# DEFENDS COURTS FROM ROOSEVELT

Chief Justice Mitchell Says President Is Ignorant of Constitution.

NO CENTRALIZED POWER

Leads to Anarchy-Bonaparte Says Laws Against Trusts Are Necessary for Square Deal.

JUDGE WHO ANSWERS ROOSE-VELT.

James Tendale Mitchell who has repiled to President Roosevelt's riticism of the courts, has been of Pennsylvania since 1903. He is a native of Illinois and a graduate of Harvard and University of Pennsyl-

Judge Mitchell has filled many legal and judicial positions and was appointed chairman of the mission to report on the acts of Colonial Assembly not printed, and to edit and publish the statutes at large from 1881 to 1800. He is the author of many volumes. Judge Mitchell was born in 1834 and is unmarried. He resides in

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NEW YORK, Dec. 13.-Indirect, but pointed, criticism of Roosevelt's atti-tude toward the judiciary was made by Chief Justice Mitchell, of Pennsylvania. an address tonight at the banquet the Pennsylvania Society of New rk. The Chief Justice did not menthe chief executive by name, but no doubt through his quotations and his allusions to various matters of public knowledge as to the object of his criticism.

The courts, the bar and the laws of state and Nation were discussed from various viewpoints by the speakers, in-cluding Attorney-General Bonaparte, James M. Beck and Hampton I. Carson, Chief Justice Mitchell expressed regret that an effort was making to weaken the lines of distinction, so ad-mirably defined in the Federal Consti-

Direct Attack on President.

"For the cure of evils temporarily prominent it is impatiently advocated that the combined powers of the Gov-ernment be centralized in the execu-tive," he said. "The only safe thing for all is obedience to law as it is written, not to a strained and distorted construction to make it mean what it does not and never was intended to mean, but honestly and fearlessly to out the real meaning of its

The only just criticism of a judge's law must come from a court which knows the law and has jurisdiction to declare it. Dissent from this view, based on individual opinion of what the law ought to be, whether it comes from

The very phrases so prominently put forward of judges who have lagged behind the time and judges who hold to a twentieth century economic philosophy betray not only ignorance, but a deplorable incapacity to comprehend the fundamental principles of the American Government. If the law as declared by the constitutional tribunal is not what the people want it to be, then let it be changed, but let it never be lost sight of that the authority to change it is legislative, not judicial, still

Reasons for Anti-Trust Laws.

Replying to the loast "The Bar of the Country and Cause of Federal Justice,"
Mr. Bonaparte analyzed the so-called anti-trust law and made suggestions for its betterment. After declaring that Americans were a "judge-ruled people," the Attorney-General reviewed the conditions making necessaries. ditions making necessary the anti-trust

ditions making necessary the anti-trust laws. He said:

Within the memory of this generation the American people slowly awakened to a consciousness, dim and confused at first, but steadily growing clearer, that all Americans did not then find a fair field, did not get a square deal as they tried to gain wealth. The trouble was not that some Americans had grown very very rich. No one really blannes them for that; the grievance lay in that these very rich mon could, and that some of them did, make it harder than nature and fortune had made it for peor men. Who wanted to grow rich, to grow fich in fact, just as they themselves had grown rich. The caude were stacked; the dide were loaded against the humbler players; the smaller and weaker among the macre were crossed in their gallon and crowded off the track by the big ones.

This free American ritteen was told he must get out of business because the trust wanted his trade; that free American citizen who would buy of another was told his neighbor dared not sell him because the trust wanted with reason, that he was charged twice or three times what the railround saked of the trust, and when his goods reached the market, it was closed to them for the trust undersold him by the half of his rebate. It short it was made plain to thousands of Americans that their commercial liberties were in danger; that the poor man was losing his right to get

commercial liberties were in danger; that the poor man was losing his right to get fich if he could, his right to pursue happiness through the acquisition of wealth, and there arese at first murmurs of discontent and soon demands that the lawmaking

there arose at first murmurs of discontent and soon demands that the law-making powers state and National should heed the outery and remedy the evils.

The answer, of our Cobgress had been given in the anti-trust laws; the origin of these laws is reflected in their spirit and purpose; they color no outburst of wrath and easy from the have-nots towards the haves, but they enhedy a plen of the have-nots or the have-littles that the have-nots or the have-littles that the have-alots let them, too, become have-a-lots if they can. Their aim is not to make any powerser, but to give all a channe to get rich, not to destroy or divide anew existing wealth, but is help everybody who can be a creator of wealth to profit himself by its reation.

Their prohibitions and penalties are not against the manufacturer or the trader deling more business himself, but against his making others do less; they forbid schemes in restraint of trade, nor schemes in furtheriance of trade. They condemn monopoly, but the mere fact that one main or oncorporation does all the business which is inner does not create a monopoly. Unless he or it shall shut out others from that business, others who could and would otherwise engage in it, no monopoly exists.

The Attorney-General believed the anti-trust laws might be improved by intrusting administrative officers with duties similar to those exercised by the

ties similar to those exercised by the Secretary of War in matters of obstruc-tion to navigable waters. Under proper safeguards these officers would be given power to act in matters of obstruction to commerce and could take steps to preor tending to create monopolies.

SNAPSHOT OF MISS ETHEL ROOSEVELT, ONE OF SEASON'S DEBUTANTES



-Copyright 1908 by George Granthan Bain MISS ROOSEVELT AT THE RIGHT.

NEW YORK, Dec. 12.—(Special.)—Ethel Roosevelt is one of the interesting debutantes of the season. This week she has been visiting New York as the guest of Mrs. Hutton Landon, of Madison avenue. She attended the junior cotillion at Sherry's recently. She is a pleasant, unaffected girl, and has made many friends in New York as

Kentucky Klicks Have Great Feast of Reason.

MANY WITTY TOASTS MADE

Banquet One of Most Unique Portland Has Seen, and Many Local Subjects Were Handled Without Gloves or Mercy.

You have heard of things being spotted eopard-wise, and you have heard also about being as beautifully spotted as a young deer. Well, just bunch all the spots, politically, socialistically and ecclesi-actically, and you will get some idea of that homogeneous gathering that Saturday night, at Watson's Restaurant, are the collation called a banquet, given by the Kentucky Klick. The press agent for the Klick promised an according that an executive or boodium, leads directly and by short steps to anarchy—the assertion of individual will against the settled law.

Ignorance and Incapacity.

Kentucky Klick. The press agent for the Klick promised an occasion that would make the famous Washington gridinon club dinner look like a Marcel wave after a dip in the rambling Willamette, and he made good. The gathering was as mixed as the pi-ing of 10,000 ms of old time and would have been just as hard to get together.

Judge M. C. George and C. E. S. Wood

Judge M. C. George and C. E. S. Wood did not apologize for being out late, but there were several others who did. W. M. (Pike) Davis thought, or tried to make others believe, he was attending a meeting of the Missouri Society. Anyway he was sure he could qualify as a K. K. because one member of his family was once born in Kentucky. Councilman W. I. Cottel, sipped and sipped, of the blood-red wine and thought seriously of the speech he wasn't going to be asked to deliver. John B. Ryan did not even of the speech he wasn't going to be asked to deliver. John B. Ryan did not even remove his overcoat. Not because there was a chill on tap that would have sent a temperature of 106 down to a freezing point, but perhaps because eating les cream is cold work at the best.

There never has been any thing iropical in a gathering of mixed politics. There wasn't anything tropical about the collation, unless the good-looking waitresses who served the claret and the salad. Mark O'Neill presided as toasimaster. It was, to quote a learned man of Eugena, "A crusecal momentous protrayed."
Words did not flow limpfully and free, and be floundered over the word "success;" but he finally got a tongue stran-gle hold on the word and told those pres-ent that the society of the Kentucky Klick was an organization that any person "borne" south of the Mason and Dixon line (applause) might join. And then he closed by saying: "And now, gentlemen, we will proceed to to to go on to-night and I will introduce the first speaker because the bour is getting late I'm now introduce Rabbt Jacob Block

(Applause).

Rabbi Bloch said that in his opinion the clergy should keep out of politics. He told of the time when five clergy-men were elected in Arkansas, and of the usual spilt; two were Democrats and two were Republicans. And just as a gentle rap at Mark O'Neil, who proclaimed the sequel, he said the last was not non-partisan, Rabbi Bloch said: "It was the old, old story they had to come was the old, old story, they had to come to the Jew to arbitrate; and I. as a non-partisan, voted for the Democratic Governor because he was entitled to the

place."

Judge George was branded as "the debonaire among the indies." He told a story about a horse that was a "squatter," for every time he received a kick in the ribs he squatted. He, the horse, according to Judge George, was game through and through: "Just as game." the speaker said, "as you members of this society, who according to your

the speaker said, "as you members of this society, who, according to your speaker, are not non-partisans." Judge George wound up by paying a high tribute to President-elect Taft.

C. E. S. Wood was introduced as "a lawyer and an honest man." Attorney Wood said he was glad to know that the society was Democratic because he had been seeking to join a political organization for twenty years. He said further along: "I was sure the Klick was a along: "I was sure the Klick was a secret organization and how, after hearing from the various speakers that the organization is a secret branch of the Roosevelt Administration, I believe it." The serious part of Attorney Wood's speech was a brilliant plea for freedom and liberty.

and liberty. The other speakers were, M. G. Munly, E. S. J. McAllister, J. Hennessy Murphy, T. G. Thornton and others. Frank Hen-

Frank T. Berry. B. D. Sigler, Paul Steinmetz, Oglesby Young, Seneca Fours, John O'Hare. M. J. Doyle, F. E. Maginnis, W. T. Curtis, Charles Miller, C. K. Sitton, W. M. Davis, J. C. Johnson, Dr. Emmer Drake, E. Venteeg, H. B. Nicholas, J. G. Nichols, Johnson White, S. C. Armitage, D. A. Chambers, S. C. Holcomb, A. H. Harris, Rev. S. C. Lapham, Dr. W. I. Cottel, W. H. Lesh, Soi Bloom, L. H. Maxwell, Judge M. C. George, A. King Wilson, E. S. J. McAllister, Dr. J. W. Morrow, George I. Smith, Rabbi Jacob Block, David N. Mosessohn, Nate Bird, P. McDonald, Senator O. P. Coshow of Roseburg, J. C. Adams, Robert A. Miller, D. W. Taylor.

Those who were not present, but ex-Frank T. Berry, B. D. Sigler, Paul Stein

Miller, D. W. Taylor.

Those who were not present, but expected, were: George P. Baldwin, George J. Cameron, Thomas C. Devlin, D. Poley, Frank Irvin, J. Hennessy Murphy, M. J. Malley, H. W. Parker, C. A. Petrain, Charles Roniey, H. G. Starkweather of Oregon City, D. M. Silva and Oswald West of Salem.

STEAMBOAT MAY BE LOST

Vessel on Lake Pend d'Oreille Gives Distress Signals, Disappears.

SPOKANE, Wash., Dec. 13-A special to the Spokesman-Review from Hope, Idaho, says:

Captain Hartman, with the steamboat Success, was due at Hope about 5:30 this evening with four or five passengers from Blacktail. At that hour a steambeat was seen off Hope, near Warren's Island. Several people were on the sidewalk in front of Jeanott's hotel and heard three short whistles, a signal for help. Afterward several flashlights were seen and office discovered flashlights. were seen and other distress signals were heard.

There were no boats at the dock, but

the steamboat Henrietta. Captain Ferguson, and the Rogen, with a search-light, went out and searched for several miles around the islands and along the shore, returning about 10 P. M. without seeing anything of the steamer.

Searching partles will go out in the morning. It is feared that the boat and all on board were lost.

FIRE AT CRITTENTON HOME Rescuers Take 18 Babies and 24

Girls From Building.

Fire caused from an overheated furnace pipe in the basement of the Flor-ence Crittenton Refuge Home, corner of East Thirty-first and East Glisan streets, Saturday night caused little dam-age but created thrilling scenes. Eighteen bables and 24 girl inmates of the home were taken out of the building.

The charges of the home were cared for by Mrs. M. Matthews, of 974 East for by Mrs. M. Matthews, of 974 Bast Glisan street, who lives directly across the street from the institution.

Several young women who were too ill to rise from their beds were carried by the firemen to safety in the Matthews residence. A number of women displayed bravery in going to the top floor of the building and getting the steeping lofesite quarters. ting the sleeping infants quartered there while flames were bursting from the basement windows. The damages were estimated at \$500,

JESSIE NORTHROP WEDS

Daughter of Portland Woman Marries Dr. Mereness at Albany.

ALBANY, N. Y., Dec. 13.—(Special.)—Miss Jessie Ellen Northrop, daughter of Mrs. Green C. Love, of Portland, Or., and Dr. Henry E. Mereness, Jr., were married here this evening. The ceremony was performed by Rev. R. H. Brooks. In the wedding party were Miss Edith Lyman Mereness, a sister of the groum, who was maid of honor, and Edward S. Parke, of New York, as Mr. Mereness'

VERDICT AGAINST DOCTOR

Centralia Physician Must Pay \$3000 for Bungled Job on Broken Leg.

CHEHALIS, Wash., Dec. 12.—(Special.)

The fury in the case of Marion Howell
vs. Dr. J. H. Dunon, of Centralia,
brought in a verdict for \$3000 damages last night. Howell sued for malpractice alleged in a job of setting a broken leg, which leaves him a cripple for life.

T. G. Thornton and others. Frank Hennessy sang and recited.

Those sented at the tables were:

Those sented at the tables were:

Martin L. Pipes, J. B. Ryan, A. C. Hoofer, T. G. Thornton, Frank D. Hennessy, J. C. Welch, W. A. Muniy, John Montag, Ludwig Wilhelm, C. E. S. Wood, W. B. Dillard, Coburn Burrell, M. G. Teservoir to irrigate the Flathead Indian Muniy, George H. Thomas, J. H. Jones, reservation to be thrown open next year 1,8000 in currency was taken from the 1,8000 in curren

## **ACQUITS MURPHY** BRIBE OFFER

Jury Clears Ruef's Lawyer of Attempt to Buy Prospective Juror.

THOUGH BLAKE CONFESSED

Twelve Hours' Deliberation Win Over Three Who Stood for Conviction-Newburg to Be Tried on the Same Charge.

SAN FRANCISCO, Dec. II. — "Not guilty" was the verdict returned by the bury at 12 o'clock tonight, in the case of Frank J. Murphy, one of the attorneys for Abraham Ruef, charged with complicity in the alleged attempt to bribe John M. Kelly, a venireman drawn upon the jury panel in Ruef's recent trial.

The case was given to the jury at noon and the 12 men were out exactly 12 hours. and the 12 men were out exactly 12 hours.

Nine ballots were taken before a verdict was agreed upon. The jury declined to discuss the balloting, but it is said that the first vote stood nine for acquittal and three for conviction.

Murnhy and A. S. Nawhure, size one

Murphy and A. S. Newburg, also on of the attorneys associated with Ruef's defense, were indicted by the grand jury after that body had returned an indictafter that body had returned an indict-ment against E. A. S. Blake, a con-tractor. The latter was tried and con-victed and, just as sentence was about to be passed upon him, made a con-fession in court, in which he stated that he tried to bribe Kelly for \$1000 at the instance of the two attorneys. Blake also declared that Murphy subsequently offered him \$10,000, if he would not re-

veal the transaction Newburg's trial has not yet taken

BODY OF WOMAN, HEAD SEV-ERED, IN NEW YORK.

Believed to Have Been Lured to Den by Twin Murderesses, Robbed of Her Jewels.

NEW YORK, Dec. 13.—A woman's body was found last night in a padlocked and barricaded apartment on East Eleventh street and the only clew to her identity is bloody finger prints on picture frames, from which photographs, probably of the woman, had been torn. Every distinguishing mark had been removed from the woman's clothing, and the pictures had been burned, together with several pieces been burned, together with several pieces of paper which may have borne ad-

The crime was discovered by the jani tor, who went to collect rent due since December L Since that date the door had been padlocked on the outside and none of the occupants seen. The woman's body, with the head almost severed, was lying on the blood-soaked bed.

Under the woman's body lay a razor, its edge hacked and broken. The condition of the body indicated that the woman had been dead less than two weeks On the door-knob and on the sheets were the finger-prints of the murderer. The police received information that

two women had made their home in the apartment, each so closely resembling the apartment, each so closely resembling the other that it is believed they were twins. Captain Carey, of the detective department and his men, have made a searching investigation of the flat. Nothing was discovered to substantiate the belief that the woman came from California, except the statement of the janitor that the lodger had said some time ago that she came from California with her husband.

Lieutenant Petrosini, of the detective hureau, expresses the opinion that one or both of the women who were staying at the flat had lured the dead woman on from California to rob her of her jewels, as neighbors say that only a few days before her death she had exhibited jewels of considerable value consisting of earrings, a brooch and several rings, all diamonds. The dead woman was known in the neighborhood by the assets diamonds. The dead woman was known in the neighborhood by the name of "Flors." A gas receipt was found bearing the name of "Bellow" and dated September 10, the time when the flat was taken by the mysterious occupants. The gas company, however, could throw no light on the case from this receipt.

WHO OWNS THIS LAND?

State Claims Valuable Tract Bought by J. Proebstel 47 Years Ago.

VANCOUVER. Wash. Dec. 13.—(Special.)—The state land department of the state of Washington advertised for sale and was on the point of selling as state school land a certain 66 acres in Clark County when it was discovered that the land hard bear sold. land had been sold 42 years ago and bought by Jacob Proebstel, of Vancouver. The discovery that the land was not state land was made by Joseph O'Keane of this city. Word of the error was at once tele-

graphed State Land Commissioner E. W. Ross, at Olympia. He looked the matter up and found that according to the state records the land was still unsold, but he wired back to postpone the sale pending further investigation.

The land in question comprises lots 5 and 10, section 16, T. 2 N. R. 2 E., in all 66 acres. It is located near Orchards about seven miles northeast of Vancouver. The land is under cultivation. has on it several buildings, and people are living on it.

The land is appraised at \$15 an acre

and several men were on hand to buy it at that price, for it is now worth over

WIFE DESERTER IS CAUGHT

W. T. Bruce, of Chicago, Arrested as He Alights From Train in Seattle.

Which leaves him a cripple for life.

TO CONSTRUCT RESERVOIR

Public Land Withdrawn to Be Used for Irrigation Project.

BUTTE, Mont. Dec. 12.—Word was received tonisht that the Government had withdrawn from settlement a large amount of land covering the watershed of the Little Bitter Root Mountains, for the purpose of constructing an immense reservoir to irrigate the Flathead Indian reservation to be thrown open next year 15000 in currency was taken from the 15000 in currency was taken from the SEATTLE Wash., Dec. 13.-William



Kindly note there are only ten days before Christmas.

It's better to take time by the forelock than the fetlock.

Our store is full of attractive presents for man and boy, just selected by our New York resident buyer for our holiday customers.

We're open evenings until Christmas.



the police station by force

MAN MANGLED BY TRAIN James Self, of Camas, Stands Too Close to Moving Engine.

VANCOUVER, Wash., Dec. 13.—(Special.)—James Self, a prominent resident of Camas, was struck by a train tonight and severely injured. His injuries, it is feared, will result fatally.

Self was standing close to the track when the train pulled into the depot and he was struck by the engine and hurled a distance of several feet. When picked up, it was found that an arm was broken, his face smashed and he appeared to be suffering from internal injuries. He will be taken to the St. Vincent Hospital in Portland in the morning.

MEN'S WOOL COATS, \$1.00

If you are at all interested in buy ing your clothing at half price, don't delay in visiting the closing-out sale of the wholesale clothing stock at Front and Oak streets. Men's wool coats, \$1.00; men's wool vests, 50c; men's good pants, \$1.00; boys' knee pants, 25c; men's wool suits, \$5.00. On sale at northwest corner Front and Oak streets, in the center of the wholesale district, where rents are low.

Olympia Mait Extract, good for grand-ma or baby. Only 15-100 of 1 per cent alcohol. Phones Main 671. A 2467. \*\*

Melt the millions of cakes of Ivory Soap which were sold last year into one gigantic cake and it would be bigger than the biggest battle-ship that floats.

"Isn't that wonderful?" you say. "Shows what advertising will do, doesn't it?"

Yes. And it also shows how great is the demand for a pure soap that sells at a fair price.

Ivory Soap 99 49 100 Per Cent. Pure.



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desired.

WISE DENTAL CO., INC.

Dr. W. A. Wise, Mgr., 21 years in Portiand. Second floor, Failing bidg, Third and Wasbington streets. Office hours, 8 A. M. to 8 P. M. Sundays, 9 to 1 P. M. Painless extracting, 50c; plates, \$5 up. Phones A and Main 2050.

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Poor coffee has to be sold in bulk, it isn't worth packing.

Your grocer returns your money if you don't like Schilling's Best, we pay him



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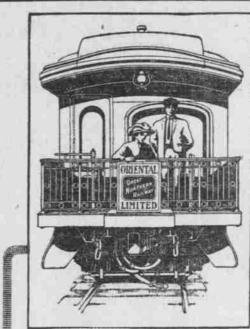
## Portland to Seattle

One-half Minute . . . . 40 Cents One Minute . . . . . . . 75 Cents Each Additional Minute 25 Cents

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Perfect Service Guaranteed. Try It; You Will Be More Than Pleased.



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INLAND EMPIRE EXPRESS—THE DAYLIGHT TRAIN"—FOR PASCO WALLA
WALLA, SPOKANE AND INTERMEDIATE POINTS; PARLOR-CAR, DININGCAR AND ALL MODERN EQUIPMENT,
Leaves Daily, 9:15 A. M.,
Eleventh and Hoyt-Street Depot,
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SHEAT

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The "Spokane Flyer"

Leaves Portland at 5 P. M., arrives Spokane at This is a through fast train, Portland to Spokane,

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Portland and Spokane via Colfax. Leaves Portland at 6 P. M., arrives Walla Walla at 5 A. M., arrives Spokane at 11:15 A. M. This train has Standard Sleeping Car, Portland to Spokane, Portland to Walla Walla, besides equipment of coaches.

Tickets and berth reservations at City Ticket Office, Third and Washington Streets.

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