JUDGE BENNETT'S CHARGES FALTER

He Says He Can't Prove Detectives in League With Thieves.

HEARSAY EVIDENCE ONLY

Magistrate Before Police Committee Declares Accusations From Bench Based on "Reliable" Rumors.

When placed on the stand before the police committee of the Executive Board at the City Hall yesterday afternoon and asked the direct question by Mayor Simon If he would prefer charges against any member of the Police Department, from the Chief down, Municipal Judge Bennett said he had not the avidence to warrant such serion. He stated that he based his assertions of alleged misconduct of detectives from the bench on general obpervations and statements made to him by "reliable persons." but that he was not prepared to prefer direct charges against any detective or patrolman.

Five Attend Meeting.

Mayor Simon presided at the meeting. Committeemen Clarke, Sichel and Brown, with Chief Cox, were present. The Mayor gave Judge Bennett every opportunity to make a full statement of the case, urging him to make a full and complete declaration of any facts he might possess, but the Judge repeatedly said he did, not have knowledge of any criminal act on the part of any police ofneer, but said he made his statement from the bench in passing sentence upon an alleged member of the Harvey Dale gang of bunco men, largely for the purpose of frightening the crowdout of the city.

Judge Sure of Dale Gang.

Judge Bennett had but one positive de laration to make. That was as to the operations of the Harvey Dale gang of bunco men, who, he swore, he felt certain had been operating in Portland. He said he thought? said he thought it strange that the de-tectives did not drive Dule's gang out of Portland, but that he had no knowledge of collusion on the part of any member of collusion on the part of any members
of the police force, and emphasized the
statement that he had never made any
such charge from the bench or privately.
Asked by Commissioner Sichel how he
believed the public has been affected by
the newspaper articles that have appeared in connection with the statements peared in connection with the statements of the Judge from the bench in the Municipal Court, Judge Bennett replied that he could not say; that he had heard some people say they wondered why the police did not drive the bunco men from the city, but that he was unable to tell how the public feels about the affair.

Direct Charges Denied.

"I ask this question simply to get at the effect of this matter," explained Com-missioner Sichel. "Is it not a fact that, after reading these things in print, the public got the impression that there is something rotten in Denmark? I should think that would be the impression. Now. as these articles were based on what you said from the beach and caused this feeling, do you not think that a frank denial of alleged collusion from you would quiet that feeling?"

young quiet that feeling?

Judge Bennett said he did not regard
himself as responsible for all that has
been published, and that he did not make any direct charge against any one from the bench or otherwise, and that he did not know of any grafting in the Police Department, nor did he have any facts that would have justified him in making any such declarations.

Scare His Intent.

'I simply had information from reliable sources that bunco men were working in Portland," said Judge Benneti. "It seemed strange to me that Harvey Dale's men could operate when no one else could, and from what I gathered from observation and otherwise, I thought it would be a good idea to try to frighten the whole crowd away."
"What you said from the bench was said in a heated state?" queried Mayor

"No. I was very careful to write out what I had to say to the prisoner before me, so that I would make no statements I could not substantiate," replied Judge Well, from what you know, taking

everything into consideration, have you sufficient knowledge of any wrongful act of any member of the police force, from the Chief down, to warrant you in preferring charges against any member?" asked

Judge Bennett replied that he had no

Day's Ire Unfounded. .

Judge Bennfett said that when he made is statement from the bench, implying that someone was shielding 'bunco men,'
he had in mind no special person, and
did not refer to the detective force
specifically. He said that he did not specifically. He said that he did not know why Detective Joe Day had taken it upon himself to make the statement that the allegations were simed at him.

"The only thing that happened to con-nect Joe Day with the affair," explained Judge Bennett, "was that two or three days before I made my statement from the bench Day and another detective testified for a man I knew was a member of this Dale gang. I did not like that very well, but I did not think of Day in connection with the affair until he made the voluntary statement that I in-tended my remarks to apply to him". "Judge, there is but one feature of this

affair that interests me and gives me concern," said Mayor Simon, "and that is as to the allegations that some members of the detective staff have stood in with criminals and have shielded them. If that were so, and it were shown to me. I would ask the police committee to discharge that officer at once. I will again ask you if you have knowledge of any such misconduct on the part of any

"No," Again Answered. Judge Bennett again replied that he had

not.
"You have no knowledge of any mis-conduct of the police with gamblers or any other criminals, either?" persisted the

Judge Bennett gave the same reply, but remarked that he understood that the in-famous "stool pigeon" policy is again in vogue in the department. Mayor Simon had previously issued stringent orders against this feature of the police work, and said that he would not tolerate it. Chief Cox asked Judge Bennett if he knew how "that \$7000 'trick' was 'pulled off." referring to a recent swindle. Judge Bennett repiled that he understood that it was by means of cards. He replied to a question from the Chief that he did not know of anyone who could furnish him the information regarding the case but said by understood that the trick case, but said he understood that the trick as done by out-of-town men. "Judge Bennett," said Chairman Clarke,

possession of any facts that show any nirconduct on the part of any police offi-er, will you tell the Chief?"

Chief Is to Be Informed.

Judge Bennett replied that he certainly would; that he and the Chief are confidants, the Chief having known the Judge since a small boy. The Judge said that he had spoken to the Chief recently concerning several matters. All of the membeers of the committee said they would be giad to have any facts that might come to the notice of the Judgs-regarding misconduct of officers, if he should ever hear of any.

regarding misconduct of officers, if he should ever hear of any.

Commissioner Sichel asked Judge Bennett about the working of the police department, as to the volume of arrests, and asked him if it is not true that the police work hard all the time.

"That is generally true," was the reply, "but there have been some cases that I have not liked very well."

"I wish you would tell the Chief when things go wrong," said the Mayor. "Let him know about it, so that he can remedy it."

remedy it."
"No one is to be protected by this administration," said Mayor Simon, at the
close of the hearing. "We want no grafters in public office, and I will not tolerate
any graft in any department, if I know
it. I would ask the instant dismissal of
any employe of the city found grafting." any employe of the city found grafting."

Hearing Pleases Mayor.

The committee then adjourned, after which Judge Bennett and the members held a brief conference with Mayor Simon in his private office. Joe Day was not present at the meeting, as the Mayor had decided that it would be unnecessary,

had decided that it would be innecessary, in case Judgo Bennett should make no direct charge against him.

"I am gratified that Judge Bennett did not prefer any charges against the detectives," said Mayor Simon, after the meeting. "It has been a matter of great the meeting." meeting. 'It has been a matter of acconcern to me ever states he made his statement from the bench. While it was very hard for me to believe that any of the officers would be guilty of grafting and being in collusion with criminals. I felt badly over the affair, and am glad that it is cleared up.

VAGRANT DROPS FROM SIGHT

Even Watson's Attorney Doesn't Know His Whereabouts.

Interest in the sensation surrounding Frank Watson, the alleged "bunco man," who escaped from Portland after being released by Judge Gatens, of the Circuit Court, was added to yesterday by the admission of Tom McDevitt, one of the attorneys appearing for Watson, that Watson's whereabouts were unknown to

kim.

Knowledge that Watson had actually left the city will not deter the City Attorney's office from following up his prosecution. Deputy City Attorney Sullivan announced yesterday that, owing to the adjournment of the Circuit Court during the two days of the meeting of the Bar Association, the opportunity to present a motion to have Judge Gatens' order vacated had not arisen, but that the matter would be taken up today with Judge Bronaugh, Presiding Judge of the Circuit augh. Presiding Judge of the Circuit

Captain Moore, upon whose shoulders Captain Moore, upon whose shoulders Detective Joe Day placed the blame for delay in action of the detectives in sucking the rest of Watson's alleged gang, who escaped the police, denies Day's statements in an unqualified manner. "The rules of the department prevent me from discussing such a matter," said Captain Moore, "so I can say nothing for publication, but I deny absolutely all that Joe Day said with reference to me."

Ex-Councilman A. K. Bentley, the ob-

Day said with reference to me."

Ex-Councilman A. K. Bentley, the object of an attack by Detective Day brands the detective's statements as a falsehood in no unqualified terms. "The story he tells about me is a lie," said Bentley flast night. It is so much of a lie that it is absurd. I don't believe that anyone ever used my name to Day. I have never given my name to Day. I have never given my permission to have my name used in such an atroclous scheme. This man Hazel be talks about scheme. This man Hazel he talks about I never saw but once, and that was when I was introduced to him. I did know Abbott a little. I loaned him a camping outfit. I presume that is where Joe Day gets his fishing story to the effect that I associated or fished with Hazel. I was not aware that Abbott was not a business man until just a short time ago before he man until just a short time ago betore he was run out of town. He came to me and told me that he was in the poelroom business, and told me that the town was full of crooks, and that they were being protected while he was being run out of town. He asked me to go up the street with him, and he would show me a bunch of crooks who were allowed to remain while he was forced to go. I-went-with him. We visited a first-class hotel, and he pointed out a number there, and in several other places he pointed out men who were well-known in this city."

COURT ETHICS DISREGARDED

Presiding Judge Bronaugh Says Attorneys Violated Rules. "I do not consider it professional com

tesy, to say the least, for attorneys to go to another judge to fix a bond when they have already consulted me about the matter, and when they know my whereabouts," said Presiding Judge Bro naugh of the Circuit Court yesterday in talking about the action of Attorneys H. C. King and J. B. McDevitt in securing from Circuit Judge Gatens an order re-ducing Frank Watson's ball from \$500 to

'It is one of the rules of the Circuit Court that where the presiding judge cannot easily be found, any other judge cannot easily be found, any other judge of that court may act in his place. But in the Watson case I was at the Courthouse all the afternoon except between 6:5 and 7:05 o'clock, when I went to dinner, and the attorneys could easily have found me. I was at the Courthouse until 9 o'clock that night. I do not think I am overly sensitive about such things, but this seems to me discourteey to say but this seems to me discourtesy, to say

"About 4:15 o'clock Monday afternoon King came to me and wanted to know how long I would be in my chambers. I told him I would be there until 6 o'clock. I intended to be in chambers later than that, to work on some cases which I have under advisement, but I did not wish to be disturbed. King said he had some surcties on a ball bond which he wished to have justified. When I said I would be there until 5 o'clock, he repiled that the matter was not particularly urgent, and that he guessed he could take it up in the morning.

"At 5 o'clock I went out into the Courthouse corridor, met King and Mc-Devitt at the top of the stairs, and we spoke, but they said nothing about the ball then. I remained in my chambers until 6:45 o'clock and returned later, but they evidently did not try to reach melther there or at my house."

Thanksgiving at Clatson Beach,

who will spend the Thanksgiving heliday at Clatson Beach the A. & C. R. R. R. will run its evening train leaving Portland at 6:20 o'clock Wednesday, November 24, through to Seaside; the morning train runs through to Seaside daily. Unusually high tides will prevail at Clateop Beach during Thankagiving week. ranging from nine feet four inches Thanksgiving day to ten feet on Sun-

Round trip fare \$4. Special preparations for Thunksgiving are being made by the hotels. Ticket offices corne? Third and Morrison streets, 122 Third street and Union Depot.

e, but said he understood that the trick s done by out-of-town man.

Judge Bennett," said Chairman Clarke. the committee, "if you come into gas."

Stewart's recipe for longevity is, "Chew Piper Heidsleck champagne flavor tobacco and don't blow out the gas."

Husbard Chased Her With Knife, She Avers.

ASKED DIVORCES THREE

Woman, Separated From Husband Because She Sat on Another Man's Lap, Files Protest, Insisting Court Exceeded Its Rights.

Chased out the front door of her hom chased out the front door of he; home by an angry husband, who brandished an open pocket-knife, threatening to "rip her open," and, after having endured his drunken sprees for the past 13 years, Mrs. Annie M. Irvine, of Pembina County, North Dakota, brought*a divorce suit in the Circuit Court yesterday to be freed

North Dakots, brought a divorce said in the Circuit Court yesterday to be freed from William J. Iryino. He is an excavating and hauling contractor.

Mrs. Irvine says she and her husband were married March 17, 1888, in North Dakota, and that they have eight children, six of whom she asks to have in her custody. It was in 1898, says Mrs. Irvine, that her bushand began to drink.

six of whom one asks of the custody. It was in 1896, says Mrs. Irvine, that her husband began to drink.

The woman tells how her husband went into the back yard one day, firing off a gun, and failing as though he had been shot. She thought at first, she says, that he had committed suicide. Last Friday, and the says of the committed suicide. he had committed suicide. Last Friday, continues the complaint. Irvine wanted to shave, but could not find his razor. Mrs. Irvine says he threatened one of his children, saying that when he did find it there would be "blood all over." For her own safety and that of the children, she thought best to leave him.

Both Have Property.

She and her husband own 480 acres in North Dakota, which they value at \$18,000, on which there is a \$5000 mortgage. Mrs. on which there is a \$500 mortgage. Sire, irvine says she owns also a house and three lots in Neche, N. D., worth \$500, besides \$1500 worth of farm tools and horses. Her husband has \$1500 coming from crop rent, she alleges, and earns \$150 a month. She demands \$300 expense money, \$75 a month allmony, a third in-

terest in the property, and \$10,000 permanent alimony.

Emily M. Lasche, who was recently divorced from E. C. Lasche, by Circuit Judge Gatens, the Judge finding she sat in the lap of a man named Eckenberger, filed a motion in the Circuit Court yes-terday to set aside the verdict. She says the Judge should not have allowed a letter purporting to have been written by "Uncle John" to have been introduced in evidence. She says also that the court had no jurisdiction over her case.

Wife's Life Threatened.

Threatened with death by a drunken husband is alleged by Katle Schneiter to have been her lot at the hands of Robert Schneiter. She says in a divorce suit filed in the Circuit Court yesterday that he threatened also to take the lives of his four children. She married him Septem-

E. W. Goddard brought a divorce suit in the Circuit Court yesterday against Mrs. B. H. Goddard, alleging that she left him in October, 1908, and has not since re-turned. They were married at Huron, S. D., May 2, 1898.

WOMAN SUES FOR \$10,000

Malpractice Charged Against Two Portland Physicians.

Malpractice on the part of Drs. R. J. and Louis Marsh is alleged by Anna V. Colone in a complaint against them which she has filed in the Circuit Court. She demands \$10,000 damages.

The plaintiff says that on November 17, 1967, her right leg was broken between the knee and ankle. She was taken to the Good Samaritan Hospital, and avers she told the Drs. Marsh of her trouble. Although both the tibia and fibula bones were broken, she says the physicians treated the fracture as though only one were broken, and falled to remove from the injured limb a splintered bone, which

prevented the limb from knitting.

After the limb had been for 10 days in a plaster cast, says the woman, the dortors tried to reset the bones, and readjusted the cast in such a negligent manner that the veins and arteries were injured, causing running sores on the limb. She further complains that in January, 1908, the physicians advised her to use her that the benes had knitted. right limb is several inches shorter than the left as a result of the doctors' alleged unskillful operations.

WILBUR LEAVES BIG ESTATE

Valuable Portland Real Estate Willed to Mrs. Fadnie Wilbur.

The will of R. M. Wilbur, disposing of an estate valued at \$73,250, was admitted to probate in the County Court yesterday. With the exception of about \$3000 in cash and a promissory note, the entire estate consists of Portland real estate.

Fannie M. Wilbur, the widow, was ap-pointed by County Judge Webster ex-centrix. The appraisers are D. W. Wake-field, James C. Costello and Charles K. Henry. Wilbur died November 2. Uzziel S. Blakney's estate was admitted

to probate yesterday, Elizabeth Blakney, the widow, being appointed administra-trix. The estate is valued at \$7363. The estate of John C. Sweet, who died November 15, was also admitted to pro-bate. William A. Cantrill was appointed administrator. Sweet's property was

RODMAN TRIAL MAY WAIT

Indicted Man's Case May Not Come Up Today. It is intimated that Frank Rodman,

****************** A Handy Home-Made Rem- : edy for Coughs and Colds

A cold or cough often comes on quickly. This simple remedy, if kept handy, will nip it in the bud. Although inexpensive, there is nothing better at any price. It usually stops a deep-scated cough in twenty-four hours, and is splendid for hourseness, whooping cough, chest pains, brenchitis, etc. tis, etc. Granmated, Sugar Syrup 1214 oz.

Make a plain syrup by mixing one pint Graguiated Sugar and '5 pint of warm water; stir for 2 minutes. Put 2½ ounces Pinex in a pint bottle and fill up with the Sugar Syrup. Take ateaspoonful every one, two or three

None of the weaker pine prepara-tions will work in this recipe: Use the real Pinex itself, which is the most valuable concentrated compound of Norway White Pine Extract, and is rich in all the healing elements of the pine. All druggists have it or can easily get it on request.

This recipe makes a full pint of un-

equaled cough syrup—enough to last a family a long time—for only 54 cents. It is equally good for children and adults, and has a cleasing taste.

Strained hon w can be used instead of the syrup, and makes a very fine honey and nine tar cough syrup.

matter yesterday and said that the case has not been reset, and that if Rodman-ls not tried roday he does not know at what date the case will be set.

Junkman Sues for Pay.

J. Levy brought suit against the Great Western Smelting & Refining Company in the Circuit Court yester-day, demanding \$895 for a lot of junk, including copper, lead, brass-green, aluminum and tin foll, sold the company.

Mortgage Case Reaches Court, To foreclose a \$10,000 mortgage on the Elton Court Annex, at 414 Yamhill street, L. A. Schureman has brought suit in the Circuit Court. S. A. Mul-ford is the defendant.

APPLE TO BE STUDIED

Y. M. C. A. CLASS IN FRUIT CUL-TURE PERMANENT.

Portland Apple Growers' Association to Be Name of New Organization-Meet Tomorrow.

So great has interest in apple culture been found by the Portland Young Men's Christian Association that what was originally intended to be only a small class for the study of that subject is to

secome a permanent organization of con-siderable importance. The first meeting of the class was to have been held last Saturday night, but when the time came more than 150 people were in attendance, overflowing the lec-ture room. More ambitious plans have

ture room. More ambitious plans tave now been adopted and will be launched at a meeting in the association building. Sixth and Taylor streets, tomorrow night. The Portland Apple Growers' Association is to be the name of the organization. Detailed plans will be adopted Saturday night and a president, secretary and treasurer elected, who will act with Educational Director French, of the Y. M.

Educational Director French, of the Y. M. C. A., in the management. This meeting will be open to the general public, and it is expected that the attendance will exceed that of last Saturday night.

The lecture this week will be by Processor A. B. Cordley, head of the horticultural department of the Oregon Agricultural College, who will speak on "The Codling Moth and its Control." The lecture will be illustrated by stereopticon views.

As many were turned away because of

views.

As many were turned away because of lack of room at the last meeting, the session this week will be held in room 48. which has a larger seating capacity. After the lecture there will be an open discussion. Professor Cordley giving all present an opportunity to ask questions. At the meeting the following Saturday H. M. Williamson, secretary of the State Board of Horticulture, will be the speaker and his subject will be "Development of the Apple Growing Industry of Oregon." Subjects for other meetings in the Winter series are now being outlined and topics series are now being outlined and topics of much practical value to the orchardist will be discussed.

HALF OF FUND OBTAINED

SUBSCRIBERS TO CITY BEAUTI-FUL FUND LIBERAL.

Total Amount Having Reached \$10,-600, Whole Amount May Be Completed by Saturday.

Owing to the pressure of personal busi-ness matters, J. C. Ainsworth, J. C. Lewis and A. H. Devers, who compose the subscription committee for the City Beautiful fund, were unable to carry out the plans of canvassing the downtown district as was their intention yesterday. However, a total of \$1500 came the way of the committee yesterday, from persons who were met on the streets. This sum in addition to the \$100 previously sub-scribed inflates the fund to considerably over one-half the amount of \$20,000 which the committee hopes to be able to secure before December 1.

The subscription committee expects to take up its work early today and before evening to realize a big list of subscrib-

The sums subscribed yesterday were indicted with Mrs. Harel Maddux for manslaughter on account of the death of Mrs. May Real on the Linnton road, may not be tried today.

Judge Bronaugh was asked about the wright Company, \$500; W. D. Wheel-Judge Bronaugh was asked about the wright Company, \$100. Fourteen hundred

Every mother feels a great dread of the pain and danger attendant upon the most critical period of her life. Becoming a mother should be a source of joy to all, but the suffering and

danger incident to the ordeal makes its anticipation one of misery. Mother's Friend is the only remedy which relieves women of the great pain and danger of maternity; this hour which is dreaded as woman's severest trial is not only made painless, but all the danger is avoided by its use. Those who use this remedy are no longer despondent or gloomy; nervousness, nausea and other distressing conditions are overcome; the system is made ready for the coming event, and the serious accidents so common to the critical hour are obviated by the

use of Mother's Friend. T 'It is worth its weight in gold," says many who have used it. \$1.00 per bottle at drug stores. Book containing valuable information of in-brest to all women, will be sent free.

BEADFIELD REGULATOR CO.



dollars more were promised, but not igned. The total amount now raised s \$10,600, and it is thought the entire \$20,000 desired can be raised by Satur-

contributors Tuesday were: Ladd Estate Company, \$500; Fleischner-Mayer Co., \$500; Dr. Andrew C. Smith, \$500; Pacific Bridge Co. and Campbell & Swigert, \$500; T. B. Wilcox, \$250; Russell & Blythe, \$250; A. B. Steinbach, \$100; Laurethurst Co., \$100; Frederick V. Holman, \$100; Mayor Simon, \$100.

Campfire to Be Held.

George Wright Post and Sumner Post, G. A. R., are to give a campfire in Mulkey Hall, Second and Morrison streets, Friday night, at which the members of Scout Young Camp, No. 2, Spanish War Veterans, will be guests. The Spanish Court yesterday morning for the theft

War veterans will give a preliminary per-formance of several of the numbers from the minstrel entertainment set for De-where her husband conducts a drug-War veterans will meet at Knights of Pythlas Hall, Eleventh and Alder streets, and march in a body to Mulkey Hall.

JEWEL THIEF IS JAILED

George Williams Must Serve One Year for Stealing Diamond.

Williams had been employed to clean up about the place and discovered the ring in a box hidden in a closet. He took the ring and hid it in his room. When Detective Coleman went over to search for the jewel he found the ring in the negro's possession. Williams ried hard to deny this, but fluxly broke down and admitted that he had taken it. Williams was released from the rock robbery.

The Main Highway



To The East

THE OREGON RAILROAD & NAVIGATION CO. OREGON SHORT LINE UNION PACIFIC CHICAGO & NORTHWESTERN

Denver, Omaha, Kansas City, St. Louis, Chicago AND ALL EASTERN POINTS

ELECTRIC BLOCK SIGNAL PROTECTION—the SAFE ROAD TO TRAVEL OREGON-WASHINGTON LIMITED

Leaves Portland Daily at 6:35 P. M. Arrives Chicago 8:35 P. M. Third Day.

CHICAGO-PORTLAND SPECIAL

Leaves Portland Daily 10:00 A. M. Arrives Chiengo, Noon, Third Day. Arrives St. Louis 5:55 P. M. Third Day. The through equipment to St. Louis forms a part of the famous "St. Louis-Colorado Limited" from Denver via Union Pacific and Wabash. Pullman drawing-room sleeping cars, Pullman tourist sleeping cars-with all the latest im-

provements-compartment observation sleeping car, dining car and free reclining-chair cars.

SOO-SPOKANE-PORTLAND "Train de Luxe" BETWEEN PORTLAND AND ST. PAUL

Via the O. R. & N. and Soo Spokane Line, through Spokane, Wash. LEAVES PORTLAND 7:00 P. M. DAILY ARRIVES ST. PAUL 1:30 P. M. THIRD DAY

servation Car, Standard and Tourist Sleepers and Dining Car. Inquire at the City Ticket Office, Third and Washington Sts., Portland, Oregon, for all desired information, including beautifully illustrated and instructive book, "Sights and Scenes

A Handsomely Equipped Electric Lighted Solid Train of Compartment Ob-

From the Car Window," explaining everything of interest en route. Wm. McMURRAY, General Passenger Agent, Portland, Oregon