RESIGNS RATHER THAN PROSECUTE

Federal Attorney Doubts Justice of Method Adopted in Panama Libel Suit.

SCORES ROOSEVELT PLANS

Joseph B. Kealing, of Indianapolis, Would Have Defendants Tried in Home District and Not in Washington.

WASHINGTON, March 5.—Declaring that he could not approve of the Government attempting to put "a strained construction on the laws so as to drag defendants from their homes to the seat of the Government to be tried and punished, while there is need and sufficient. ished, while there is good and sufficient law in their home jurisdiction," United States District Attorney Joseph B. Keal-

ing, of Indianapolis, today forwarded to this city his resignation.

Mr. Kealing prefers to resign rather than participate in the efforts the Gov-ernment is making to prosecute Delevan Smith and Joseph Pulitzer in connection with the Parama Canal purchase the with the Panama Canal purchase libel. He sent a letter expressing his views with his resignation.

with his resignation.

Mr. Kealing's reputation with the Department of Justice is said to be of the highest. In connection with the Eikhart Bank case he prosecuted and convicted all the officers of that institution, notwithstanding the fact that one of them.

Walter Brown was a close personal Walter Brown, was a close personal

REALING REFUSES TO TALK

Gives Out Text of Letter, but Will Say Nothing.

INDIANAPOLIS, March 5.—United States Attorney Joseph B. Kealing, who has resigned his office rather than participate in the prosecution against Delevan Smith and Charles R. Williams, of the Indianapolis News, would make no statement today regarding the matter, other than that contained in his letter of resignation to the Attorney-General, dated March 2. In that he says:

"Sir—I beg to inform you that I today."

"Sir-I beg to inform you that I today sent my formal resignation as United States Attorney for the District of Inlians to the President of the United

"I am informed that indictments have been returned by the Grand Jury of the District of Columbia against Delayen Smith and Charles R. Williams, proprie-Smith and Charles R. Williams, proprie-tors of the Indianapolls News, for crim-inal libel, and that steps will be taken to remove them to that district for trial. As both are in this district, under the law it will become my official duty to assist in such removal proceedings. "For almost eight years I have had the honor of representing the Government as United States Attorney. During that time I have prosecuted all alike, without fear or favor, where I had an honest helief in

or favor, where I had an honest belief in

"I have been compelled on several oc-casions to prosecute personal friends, but in each case I only did so after a thor-ough investigation had convinced me of

'In this case I have made a careful in-"In this case I have made a careful investigation of the law applicable thereto. As to the guilt or innocence of the defendants on the question of libel, I don't attempt to say. If guilty, they should be prosecuted, but properly indicted and prosecuted in the right place—at their homes. It is only with the question of removal that I have to do. moval that I have to do

ment in its attempt to put a strained construction on the law to drag the defend-ents from their homes to the seat of Government to be tried and punished, while there is a good and sufficient law in this jurisdiction, in the state courts. I believe the principle involved is danger-ous, striking at the very coundation of ous, striking at the very foundation of our form of Government. I cannot, therefore, honestly and conscientiously insist to the court that such is the law, or that such construction should be put on it. Not being able to do this, I don't feel that

I can in justice to my office, continue to hold it and decline to assist. "In order, therefore, to relieve us both of any embarrassment, I have tendered my resignation and have asked that it be accepted not later than March 15, 1969. I have made it of this date in order that President Taft, for whom I have the highest respect and admiration, may have

fime to name my successor."

C. W. Miller, who has twice been Attorney-General of Indiana, will be recommended by Senator Beveridge for United States Attorney to succeed Mr. Kealing.

WEEK IN WHICH TO PLEAD

Defendants in Panama Libel Case Gain Extra Time.

NEW YORK, March 5 .- Counsel for the Press Publishing Company, publishers of the New York World, and Caleb M. Van Hamm, managing editor of the World, secured today a week's time in which to answer the indictments found yesterday against the company and Van Hamm, charging criminal libel in connection with rubblestions regarding the Panama Canal publications regarding the Panama Canal purchase. In the meantime the defend-ants will decide whether to plead not guilty or file a demurrer, Mr. Van Hamm will remain under parole in custody of

The indictments, containing 14 counts charge the circulation of a criminal libel in the Government territories of West Point and the Federal Postoffice here. William H. Taft, Theodore Roosevelt, Douglas Robinson, Charles P. Taft and William Nelson Cromwell are named as those alleged to have been libeled in the articles printed last October in the World on the Panama Carel Province. World on the Panama Canal Purchase. The maximum penalty for each count fixed by law is one year in prison and

Attorneys for the defense asked for a delay of two weeks before pleading, stating that the indictment was extremely voluminous and that the charge of libel in this instance was without pre-cedent and that further the defendants were threatened with proceedings next week in connection with the indictments

in Washington.

Justice Holt ruled that a week would be sufficient for the defending counsel.

CHICKENS WORTH WHILE

Large Prizes to Be Offered School Children for Raising Poultry.

The second meeting of the Portland Junior Poultry Association was held at the Y. M. C. A. last night, when it was arranged that prizes to the extent of \$200 should be offered to the junior residents in Portland and suburbs to stimulate them in the raising of eggs and chickens.

H. W. Stone, of the Y. M. C. A., stated that he was the originator of the association of the state of the chickens.

tion, which has been brought into ex-istence by the insistence of The Oregonian on the money to be made in raising eggs and chickens for the market. With the assistance of B. Lee Paget and W. M. Ladd he was able to get the society into working order under the guidance of working order, under the guidance of Mr. Hatt, of Salem. The project was limited to boys and girls under the age of 18 years and the competition is to commence next Fall and continue for a

Commercial Club and the Produce Dealers' Association and the following prizes are to be offered One prize of \$100, one prize of \$50 and ten prizes of \$5 each. With this scheme it is believed a great part of young Portland will go into the business of chicken raising on a large scale of say rate it is already known. scale, at any rate, it is already known that a large number of those present last night will assist in pushing the e to the limit.

scheme to the limit.

Mr. fatt will visit the Portland schools and introduce the method to be pursued to the young idea, for much of the backbone of the scheme will depend upon the way the schools take it up. Mr. Stone was quite confident there would be no egg scarcity in the city next year and feit that Portland would probably be able to make large exports to Eastern cities in an endeavor to get rid of the surplus product. Mr. Stone further drew a harrowing picture of Portland suffering from a surplus of chicken dinners. While hopa surplus of chicken dinners. While hop-ing that the attack would not be so ser-ious as to prevent interest being taken another year. Further meetings will be held at intervals before the scheme is in full bearing.

WOULD COMBINE BOARDS

CHARTER REVISION COMMITTEE DISCUSSES CODE.

Amendments Will Be Prepared Abolishing Water, Health and Park Departments.

last night at the Council chamber, minus the services of two of its members vho were unavoidably absent. Chairman P. L. Willis presided and

Messrs. M. Nary, Werlein, Barbur and Taylor were present with the chairman.

A number of the charter provisions were taken up and discussed. The inclination of the committee was to consolidate the present acting bodies boards wherever possible, and, to that end, arguments were made with a view to abolishing the Water Board, the Health Board and the Park Board and placing the powers and responsibilities with the Executive Board. Amendments to that effect will be prepared and sub-mitted to the committee later, with a full attendance. It was urged that the Executive Board, under section 164, had power to make all purchases of supplies and material for the city, but that the Water Board, as an instance, bought its own supplies. The contention was that these three boards could be dispensed with and that the result would be advantageous both as to economy and ef-

All powers heretofore delegated to these boards, according to the members taking part in the discussion, could be performed by the Executive Board, and the consensus of opinion was that the City Engineer could handle most of the work. That the City Engineer ought to have, say, three deputies to assist him in his work and that these three men should not be under civil service, but re-sponsible to the Engineer for their duies, the Engineer in turn being responsi-

ble to the city.

Several sections relating to the Board of Health were taken up scriatin, par-ticularly section 243. This section was considered especially obnoxious as giving powers to the Board which contradicted section 164 relating to the powers of the Executive Board. But the resolve of the committee to recommend the aboli-tion of the three boards already referred to included this section, so no amend-

ment was substitute therefor.

The sections referring to the library do, rd with the Govern-in them being deemed inimical. Those relating to the Auditor also met with the approval of the committee. In the sections relating to the City Terasurer s number of suggestions were made by Mr. Werlein which received the careful attention of the committee, and he was asked to present the matters discussed in written motions to be taken up at the next ensuing meeting.

The aim of the committee was to make as few amendments to the old charter as possible, but to make every one count for simplicity, economy and dispatch of business.

The question of the Treasurer's bond and of bonding of officials was taken up. and it was determined that the system of surety bonds afforded the safest means of security, all things being taken under consideration. Larger salarles were unanimously argued against. The depositing of the city funds in Portland banks was discussed and recommendations as to the methods best adaptable will be threshed out at subsequent meet-ings. The committee adjourned at 10:30 to meet next Monday night, March 8, at

THUGS THROTTLE VICTIM

"STRONG-ARM" PAIR WAYLAYS MAN AT ASH-STREET DOCK.

A. E. Bartell Held Up and Robbed. Watchman and Police Join in Fruitless Chase of Robbers.

Two "strong-arm" men who had throttled their victim early yesterday morning at Front and Ash streets and had dragged him down to the Ash-street dock, where under cover of a dark shadow, they robbed him of his money and valuables, gave the police and the watchman of the dock a fruitless chase for haif an hour.

Cries and whistling of A. E. Bartell, the victim, an employe of the Rose City

Cries and whistling of A. E. Bartell, the victim, an employe of the Rose City Park racetrack, first drew the attention of Dock Watchman Forrest, who noticed Bartell staggering up the roadway from the lower dock shouting for assistance. The watchman saw two men dodging about under the dock and fired his revolver at them. His shot falled to take effect, and the thugs sought refuge in the labyrinth of passageways under the docks, where everything was darkness except the reflections of the bridge lights from the river.

Patroiman Epps, drawn to the scene by the shooting, joined the watchman and the two hunted under the docks and the two hunted under the docks for half an hour without finding the

robbers.

Bartell said that he had lost his watch and chain, about \$1.25 in money and his pocket-knife. He had been walking up Front street a little befors 2 o'clock when the two men came up behind-him. One grabbed him by the throat, choking him, and, aided by the other, shoved and dragged him down under the dock. During their struggle one of the men struck Bartell a terrific blow in the face, leaving a contusion as large as an apple and cutting his cheek, from which the blood flowed freely.

SENATE CONFIRMS TAFT'S CABINET

Acts Promptly on First Lot of Appointments Sent In by President.

CHAMBERLAIN SWORN IN

Loeb Rewarded With New York Collectorship-"Cherokee Strip" Receives Root as Latest Recruit to Insurgents.

WASHINGTON, March 5 .- In its first regular sitting of the session, the Senate today received and confirmed the nominations of President Taft for the various Cabinet positions and also that of Huntington Wilson as Assistant Secretary of State. In addition, Senators Chamberlain, of Oregon, and Smith, of

Maryland, were sworn in.

Promptly at noon Vice-President Sherman called the Senate to order and after Chaplain Hale had delivered an im-pressive invocation, the roll was called and a committee appointed to call upon the President and notify him that the Senate was organized and ready for busi-

Recruits for Cherokee Strip.

The session attracted a large gathering and much interest was centered upon the new Senators. The "Cherokee Strip," as a part of the Democratic side, on the extreme right hand of the Vice-President, is known, was rendered interesting by the location there of Root among the new Senators. It is in this portion of the Senate that are located the "insurgents," the new Republican Senators who are not altogether pleased with their committee assignments and who are inclined in retaliation at times to revolt from the policies of the ma-

Senators-elect Smith, of Maryland, and Chamberlain, of Oregon, both of whom were prevented from reaching the Senate in time to be sworn in yesterday, took the oath of office.

Knox' Resignation Announced.

Penrose stated that his colleague. Knox, has sent his resignation as United States Senator to the Governor of Pennsylvania and asked that his name be Congress, it having just been called by the clerk. The Vice-President ordered that this should be done.

On motion of Hale, the Senate took a recess until 1:30 P. M., to permit the notification committee to perform its du-

Gallinger announced that the President would immediately send in a communi-cation. The President's assistant secretary immediately appeared with a host of nominations, including those of the Cabinet positions, and on motion of Aldrich the Senate went into executive

Taft's First Appointments.

Philander C. Knox, of Pennslyvania, to e Secretary of State. Franklin MacVeagh, of Illinois, to be becretary of the Treasury.

Jacob M. Dickinson, of Tennessee, to be Secretary of War. George W. Wickersham, of New York,

to be Attorney-General. Frank H. Hitchcock, of Massachusetts, to be Postmaster-General.

George von L. Meyer, of Massachusetts, this society had no connection with o be Secretary of the Navy. Richard A. Ballinger, of Washington,

to be Secretary of the Interior James Wilson, of Iowa, to be Secretary Charles Nagel, of Missouri, to be Secretary of Commerce and Labor.

Huntington Wilson, of Illinois, to be Assistant Secretary of State. Beekman Winthrop, of New York, to be Assistant Secretary of the Navy William Loeb, Jr., of New York, to be Collector of Customs for the District of

Lewis Dalby, of Virginia, to be an Im-

The Senate was at once confronted by a question as to Knox's standing. Though Penrose had stated at the earlier session that his colleague had sent his resigna-tion as Senator to the Governor of Pennsylvania, some Senators had made mental note of the fact that there was no other evidence that Knox was not still a member of the Senate.

Cabinet Soon Confirmed.

As soon as the doors were closed the President's nominations were laid before the Senate and Tillman called attention to the amendments relating to Knox. He stated, however, that he had no objection to Knox's confirmation, and as no opposition was voiced from any other direction, he was immediately confirmed. The Senate then took a recess of 15 minutes to permit the various committees to which the other Cabinet nominations were referred to consider and re-port upon them. The usual exception was made in Knox's case out of courtesy to him as a member of the body.

SENATORS PREPARE PLANS

Republicans and Democrats Hold Caucuses for Committees.

WASHINGTON, March 5 -- Conferences of Republican and Democratic Senators were held today with a view to filling were held today with a view to filling the vacancies on standing committees. At the Republican conference Chairman Hale was authorized to name a commit-tee on committees and a committee on order of business. It is understood that he will not name the committee until the special session of Congress convenes on March 15.

At the Democratic caucus a committee on permanent rules and procedure was elected, consisting of Senators Clarke, of Arkansas, Daniel and Taliafetro. Senator Culberson was re-elected chairman of the conference committee. Chairman Culberson reappointed the for-mer committee on committees. A caucus of the Republican commit-

tee of the House has been called for March 13 for the purpose of nominating candidates for Speaker and other elect-

Sclo Grange Already Active.

ALBANY, Or., March 5.—(Special.)—Banner Grange, of Scio, which was recently formed with an initial membership of 204, the largest charter membership of any grange ever formed in the United States, will inaugurate its educational work with a big meeting in Scio, March 13. It will be under the direction of the grange and County School Superintendent W. L. Jackson. Speakers at the meeting will be J'H. Ackerman. State Superintendent of Public Instruction; Professor L. R. Alderman, of the Large and County School Superintendent of Public Instruction; Professor L. R. Alderman, of the Large and Piles.



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THE BEAVER \$3.00



Portland, lecturer of the State Grange; and State Senator Milton A. Miller, of

HIRED TO DOWN CORK FACTION IN IRELAND.

Healy Provokes Roars of Laughter in Court With Story of Convention.

DUBLIN, March 5 .- As a result of the ree fight at the Nationalist Convention held in Dublin last month, when William O'Brien was refused a hearing, charges of assault and attempting to break up a public meeting have been brought by Eugene Crean, member of Parliament for the southeast division of Cork, against Joseph Devlin, member of the House for West Belfast, and against Dennis Johnston, Secretary of the United Irish League.

The courtroom today was crowded, and Timothy Healy, counsel for Mr. Crean, kept the audience in roars of laughter with his witty presentation of the plaintiff's case. Mr. Healy absolved John E. Redmond from all responsibility for the ruffianism, but he declared Mr. Deviln had staged and declared Mr. Devlin had staged and managed the whole affair, bringing in "paid bludgeon men" from Belfast to shout down the O'Brienites.

clans, but there were men here who pretended to have its sanction.

Mr. Devlin, the speaker continued, for some purpose of his own, had galvanized into life a remnant of the ancient "Molly Maguire" faction and dubbed them the "Ancient Order of Hibernians." A confidential circular had brought down 223 men from Belfast, who marched into the convention At this juncture Mr. Healy held aloft a formidable boxwood stick, saying that each Belfast man had been given such a baton and at the close of the day each worker in the close of the day each worker in the vineyard received half a sovereign from Mr. Johnston on returning the weapon. Instructions had been given "the bludgeon men" not to allow any man with a "Cork accent" near the platform and Mr. Cress who form and Mr. Crean, who came from Cork, was their first victim

DANBY ADMITS SCHEME TO POI-SON JAMES GOODWIN.

Intended to Cause Death by Alcoholism and Get Fortune, but Whisky Too Slow.

SAN FRANCISCO, March 5.—Sidney I. Danby has made a full confession to Captain of Detectives Anderson, admitting the conspiracy into which he and Jay O'Logne entered to kill James Goodwin, an aged Nevada miner, and secure his fortune, estimated at \$50.000.

Danby said that he and O'Loane planned to cause the old man's death by keeping him filled with whisky. Finding that he did not succumb to the effects of the liquor as quickly as they wished, they had tried to induce a physician to administer poison to Goodwin and issue a certificate of death from alcoholism. The plot was first revealed by Dr. Howard, to whom

death from alcoholism. The plot was first revealed by Dr. Howard, to whom they had broached the matter.

O'Loane and Danby were booked at the City Prison today for violation of a section of the Penal Code providing a punishment of five years' imprisonment for any one convicted of administering drugs or liquor to a human being with intent to commit a felony. The original charge of conspiracy o commit murder is punishable by only one year's imprisonment.

Cyclone Johnny Victor. NEW YORK, March 5.-Cyclone Johnny

Thompson, of Sycamore, Ill., defeated Mickey Gannon, of Pittsburg, in a tenround bout at the National Athletic Club tonight. Thompson had the best of the fighting from the start, knocking his rival down at the end of the tenth. The

Today's Special Bargain in Ladies' Suits That Far Surpasses Any Other Offered in Portland Today

\$25 Newest Spring Suits \$14.95 for Ladies Misses

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Suits Unquestionably Worth \$25

Fake advertising continues on every hand, in spite of the new law that makes it a misdemeanor to AD-VERTISE A FALSE VALUE. Even otherwise reputable houses violate this law every day, but we would have you know to a CERTAINTY that when Gevurtz says he is offering you a \$25 NEW SPRING SUIT FOR ONLY \$14.95 it is a fact upon which you may rely-you will really get the value for the little money you pay. This is precisely the character of the offer we make for today's selling.

Models that embrace all the latest touches of fashion; very latest long coats in the new French style; semifitted hipless effects, satin and taffeta lined; strictly tailored; dashing new shades in reseda, ashes of roses, new grays, taupe, moss and bottle green, olive, coal dust, etc. Coats are lined with peau de cygne, guaranteed satin and taffeta silks in colors to match; 33 to 40 inches in length; elaborate pockets on many of them; plain tailored or novelty collarless styles, with Bengaline silk fancy braid trimmings; skirts the new French flare, plain or trimmed to match; sizes for women and misses.

You'll be surprised at the quality, style and finish of these suits at such a low price. Our history does not record a sale of such sterling values at \$14.95. The same care and good taste has been exercised in the selection of these as in our best suits.

"Seeing Is Believing," Therefore Come

Inspect with your own eyes the values we offer for this great Saturday Sale. Do not fear that your size or your favorite color shade will not be shown, for there is a wide range of sizes and colorings. And the goods-the goods are A-1 Panamas, Serges, Novelty Suitings, Mixtures, etc. Fully thirty-five styles ready for your choosing. Not a bit of sameness to any of themsmart, individual, different expressions of Fashion's very best ideas. Long, medium, semi-fitting and loose straight-back coats style triumphs of the Very Best Tailoring.

Gevurtz & Sons

First and Yambill

Second and Yamhill

Defense Witness in Cooper Trial is Arrested.

STATE SCORES FREQUENTLY

Attorneys for Defendants Fight Every Effort to Impeach Testimony, but Prosecution Wins Point and Gets Arrest.

NASHVILLE, Tenn., March 5.-This was the state's day in the trial of Col. D. B. and Robin Cooper and John D. Sharpe, charged with murdering ex-Senator Carmack. Not only did it break down the testimony of S. J. Binning, the defense's mysterious red-bearded man, who claimed to have seen the shooting but caused Binning's arrest on a charge

The state also tried to impeach the teatimony of the Governor and others, who declared the Coopers were invited to the Governor's mansion, and that while on their way there, they met Carmack and the street duel followed.

Binning Not There.

The bombardment of the defense's case was begun when the witnesses testified that Binning, on the night of the trag-edy, said to them. 'If I had been five or ten minutes earlier I would have seen the killing.

Charile Carroll testified that he conversed with S. J. Benning, a defense witness, concerning the shooting of Carmack.
"Did he tell you that if he had been five minutes earlier he would have seen the murder of Senator Carmack?"

"He did." "Was your brother present?"
"He was."

Gregory Heights Tomorrow

See Big Ad, in The Oregonian Tomorrow.

WOODEN MILES CLOTHING COMPANY Clothiers, Furnishers, Tailors Grant Phegley 198 74 8 Stark

SEE SUNDAY'S BIG AD.

George Carroll, brother of Charles Car-roll, was next called. The defense made a desperate but unsuccessful effort to prevent Carroll from corroborating his brother's testimony. George Carroll re-peated practically what his brother had told.

George Wooley was called by the state

General Washington, on cross-examination, confused the witness somewhat as to the exact time of the conversation which the witness said occurred on the day of the tragedy. Benning had previously testified that he saw the shoottained the defense, and the witness was

excused.

Continue Stephenson Inquiry. MADISON, Wis., March 5 .- The Senate today voted to extend the time for investigation of the Senatorial campaign to testify as to the location of the two telephone poles at the scene of the trag-edy. The object was to pave the way printing \$10,000 to cover the expe from March 15 to May 1. The committee of investigation introduced a bill appro-

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