be \$100,000 or more.

William E. Metzger of Detroit will be here in a few days to make an offer on behalf of that city.

Among the bids which have been made for the aerial contests are those from Oakland, Cal., and Portland, Ore., both of which have offered \$150,000 each.

Denver and Los Angeles are strong bidders. No effort has been made yet to secure the contests for the Hempstead Plains on Long Island, but some members of the Aero club are agitating the matter.

There seems to be little doubt now that St. Louis will get the international balloon races to be held next year, as it has offered a considerable sum of money, but principally because of the splendid facilities it affords.

Decision on the place of holding the two contests is expected soon.

TOBACCO CULTURE PROVES A SUCCESS

Growing tobacco in Southern California has been successful in the hands of E. S. Matteson, who has cultivated the crop extensively in Los Angeles county.

It is going to be, he says, a great industry for Southern California because there are thousands of acres in the United States, Canada and Europe, available for alfalfa and garbanzo, as well as grain; \$1.50 an acre; \$2.50 for any subdivided lots.

Mr. Matteson offers to furnish all kinds of seed free of charge and give printed instructions from time to time to those who desire to grow tobacco. He also will give his personal attention to making seed beds, which ought to be made in December and January, and he will also visit the crop during the growing season, keeping watch on each and every crop and giving it his personal attention to the curing, packing and marketing.

He has several thousand pounds of tobacco, grown and cured in the past season and will exhibit samples at Hermosa, Anaheim, Orange and Santa Ana.

Funds Are Available

THE NEW LUMINARY ON THE PACIFIC COAST

C. E. Lucore Making Them Sit Up and Take Notice in Far West

His Rise a Rapid One—Soon to Invade San Francisco and Portland

A Man of Large Sales, Quick Sales and Small Profits

In a letter to this paper by a piano man on the Pacific coast not long ago, occurred the following statement: "One of the things to be reckoned with in the piano business of the Northwest is the new luminary—the Lucore Piano Company."

The piano men on the Pacific coast from Los Angeles to Puget Sound are watching with keen interest this same Lucore Piano company, for there are many things about the development of the business thus far that suggest big future success.

C. E. Lucore is one of those dynamic young men who must ever be doing something with a "snap and a crackle."

Mr. Lucore started in the piano business about fifteen years ago. He was first employed in the Central West in both wholesale and retail capacities, and soon became an expert.

Mr. Lucore's success as a special salesman gained him friends on one hand and made him enemies on the other, but out of it all one fact stood prominent: the tremendous sincerity with which C. E. Lucore went about the business of disposing of pianos. His methods for attracting the buyer were of secondary consideration. His motto was "sell the goods," and he sold them!

C. E. Lucore started in the piano business in Los Angeles about six years ago and at the same time he operated special sales and maintained an office in Chicago. About a year ago he gave up his Chicago office and all his special sales interests in this part of the country and established himself permanently in Los Angeles.

Mr. Lucore has been very successful in dealing with the public, and claims that his success in a large part is influenced by his deep-rooted belief that it pays to give the public a good deal. He is essentially a man of large sales, quick sales and small profits, hence his unpopularity in some sections of the country, when he has invaded a staid district of staid dealers and sold as many pianos in a month as any of the rest of them ever sold in a year. On the coast he has a very strong line of pianos, and is continuing his practice of giving the public a square deal, with the result that he is numbered with the big ones in the Pacific coast piano business.

Wilshire Section Sales Aggregate Nearly \$70,000

E. A. Forrester & Sons report the sale of houses and lots in the Wilshire Harvard section aggregating \$68,695, as follows:

J. A. Burton to James P. Burns, a lot on the south side of Wilshire boulevard, 75x145 feet in depth, facing Ardmore street, for a consideration of \$8250. This price figures at the rate of \$19 a front foot for inside property. Bought for a home.

Meyer Lissner to David McNair, the southwest corner of Wilshire boulevard and Wilton place, 100 feet front by 120 feet depth, for \$7250. Bought for an investment.

Wilshire Harvard Heights Building company to Edward B. Bugbee, handsome eight-room bungalow at 759 Irolo street for \$6500; lot 50x135 feet.

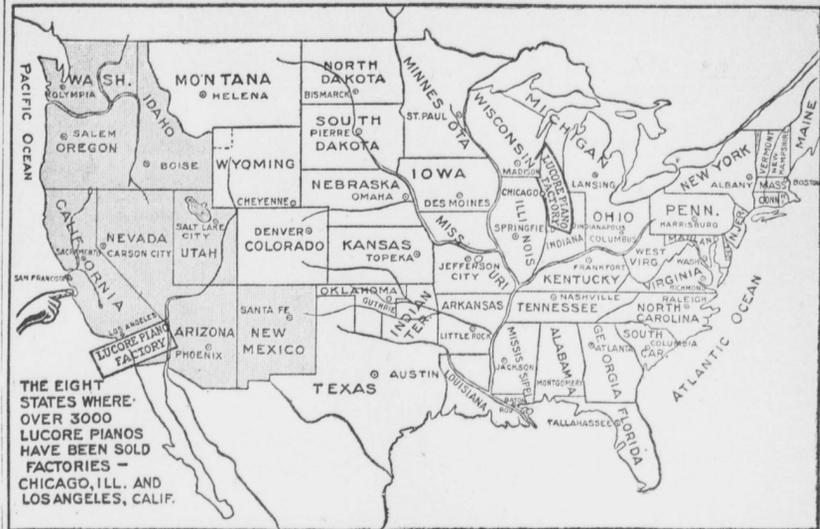
The above building company also sold to Walter B. Elms the seven-room bungalow at 764 Irolo street for a consideration of \$6500. This sale was made through the agency of Robert Miller & Co. Lot 50x135 feet.

The building company also reports the sale to Fred E. White of a seven-room bungalow at 814 Harvard boulevard for a consideration of \$9000. Lot 50x135 feet.

Forrester Improvement company has sold to Frank B. Moiso an east frontage, 50x135 feet, on Irolo adjoining the northwest corner of Eighth street; also the northwest corner of Eighth and Irolo streets, 55x135 feet; consideration of \$5270.

To W. J. O'Neill a west frontage, 50x135 feet, on Harvard boulevard, south of Wilshire, for \$3000.

To Anita Idette a west frontage, 50x135 feet, on Harvard boulevard, north of Seventh street, for \$2500.



From Manufacturer to Player—Quick Sales, Large Output, Small Profits—The Lucore Way of Selling Pianos Is Building Up the Greatest Musical Business in the World—Los Angeles Headquarters of All the Company's Big Chain of Stores Which Include All Important Cities of Eight Pacific Coast States

The Lucore Piano Co. can afford to and does sell pianos for less than any other Pacific coast firm. We sell on the plan of large sales, quick sales and small profits. The Lucore Pianos, which we build in our own factories, especially to meet Pacific coast climatic conditions, are all of highest grade. In addition to the Lucore Pianos,

Our Line Includes Over 30 Different High Grade Well Known Makes

Our prices are lowest of all, consistent with quality. We do not sell the "cheap," unreliable pianos handled by some dealers, which they advertise at "\$125 to \$195, etc." We guarantee fully every piano we sell, and give privilege in every case of exchange with full amount paid, which can be applied on any new piano in our stock at any time within two years.

Our display is unusually complete at this time. We ask every intending piano buyer to call, look through our line, and compare our prices with those elsewhere. Remember, we also give six months' music lesson free with any piano, if you make payments at our store and thus save us the usual collection expense. A small cash payment will place any of our pianos in your home—and small monthly amounts will pay for them. We are open evenings.

Lucore Piano Co. WORLD'S LARGEST EXCLUSIVE DEALERS IN PIANOS 631-635 West Seventh Street, Opp. Postoffice

The Board of Judges Select Prize Winners!

LOS ANGELES, Cal., Nov. 15, 1909

We, the undersigned, judges of the Rebus Contest held by the Lucore Piano Co., find the following seven persons should have the special prizes, offered in this contest:

- 1st Prize, \$800 Player Piano, Mrs. H. C. Williams, 902 S. Olive Street
2nd Prize, \$550 Piano, Mrs. Fronzie Gunn, 1048 Olive Street
3rd Prize, \$375 Piano, Mrs. Flora B. Bennett, 153 Santa Monica Avenue, Colegrove
4th Prize, \$50 Violin, Clara Dooner, 1341 Ingraham Street
5th Prize, \$40 Guitar, N. Bowditch Blunt, 3006 Western Ave.
6th Prize, \$25 Mandolin, Florence T. Paul, 846 Beacon Street
7th Prize, \$20 Banjo, F. G. Williamson, 448 Hartford Street

Judge for Los Angeles Times (Signed) Henry M. Pratt Judge for Los Angeles Examiner (Signed) Bert Shaw

Judge for Los Angeles Herald (Signed) Fay Hall Judge for Los Angeles Express (Signed) Chas. H. Powell

Judge for Los Angeles Record (Signed) Leonidas H. La Rash

Therefore, in accordance with the above awards, we shall be pleased to deliver to the above named persons the prizes as announced. To all other contestants, whose answers have entitled them to other prizes as offered, will be sent acknowledgment and notification by mail direct from some one of the piano manufacturers who co-operated with us in this publicity contest. The prize-winning answers, together with others specially meritorious, will be exhibited for a few days, beginning today, in our windows, Seventh and Hope streets, opposite Postoffice block

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