

# BEAN APPOINTED FEDERAL JUDGE

### Supreme Judge of Oregon Is Nominated and Will Be Confirmed.

## LYONS' NAME SENT IN AGAIN

### Charges of Perjury Not Proved and Ellis' ex-Partner Is Given Alaska Judgeship—McBride Will Succeed Bean.

OREGONIAN NEWS BUREAU, Washington, April 15.—The President sent to the Senate today the following nominations:

United States District Judge for Oregon—Robert S. Bean.

United States District Judge, First Division, District of Alaska—Thomas R. Lyons.

United States Marshal, First Division of the District of Alaska—Daniel A. Sutherland.

Judge Bean will probably be confirmed early next week. His nomination today was referred to the Senate Judiciary committee and is expected to be favorably reported when next that committee meets. There is no known objection to his confirmation.

The nomination of Mr. Lyons, formerly law partner of Representative Ellis at Pendleton, was returned to the Senate, the charges upon which the original nomination was withdrawn having failed of substantiality. Mr. Lyons was charged with perjury and subornation of perjury in certain bankruptcy proceedings in Alaska, but when those making the charges were called before Attorney-General Wickereham to substantiate them they utterly failed to make good. On recommendation of the Attorney-General, Mr. Lyons was again nominated.

## MCBRIDE FOR BEAN'S PLACE

### Benson Picks Him for Supreme Court—Campbell for Judge.

SALEM, Or., April 15.—(Special.)—Announcement was made this afternoon at the office of Governor Benson that as soon as the resignation of Judge Bean from the Supreme Bench shall have been received, Circuit Judge Thomas A. McBride, of the Fifth district, will be appointed to succeed him.

To succeed McBride, Representative J. U. Campbell will be named by the Governor. Mr. Campbell has been practicing law at Oregon City for about 15 years and has served two terms in the Legislature, in 1907 and 1909. In both sessions his ability was recognized by excellent committee reports.

Justice Bean was very much pleased to receive the appointment to the Federal bench. He plans for the immediate future are not yet well defined. He said: "I haven't consulted the Federal Judges nor any one else as to what time I shall take up my new work. If the appointment is confirmed, it may require some time for my commission to reach me. A good time to let go of the work of the Supreme Court would be about May 1, just prior to the opening of term, but I shall be governed by circumstances in the matter. Although I have not looked to the subject, I presume I shall make up my mind to go to land, as the bulk of the work no doubt will be there."

"Both Mrs. Bean and myself will regret greatly leaving Salem, where we have made our home for so long and where the associations have been very pleasant indeed."

## BEAN AND HIS SUCCESSOR

### McBride to Be Supreme Judge and Campbell Circuit Judge.

Robert S. Bean, Oregon's new Federal Judge, is a native of this state, having been born in Yamhill County, November 28, 1854, his father, O. R. Bean, having crossed the plains in 1852. His youth was passed on the farm, his early education being obtained in the district public school. In the fall of 1889 he entered the Christian College at Monmouth, from which he was graduated in 1893. During the following year he worked at the carpenter's trade, and in 1894 began the study of law in the office of the late J. M. Thompson, of Eugene. He was admitted to the bar in December, 1897, and immediately formed a partnership with Mr. Thompson, which continued until the death of Mr. Thompson in 1902. Judge Bean also is a member of the first class which graduated from the State University in 1878.

Judge Bean continued the active practice of law until 1882, when he was elected Circuit Judge of the Second Judicial District, to fill the unexpired term of J. F. Watson, who had resigned to accept appointment as United States District Attorney. Four years later he was re-elected to the same office for the full term of six years. Before the expiration of his term, in 1890, he was elected Justice of the Oregon Supreme Court, of which he has since been a member continuously. Since 1884 he has been a member of the Board of Regents of the State University and also a member of the executive committee.

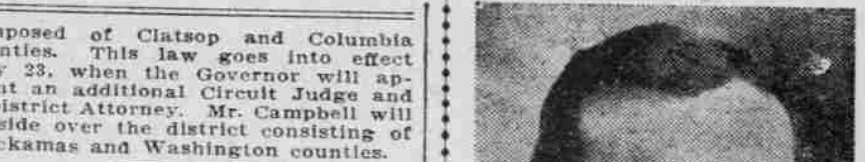
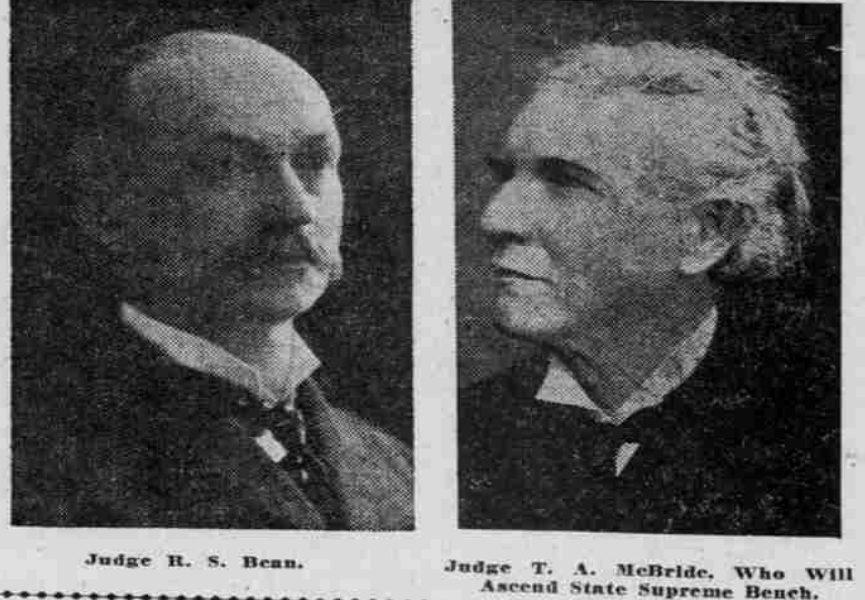
Judge Bean was married in 1880 to the second daughter of the late Thomas Condon, the famous geologist, and five bright, active sons comprise the family of Judge and Mrs. Bean.

Judge Bean had been endorsed by Judge Gilbert and Wolcott, of the United States Court and by the members of the Multnomah Bar Association, who sent to President Taft a petition with 228 signatures urging his appointment.

Judge Thomas A. McBride, who will succeed Judge Bean as Justice of the United States Supreme Court, was formerly, and for several years has been, president as Circuit Judge of the Fifth Judicial District, which embraces Clackamas, Washington, Clatsop and Columbia counties. Judge McBride is one of the best-known jurists in the state. He will succeed as Judge Bean's successor until the general election in November, 1910.

James U. Campbell, of Oregon City, will succeed Judge McBride as Circuit Judge. He has been practicing law in the Clackamas town for 15 years. He has been prominent in Republican politics of his county and has held various offices, including that of City Attorney, a position he now fills, and Deputy chairman or secretary of various central committee at different times. Mr. Campbell served as a member of the House in the Oregon Legislature from Clackamas County at the last two recent Legislatures divided the Fifth District, by creating a separate district

## SUPREME JUSTICE, WHO IS TO BE MADE FEDERAL JUDGE, AND HIS FAMILY AT THEIR HOME.



## RESUME LAND-FRAUD TRIALS

### First Result of Bean's Appointment Will Be Wind-up of Cases.

The appointment of the new District Judge for Oregon will likely be followed by the early resumption of the land-fraud prosecutions.

At the Federal building, it is said, however, that it is not likely that the Government will further prosecute those men against whom indictments are outstanding, but who have served sentences under prior convictions. Further proceedings in Oregon land-fraud cases are likely to be of a minor character.

The cases against some of the more noted of the defendants such as McKinley and Puffer, it is understood, have placed on the docket, largely for the purpose of retaining the men here to testify in civil actions instituted by the Government to recover possession of the land of which it has been defrauded. It is anticipated that the Government will testify in behalf of the Government, to the extent of their knowledge, complaints in two actions brought in behalf of the Government to set aside land patents were filed in the United States Circuit Court yesterday, in both of which fraud is alleged.

In one, James H. Fisher and C. R. Elliott are named as defendants and the land involved is in sections 2 and 4, township 1, north of range 44 east. It is alleged that Fisher entered into a contract with Elliott, by the terms of which the latter was to supply the money necessary to acquire title and to receive thereafter a deed to 120 acres, Fisher to retain the remaining 40 acres as his compensation. The court is asked to nullify the patent issued to Fisher.

In the other case, Hiram Howard, John M. Jones and Andrew J. Denny are the defendants. Howard took up 180 acres in section 33, township 9, north of range 47 east, Baker County, under the timber and stone rule, and made affidavit that the land was not valuable for mineral purposes, whereas, it is alleged, the land is rich in gold and copper and a tunnel has been driven to tap one of the veins at the time Howard filed on it. Jones and Denny have acquired Howard's title to the property.

## ACTOR WILL FILE SUIT

### RICHARD CARLE TO DEMAND \$10,000 FROM SOUTHERN.

Comedian Bases Claim on Injuries Received While Leaving Train in California.

A suit will be filed in the United States District Court late today or early Saturday morning by Richard Carle, the distinguished actor now playing at the Heilig against the Southern Pacific Railroad for \$10,000 personal damages. This announcement came from Mr. Carle himself and his attorney John F. Logan and consists solely of an experience which the actor-author-manager met with on his recent trip from San Francisco to Portland, Sacramento on his trip north. Mr. Carle together with his wife and some members of his company missed the train which they had been traveling through no fault of their own as they alleged. The railroad authorities told them they could take the second section which consisted of day coaches and chair cars. On nearing they were informed by the morning they were informed by the brakeman that the second section had overtaken the other train if they could transfer to the other train if they were sorry. According to the story they were hurled out of the chair-car and hurled out at Marysville at 2 o'clock. The brakeman raised the trap-door in the vestibule and with the abjuration to hurry told them to get off.

At that particular point on the road there is a high and narrow embankment and without even the light of a lantern the comedian and his wife attempted to change trains. They got off the train all right, but in doing so stepped into a ditch and rolled down a 25-foot embankment. Mrs. Carle escaped with a contusion on her forehead and a minor scratch or two but the star of "Mary's Lamb" received bruises on the leg and hip which assume a serious character. His leg swelled to twice its natural size and in spite of frequent massage treatments it was with the greatest difficulty

# SPRING SUITS AND FURNISHINGS

We must enlarge our store and consequently must suffer the inconvenience of being badly torn up next month. To reduce our stock before that event we offer you the choicest of Men's Apparel at

## ALTERATION SALE PRICES

ALL \$40.00 SUITS . . . \$26.75  
 ALL \$35.00 SUITS . . . \$26.75  
 ALL \$30.00 SUITS . . . \$23.75  
 ALL \$25.00 SUITS . . . \$19.75

20% Off All Colored Neckwear, Fancy Shirts, Underwear, Fancy Hosiery, Nightshirts and Pajamas, Contract Goods Excepted.

# HEWETT, BRADLEY & CO.

344 Washington St. Near Grand Theater

## "Mary's Lamb" Is New Offering at Heilig

CAST.

Alan Townsend.....George Bogues  
 "Bill" Blackwell.....Sylvain Langlois  
 Clyde Wetherbee.....Abbott Adams  
 Sylvester Q. Nightingale.....  
 Harry Montgomery  
 Judge Henry Gibson.....Drury Kingsley  
 Mary Mercedes Lamb.....Julia Ralph  
 Phyllis Atwood.....Violet Seaton  
 Sylvia Montrose.....Cecilia Rhoda  
 Mercedes.....Winifred Gilraie  
 Winifred Gilraie.....Winifred Gilraie  
 Annie Matchless.....Rita Stanwood  
 Florence N. Gate.....Mina Davis  
 Lucile S. John.....Edith Williams  
 Edna Sidney.....Bertha G. A. Deimone  
 Cecilia Dale.....Rita Stanwood  
 Viola Fair.....Mina Davis  
 Horace Drummond.....William Walther  
 Willis Brooks.....Martin Singer  
 Guy Whitaker.....Fred Landman  
 Steve Miller.....Victor Bosardt  
 Aphrodite.....By Herself  
 Leander Lamb.....Richard Carle

band, who tries one little fling and gets caught at it and later succeeds in digging up some ancient history on the shrew of his bosom and asserts his independence. Betwixt and between Mr. Carle arouses a plentiful lot of laughs, Cecilia Rhoda sings excellently, as was her wont of old, and a stunning bevy of chorus girls wear fine costumes and look pretty enough to kidnap.

It is with more than ordinary satisfaction that a local chronicler comes Cecilia Rhoda back to town after two years' absence and a tremendous success in our neighboring town of New York. Two years ago this young prima donna set Portland by the ears for her fine efforts with the Marquand Company, which played the Opera for a good but unprofitable season of musical comedy. Hundreds of people went time and again to hear her sing the pretty little "Jewel of Asia" song from "The Gelsia," and all of those survivors will unquestionably go this week to see the talented little woman after her notable Eastern successes. Her

work in "Mary's Lamb" is almost of stellar quality.

Mr. Carle was a sick man last night. In fact, his performance was one of the saddest things I've seen lately, for between moments on the stage he was under a doctor's care in a condition of absolute collapse. He received serious injuries on the railway journey from San Francisco, but that's another story. He was unable to dance, and his dancing since the early days of "The Tenderfoot" has been one of his chief claims to distinction. In spite of his limp and his apparent suffering, he did nobly, and those who have never seen him at his best would have scarcely noticed.

As a Spring opening of fancy costumes and pretty girls, "Mary's Lamb" is well worth seeing, and when the star principals are added you have an aggregation designed to furnish excellent entertainment.

Mr. Carle will undoubtedly be in much better form tonight, and if you have a sense of humor you'll enjoy seeing Leander Lamb, his adventures and the

trimmings. There will be performances tonight, tomorrow afternoon and night.

**Gymnasium Fair Is Success.**

The fair held in the Hassalo-street gymnasium last night for the purpose of raising funds to maintain the gymnasium for the remainder of the Summer was a great success. Over 1500 were present to enjoy the side shows that had been prepared and which were liberally patronized.

Gambinus Brewing Co. begs to announce that its annual brew of "Bock Beer" will be offered for sale beginning Saturday, April 17. For sale by all dealers. Send in your orders now and insure early delivery of your favorite brand of beer. Phone Main 49 or A 1149.

New York's latest novelties in fine footwear at Rosenthal's.

Cuba grows 20-pound cabbage heads.

## TRAIN OF MISFORTUNES

### NEW ENGLAND PASSENGERS DELAYED 25 HOURS.

### Remarkable Series of Accidents Happen to Travelers Between Boston and Montreal.

MONTREAL, April 15.—Short of being held up by train robbers, the passengers on the Central Vermont train from Boston, due here last night, experienced every sensation to which travelers by rail are liable. The train was due at 10 o'clock last night, and it arrived here shortly after 11 o'clock today.

Several miles from Roxbury, Vt., the train was stopped and delayed five hours because a large section of a cliff had fallen, burying the rails under tons of earth.

At Roxbury the train ran into the rear of a freight train on a siding, causing a long delay. Five miles beyond a small river which had overflowed its banks blocked the track with ice.

## SEASIDE WILL ADVERTISE

### Beach Resort Starts Publicity Fund of \$2000.

Seaside is the latest town to be imbued with the idea of exploitation. On Monday a number of prominent business men got together and showed how really wide-awake they could be by raising a fund of \$2000 within four hours.

Although \$1000 originally named as the objective of the new Seaside Development Association, it is assured that this sum will be passed in a few days and \$2000 is now named as the amount to be raised. The money will be expended in advising visitors to Seattle and the Portland Rose Festival of Seaside's merits as a resort.

As an accessible ocean resort, from either Seattle or Portland, the Seaside men are starting in to boost their home town by showing that the farming region sources have not been nearly developed and that the dairy and timber of that locality have never been sufficiently exploited.

By means of a booklet this will be done, after which it is intended to raise a permanent advertising fund.

Dan Moore said last night that from the success already achieved the development work would be a great success. "More building of all kinds," said Mr. Moore, "is going on than ever before. I believe that we shall reach our goal of \$2000 within a few days. A few business men have subscribed and we have many yet to see."

## LIFE OF A PIMPLE

### Complexions are Cleared and Pimples Disappear Overnight Without Trouble.

The dispensers of posium, a new skin discovery, ask that notice be given that no one is urged to purchase it without first obtaining an experimental package. Everyone who has tried it knows that the fifty-cent box, on sale at the Skidmore Drug Co. and Woodard, Clarke & Co., and all drug stores, is sufficient to cure the worst cases of eczema, where the surface affected is not too large. The itching ceases on first application, it will also cure acne, tetter, blotches, scaly scalp, hives, barber's and every other form of itch, including itching feet. Being flesh-colored and containing no grease, the presence of posium on exposed surfaces, such as the face and hands, is not perceptible. Water and soap cannot be used in connection with it, as these irritate and prolong skin troubles, sometimes even causing them.

As to the experimental package of posium, it can be had free of charge by mail of the Emergency Laboratories, 22 West Twenty-fifth street, New York. It alone is sufficient to clear the complexion overnight, and to rid the face of pimples in twenty-four hours.

## COOPER'S REASONS FOR NEW TRIAL

### NASHVILLE, Tenn., April 15.—Forty-six distinct reasons why Duncan R. Cooper and Robin J. Cooper, recently convicted of the murder of ex-Senator Carmack, should be granted a new trial are set forth in the grounds for the motion for a new trial filed by the attorneys for the defendants today.

## PUMPS THAT FIT AT ROSENTHAL'S

Don't overlook the opportunity to sample this choice brew, a perfect beer, perfectly brewed from the purest ingredients, including sparkling clear Bull Run water, and aged to perfection.

The name "Weinhard" has stood for nearly half a century for everything that is best in the manufacture of Pure Beer, on the Pacific Coast.

With our new Brewing House, new Ice Plant and greatly increased storage capacity, we are able to excel all previous efforts and insure to our patrons a delightful, health-giving, gentle tonic, beneficial alike to old and young.

We make a specialty of supplying promptly all family trade. Order today.

# WEINHARD'S BOCK BEER

## ON SALE TOMORROW SATURDAY, APRIL 17

Don't overlook the opportunity to sample this choice brew, a perfect beer, perfectly brewed from the purest ingredients, including sparkling clear Bull Run water, and aged to perfection.

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