

# 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 evidence to warrant such action. He stated that he based his accusations of alleged misconduct of detectives from the bench on general observations 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. Commissioners 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 officer, 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 crowd out of the city.

#### Judge Sure of Dale Gang.

Judge Bennett had but one positive declaration 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 it strange that the detectives did not drive Dale's gang out of Portland, but that he had no knowledge of collusion on the part of any member 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 of the Judge from the bench in the Municipal Court, Judge Bennett replied that he could not say, but 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 Commissioner Sichel, "is it not a fact that after reading these things in print, the public get 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 bench and caused 'this feeling, do you not think that a frank denial of all charges against any one from you would quiet that feeling?"

Judge Bennett said he did not regard himself as responsible for all that has been published, and that he never made any direct charge against any one from the bench or otherwise, and that he did not know of any grafting in the Police Department. He said that two or three days before I made my statement from the bench 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 Bennett. "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."

#### COURT ETHICS DISREGARDED

Presiding Judge Bronnough Says Attorneys Violated Rules.

"I do not consider it professional courtesy to say the least, for attorneys to go to another judge to get a bond when they have already consulted me about the matter, and when they know my whereabouts," said Presiding Judge Bronnough of the Circuit Court yesterday in talking about the action of Attorneys H. C. King and J. R. McDewitt in securing from Circuit Judge Gatens an order reducing Frank Watson's bail from \$500 to \$100.

#### Day's Ire Unfounded.

Judge Bennett said that when he made his statement from the bench, implying that someone was in the employ of the Mayor, he had in mind no special person, and did not refer to the detective force 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 aimed at him.

"The only thing that happened to connect 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 the Harvey Dale gang. I do not think very well, but I did not think of Day in connection with the affair until he made the voluntary statement that I intended my remarks to apply to him."

"Judge, there is 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 by means of cards, if it could be understood that the trick was done 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 he understood that the trick was done by out-of-town men."

"Judge Bennett," said Chairman Clarke, of the committee, "if you come into possession of any facts that show any misconduct on the part of any police officer, 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 members of the committee said they would be glad to have any facts that might come to the notice of the Judge 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. "But I know about it, so that he can remedy it."

"No one is to be protected by this administration," said Mayor Simon, at the close of the hearing. "We want no graft in the public office, and I will not tolerate any graft in any department. If I know it, I would ask the instant dismissal of any employee 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, in case Judge Bennett should make no direct charge against him.

#### VAGRANT DROPS FROM SIGHT

Even Watson's Whereabouts 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 McDewitt, one of the attorneys appearing for Watson, that Watson's whereabouts were unknown to him.

Knowledge that Watson had actually left the city will not deter the City Attorney's office from following up his prosecution. Deputy City Attorney Sichel 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 prosecute had not arisen, but that the matter would be taken up today with Judge Bronnough, Presiding Judge of the Circuit Court.

Captain Moore, upon whose shoulders Detective Joe Day placed the blame for delay in action of the detectives in seeking Watson, told the committee that Watson had 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."

#### WOMAN SUES FOR \$10,000

Malpractice Charged Against Two Portland Physicians.

Malpractice on the part of Drs. R. J. St. Louis and J. W. Wakefield, of the Colonias, in a complaint against them which she has filed in the Circuit Court. She demands \$10,000 damages.

The plaintiff, Mrs. Anna V. Colons, 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, 1907, her right leg was broken between the knee and ankle. She was taken to the Good Samaritan Hospital, and avers she was treated by Drs. St. Louis and Wakefield. She says that the bones were broken, and failed to reform, and that the leg was so badly injured that she was unable to walk. She further complains that in January, 1908, the physicians advised her to use her right limb as 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. Fannie 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 \$2000 cash and a promissory note, the entire estate consists of Portland real estate.

#### RODMAN TRIAL MAY WAIT

Indicted Man's Case May Not Come Up Today.

It is intimated that Frank Rodman, indicted with Mrs. Hazel Maddux for manslaughter on account of the death of Mrs. May Reel on the Linnton road, may not be tried today.

#### Thanksgiving at Clatsop Beach.

For the accommodation of its patrons who will spend the Thanksgiving holiday at Clatsop Beach, the A. & C. R. R. will run its evening train leaving Portland at 6:30 o'clock Wednesday, November 24, through to Seaside; the morning train runs through to Seaside daily. Usually high tides will prevail at Clatsop Beach during Thanksgiving week, ranging from nine feet four inches Thanksgiving day to ten feet on Sunday, November 28.

Round trip fare \$4. Special preparations for Thanksgiving are being made by the hotels. Ticket offices corner Third and Morrison streets, 112 Third street and Union Depot.

#### Stewart's Recipe for Longevity Is

"Chew Piper Heidsieck champagne five or six times a day, and don't blow out the gas."

# WIFE LIVES IN FEAR

## Husband Chased Her With Knife, She Avers.

### THREE DIVORCES ASKED

#### 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 home by an angry husband, who brandished an open pocket-knife, threatening to "rip her open" and, after having endured his drunken spree for the past 13 years, Mrs. Annie M. Irvine, of Pembina County, North Dakota, brought her divorce suit in the Circuit Court yesterday to be freed from William J. Irvine. He is an excavating and hauling contractor.

Mrs. Irvine says she and her husband were married March 15, 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 husband began to drink.

The woman tells how her husband went into the back yard one day, firing off a gun, and falling as though he had been shot. She thought at first that he had committed suicide. Last Friday, continues the complaint, Irvine wanted to shave, but could not find his razor. Mrs. Irvine says she 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 400 acres in North Dakota, which they value at \$18,000, on which there is a \$2000 mortgage. Mrs. Irvine says she owns also a house and three lots in Neche, N. D., worth \$300, besides \$1000 worth of farm tools and horses. Her husband has \$1000 coming from crop rent, she alleges, and earns \$150 a month. She demands \$300 expense money, \$3 a month alimony, a third interest in the property, and \$10,000 permanent alimony.

Emily M. Lasche, who was recently divorced from E. C. Laeche, by Circuit Judge Gatens, the judge presiding in this case, says that she was in the lap of a man named Ekenberger, filed a motion in the Circuit Court yesterday to set aside the verdict. She says the judge should not have allowed a better purpose to be served by granting "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 Katie Schmitter to have been her lot at the hands of Robert Schmitter. She says that her husband, who is in the Circuit Court yesterday that he threatened also to take the lives of his four children. She married him September 15, 1909.

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# A Handy Home-Made Remedy for Coughs and Colds

A cold or cough often comes on quickly. This simple remedy, if kept handy, will help it in the bud. Although inexpensive, there is nothing better at any price. It usually stops a deep-seated cough in twenty-four hours, and is splendid for hoarseness, whooping cough, chest pains, bronchitis, etc.

Granulated Sugar Syrup ..... 12 1/2 oz. Pine ..... 2 1/2 oz. Make a plain syrup by mixing one pint granulated sugar and 1/2 pint of warm water; stir for 2 minutes. Put 2 1/2 ounces Pine in a pint bottle and fill up with the Sugar Syrup. Take a teaspoonful every one, two or three hours.

None of the weaker pine preparations will work in this recipe. Use the real Pine 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 unequalled 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 pleasing taste. Strained honey can be used instead of the syrup, and makes a very fine honey and wine tea-cough syrup.

matter yesterday and said that the case has not been reset, and that if Rodman is not tried today 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 yesterday, demanding \$895 for a lot of junk, including copper, lead, brass-green, aluminum and tin foil, 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. Mulford is the defendant.

#### APPLE TO BE STUDIED

Y. M. C. A. CLASS IN FRUIT CULTURE 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 become a permanent organization of considerable importance.

The first meeting of the class was held last Saturday night, but when the time came more than 150 people were in attendance, overflowing the lecture room. More ambitious plans have 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 Executive Director Proctor, 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 Professor A. B. Cortley, head of the horticultural department of the Oregon Agricultural College, who will speak on "The Culture of Apples and its Control." The lecture will be illustrated by stereopticon views.

#### Campfire to Be Held.

George Wright Post and Summer 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

#### HALF OF FUND OBTAINED

SUBSCRIBERS TO CITY BEAUTIFUL FUND LIBERAL.

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

Owing to the pressure of personal business 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 \$1060 came the way of the committee yesterday, from persons who were met on the streets. This sum in addition to the \$500 previously subscribed infuses the fund to considerably over one-half the amount of \$20,000 which the committee hopes to be able to secure before December.

#### 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.

It is worth its weight in gold," says many who have used it. drug stores. Book containing valuable information of interest to all women will be sent free.

Wm. McMURRAY, General Passenger Agent, Portland, Oregon

**NORTHERN PACIFIC RAILWAY**  
72 HOURS TO CHICAGO  
SOLID THROUGH TRAIN VIA "THE NORTH BANK ROAD" (S. P. & S. Ry.)  
NORTHERN PACIFIC RAILWAY  
THROUGH SLEEPING CAR TO OMAHA  
Standard Drawing-Room and Tourist Sleeping Cars  
Dining Car Meals a la carte Day Coaches  
Steam Heated Electric Lighted An Individual Light in Each Berth  
Tickets and full information at Corner Third and Morrison Streets, Portland  
A. D. CHARLTON, Asst. Gen. Pass. Agent  
**Northern Pacific Railway**  
P. C. 20-09

War veterans will give a preliminary performance of several of the numbers from the minstrel entertainment set for December 1 and 2, and members of the two G. A. R. posts will speak. The Spanish War veterans will meet at Knights of Pythias 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.

George Williams, a negro, was sentenced to one year in the County Jail Friday night, at which the members of Scout Young Camp, No. 2, Spanish War Veterans, will be guests. The Spanish

files cured in 6 to 14 days. PAZOL OINTMENT is guaranteed to cure any case of Itching, Blind, Bleeding or Protruding Piles in 6 to 14 days or money refunded. 50c.

**UNION PACIFIC OVERLAND ROUTE**  
The Main Highway To The East  
THE OREGON RAILROAD & NAVIGATION CO.  
OREGON SHORT LINE  
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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 Chicago, Noon, Third Day.  
Arrives St. Louis 5:05 P. M. Third Day.  
The through equipment to St. Louis forms a part of the famous "St. Louis-Colofado Limited" from Denver via Union Pacific and Washakie.  
Pullman drawing-room sleeping cars, Pullman tourist sleeping cars—with all the latest improvements—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  
A Handsomely Equipped Electric Lighted Solid Train of Compartment Observation 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 From the Car Window," explaining everything of interest en route.  
**Wm. McMURRAY, General Passenger Agent, Portland, Oregon**