

"CLEANUP" LETTER STIRS HORNET NEST

Mayor Rushlight Asks Grand Jurors to Show Proof to Him.

NIGHT DOCKET TO FOLLOW

City Executive, Filled by Sworn Secrecy of Investigators, Will Subpena Attaches of Municipal Judge—Finish Fight On.

(Continued From First Page.)

When asked to place a charge of robbery against him, replied that he would make it simple larceny, as he is a friend of Mr. Cameron.

"You knew very well that you could get a proper complaint from Mr. Cameron, did you not?" asked Mr. Collier.

"Well, I don't know whether I could or not," was the reply. "I know that, when a deputy does not want to place a certain charge, an officer has a hard time of it and the prisoner usually escapes punishment. I hardly wanted to press the more serious charge after Mr. Hennessy said the man was a friend of Mr. Cameron."

The need of a night Municipal Court and for more prosecutors was developed by Deputy City Attorney Tomlinson, who asked Chief Slover and other witnesses if it is not a fact that there is too much pressure of business for one judge and one prosecutor from the City Attorney's and District Attorney's offices. The Chief freely admitted that this is true and said he hoped there soon would be more prosecutors and a night court.

After the meeting was over, it having continued three hours, Mayor Rushlight had a side talk with some of the members of the May grand jury, who had so bitterly assailed the Police Department. This occurred in the corridor at the City Hall. Henry Farr, W. M. Kapus and E. J. Schlegel were in the party.

Mayors and Jurors Argue.

Mayor Rushlight, while maintaining an outward calm, most of the time, was none the less serious and he told the grand jurors that he did not believe they were justified in sending the celebrated letter to the Chief of Police.

"There is not nearly so much prostitution here now as formerly," declared the Mayor, with emphasis.

"It is getting worse all the time," retorted Mr. Farr.

"Worse!" exclaimed the Mayor, his face flushing. "Why, when I first took office we found a bunch of crabs in a back alley, where there were two entrances, and women piled their trade without let or hindrance. We broke that up; we have reduced immorality greatly. Now, I tell you gentlemen that, while I don't say you had not the right to send that letter, I have been battling with vice here mighty hard, and I don't intend to stand for these roasts from grand juries any longer."

"Will you not admit," asked Mr. Farr, "that something must be done to curb this evil? Will you not admit that the social evil is worse since those women were driven from the North End?"

"I will not admit anything of the kind," replied the Mayor. "Portland is the cleanest city on the Coast. Do you mean that you favor a restricted district? If you do, I will say that I have no authority to create one, and I don't intend to create one. I intend to go ahead and clean up the city, and I will place this testimony, just given, before the present grand jury. I am tired of these monthly roasts from the grand jury and won't stand for them any more, because I am not at fault. I know the present grand jury will take notice that the administration has been working to clean up the city since I have been Mayor, when I lay this testimony before them and present them with my tabulated statements of arrests and the disposition of 890 cases of men and women the police arrested since my term began."

New Jury to Get Facts.

"I would again suggest to you that you lay the facts before the present grand jury, because of the fact that the new members will have three months' time in which to delve into this subject," said Deputy District Attorney Collier.

"I certainly will place it before the jury," replied the Mayor. "I surely will. I will give them all the testimony of the police officers of this afternoon, and I intend to get it."

Mr. Farr and Messrs. Kapus and Schlegel, however, held their ground on the contention that the grand juries were absolutely within their rights in sending the letter to Chief Slover. They insisted to the Mayor that something must be done by some one to remedy conditions.

"Why," said Mr. Farr, "the conditions exposed by your own witnesses this afternoon are such as to warrant the letter we wrote."

"Do you not think," asked Mr. Farr, "that our letter will yet bring forth good results? It seems to me that this meeting today has disclosed conditions that should be remedied at once. Your witnesses admit the necessity of a night court and more prosecutors. Now, don't you really think yourself that our letter is going to accomplish some good?"

"It may," replied the Mayor. "I hope it will, and I intend to go ahead and clean up the city, as I have been trying to do all the time."

Court May Be Subpenaed.
At the close of the meeting of the Mayor and Police Commission, Commissioner Coffey suggested that they adjourn, to meet at the call of the Mayor. He also suggested that subpoenas be issued for Judge Taxwell, District Attorney Cameron, Deputy District Attorney Hennessy, Clerk of the Court Beutgen and his assistant and perhaps others who may be able to throw light on the alleged thwarting of justice in the Municipal Court.

"Yes," said Mayor Rushlight, "I intend to call another meeting and will subpoena Judge Taxwell and Mr. Hennessy and others, and the meeting will stand adjourned."

Chief of Police Slover, who was the last witness called, said that, to the best of his knowledge, Mr. Hennessy had used good judgment in handling police cases, and the same, he said, applied to Ray Sullivan, Deputy City Attorney, who handles Municipal Court cases for the City Attorney. Mr. Sullivan was criticized by some of the policemen in their testimony.

Mayor Rushlight called the meeting

to order at 2 o'clock. He handed to Clerk Wiegand a copy of the letter of the May grand jury, signed by H. F. Campion, W. M. Kapus, E. J. Schlegel, Henry Farr, H. J. Wagner, T. Schlegel, Heimer and R. J. Wagner, and had it read. He also introduced a specially prepared tabulated report of arrests of parasites and disorderly women, mentioned in The Oregonian yesterday, together with older lists. The aggregate of arrests, it was officially recorded, was \$90 from the first of last July, when Mayor Rushlight took charge of the city.

Campion Takes Stand.

Mayor Rushlight then called Mr. Campion to the stand, had him sworn and then turned him over to Commissioner Selson. The latter proceeded to interrogate the witness as to the authorship of the letter to the Chief, just read, in which the Chief was accused of failing to enforce the laws regulating morals and saying that there are enough disorderly houses to stretch from Third and Washington streets to the City Park; that there are "at least 350 pimps in the city and that it is safe to say that, with the Rose Festival coming on, not less than 1000 of them will be here."

"Did the grand jury, of which you were foreman, write this letter?" asked Mr. Selson.

"Yes, sir," replied the witness. "From where did you obtain the information contained therein?"

"Just a minute," said Mr. Campion, raising his hand.

"If Your Honor please," said Deputy District Attorney Collier, "I beg to say that the members of the grand jury are sworn to secrecy; they are bound, under the law, not to tell where they obtain information, and the statute requires them to remain secret; they would be in contempt of court if they answered such questions as that just asked."

"We are not calling these gentlemen here as grand jury men," replied the Mayor. "We are calling them as individuals; I fail to see why they should not tell us what they know of immoral conditions, so that we can clean up the city. I think it is but their duty as citizens and taxpayers."

Mr. Collier Goes Into Detail.

Mr. Collier then went into detailed explanation of the powers of the Mayor to interrogate witnesses, saying that it does not extend to grand jurors, who are only required to answer questions on a line of testimony such as this in a court, and then only in case of a contention that they had slandered some one, had perjured themselves or similar action. He said that it is impossible to separate the members of a grand jury from the jury and make of them private citizens; that all the information they have, they obtained as grand jurors, and they could not, therefore, be compelled to testify to anything that happened in the grand jury room.

"But," spoke up Commissioner Selson, "is there not a difference between a member of the grand jury who is charged with a certain specific duty and one who proceeds to compile and publish a lot of stuff, attacking a public official, without returning a true bill?"

How about that, Mr. Collier? How about this letter, written by the grand jury, which even goes into details as to the number of pimps and macqueriaux in the city and then proceeds further and estimates how many there will be here in a certain time? How about a jury that goes out of its way to dig up a lot of such stuff as that, even measuring the space that they say all the heavy-duty men in the city occupy? Do you mean to say that a grand jury is charged under the law to do such things as this and never return a true bill?"

Mr. Collier replied to the effect that it would not be within the law for the Mayor to question the grand jurors along this line, no matter what they did or did not do; that, if it is thought the members exceeded their authority or failed to do their duty, the courts are the proper remedy. He suggested that the Mayor lay the facts before the present grand jury, which will hold sessions for three months.

Mr. Schlegel, one of the former grand jurors, remarked at this point that the May jury left in the record and some data for the present grand jury to work upon.

Mayor Feels Ground.

The Mayor, being in doubt as to his full powers under the charter, then asked Deputy City Attorney Tomlinson to inform him fully. Mr. Tomlinson then stated his opinion, which virtually shut off further efforts of the Mayor to ascertain his rights as to the information that caused the writing of the letter to Chief Slover. He then went on to say that any personal knowledge a juror might have, but none of them knew anything except what was divulged in the grand jury room. They were asked, one by one, if they knew personally any of the 350 pimps and that there will be 1000 pimps here, and replied that they knew nothing of it save the evidence submitted to them while members of the grand jury.

"If the Chief of Police was guilty of the neglect of duty you charged him with in the letter, why did you not indict him?" asked the Mayor of W. M. Kapus.

Mr. Collier was on his feet instantly to object.

"That question is improper," he said.

"Mr. Collier, why do you object to the question?" asked the Mayor. "You should co-operate with the administration in its effort to clean up the city. The District Attorney should co-operate."

"Quite true," replied Mr. Collier, "and the District Attorney will gladly co-operate with you, but you should proceed differently; you should go before the present grand jury."

"I shall go before it," retorted the Mayor, "but I want to get all the information that I can to help clean up the city."

The question was not pressed, however, and was not answered.

Sharp Questions Asked.

"Could you identify any of the 350 pimps you said were in the city or point out one of the houses of prostitution which you said would occupy so much space on Washington street?" was a question hurled at R. J. Wagner.

He replied he could not.

You said that under a certain section of the charter and a certain section of Lord's Oregon code that such and such duties are imposed upon the Chief of Police; do you know of your own personal knowledge what sections those are?" was the next question by Commissioner Selson to Mr. Wagner.

"I do not," he replied.

After disposing of the members of the May grand jury, the Mayor called Captain Riley, in command of the first night relief. He swore that his orders were from the chief to "go out and get them," meaning parasites and disorderly women, and said that they had been working tooth and nail to carry out the orders. He said they had even expended their own funds in certain cases to buy good on the street to make ladders to descend to such places as they could to peer in windows to get evidence against parasites.

"Why, my men have even slid down chimneys to get certain evidence," testified Captain Riley. "They have done all manner of things to make good on this cleanliness order, and have been successful."

"Just what have been your orders?" asked Commissioner Coffey.

"To get the pimps and parasites without discrimination and to enforce the laws in the same manner," replied the Captain.

Policeman Lillis, next to take the stand, swore that, yesterday morning, while he and other policemen were raiding the Bushmark, he called up Clerk Beutgen, of the Municipal Court and asked to have cases against Nixon and



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Gibson, parasites, postponed until 10:30. He said he explained that the raid would occupy their time until then, and that they would be on hand to prosecute at that time. Upon returning to court, he said, the cases had been dismissed "for lack of prosecution."

Witness Tampering Charged.

"I have experienced all kinds of trouble with Judge Taxwell and Deputy District Attorney Hennessy in court cases," said Strickland, "I had trouble in the Bernard and Kugelman cases, where we found the men and women occupying rooms together and the men's clothing hanging in the women's rooms. I was in the Irvington house when we raided the place. Judge Taxwell said the evidence was not sufficient to convict. My witnesses were tampered with in these cases, too, right in the Municipal Court room. I placed a man under arrest for tampering with a witness and Judge Taxwell overheard the commotion. I stepped into the Clerk's office to get a complaint and when I returned the man was gone. Judge Taxwell could have held him, had he wished to, but he took no interest."

Policeman Wardle swore that he had some cases against men for playing a Japanese gambling game. These, he swore, were dismissed in the morning, while he was assisting in the Bushmark raid, "for lack of evidence," although Lillis had spoken to Clerk Beutgen for them.

Sergeant Harms swore that a Greek, arrested by him for ruining a young girl in an East Side resort, got off with an assault and battery charge, because Mr. Hennessy said there was no evidence of a serious crime. He swore that he had positive evidence against them. Judge Taxwell, he said, told him he should have placed another charge. The assault charge was dismissed for the purpose of filing a more serious one, but it was never filed and the man was dismissed. The girl, said the sergeant, went to the hotel. Other Greeks arrested by him for contributing to the delinquency of a young girl, were dismissed, he said, because Mr. Hennessy failed to make charges.

"Stalling" Also Charged.
Policeman Long swore that, in the case of two girls who had been degraded by certain men, "Hennessy stalled around for a long time and finally the cases were dismissed," he said, "by the time the cases were dismissed, he saw the men gambling and money on the table, but the cases were 'dismissed for lack of evidence.'"

Detective Sergeant Price and Royle swore that in the Jack Dunn case, where Dunn was charged with accepting money from an immoral woman, the evidence showed that he took \$2 every night from an immoral woman; that the case was juggled by Hennessy and Taxwell so that nothing came of it at all. Price and Royle said that they presented to Mr. Collier the evidence and that he said it was the worst case he had ever seen; that Dunn should go to the penitentiary, but that when the case was called for trial, Mr. Collier, although called five times by telephone by Mr. Price, did not go to the Municipal Court, but said Mr. Hennessy must prosecute the case. Knowing nothing of the case, they said, Mr. Hennessy failed to convict. He did not ask them any questions, neither did he call John Diamond, a material witness, they swore.

Policeman Hutchings swore that Mr. Hennessy wanted him to file an assault and battery case against a man who

was caught in a room with Lizzie Shoemaker, aged 37 years, in a semi-nude condition, "because there was no evidence of a crime."

Prosecutions Lay, He Says.

Hutchings also swore that Hennessy failed properly to prosecute Carl Strickland, although Strickland "lived with a woman not his wife for a year and took money from her." The case was dismissed.

Sergeant Harms again took the stand and swore that he arrested 20 parasites one night and that Captain Bailey fixed their bill at \$250 each.

"Tell what happened after their arrest," said Commissioner Coffey.

"Well," said Harms, "hardly had we reached the station when I walked Max Cohen, an attorney, and said he represented the pimps. He called up Judge Taxwell by telephone and asked that the pimps be allowed to go on their own recognizance, and Taxwell called the captain to the telephone and ordered them released as requested by Cohen. Cohen said they would all be on hand for trial, but some of them were not, as a matter of fact, and it is said they left the city. Those who did appear were fined 90 days on the rockpile, but appealed to the Circuit Court and are out on appeal bond."

Policeman Black said that he had been surprised sometimes to get convictions in certain cases on the evidence at hand and again had been greatly disappointed at acquittals in others. He

said he was "terribly disappointed" in the cases dismissed "for lack of prosecution" yesterday morning while the Bushmark raid was on.

Policeman Lillis took the stand long enough to criticize Deputy City Attorney Sullivan for "prosecuting a case with his hat in his hand," and refusing to ask witnesses questions material to the success of cases.

Policeman Black swore that he had a case where a certain saloonkeeper was charged with selling liquor to a

minor. It was his third offense, said Black, and should have forfeited his license, but for some reason Judge Taxwell accounted it a second offense and imposed a fine of \$100. Deputy City Attorney Sullivan, although told by Police Commissioner Selson that the records would show this third offense of the accused, made no objection and did not make an effort to introduce the record.

Policeman Wiley swore that when he asked for a charge of extortion against

T. D. Campbell, who was caught in the act of taking money from women, that Mr. Hennessy said, "Why, Campbell is a friend of Mr. Cameron; a charge of simple larceny will do in that case." Deputy District Attorney Hennessy, when informed of the charges against him, said that he would be very glad to meet with the Mayor and Police Commissioners whenever they call him and turn up all about the cases in which he is mentioned.

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