FICKLE POLICY OF TAZWELL SHOWN

Freakish Decisions and Flat **Disregard of Law Create** Storm of Comment.

JUDGE ADMITS INFRACTIONS

Policy Pursued in Municipal Court Defended by Author on Ground of Usage-Penalties Below Minimum Are Imposed.

Records of the Municipal Court since September 22, 1910, when George Tazwell succeeded to the place left vacant by the death of Judge Bennett, dis-close that there is back of the present lively public interest in the transactions of the court, a long list of acts, which have brought adverse comment upon it.

Freakish decisions upon questions not covered by the law, slack regard for the keeping of the records, and even flat disregard of the law, admitted by Judge Taxwell, but defended upon the ground of usage, have from time to time been noted, yet no improvement has resulted.

Announced Policy Dropped.

The incumbent judge came to his position with the best wishes and active support of all concerned. He announced adherence to the policy of his predecessor, of whom he had been a state of the prediction of the prediction was associate, and began by inau-gurating small reforms that were viewed with favor. One of his first an-nouncements was that he would not be a party to the shifting of undesir-ables from one city to another, and us a stop to the practice of driving the stop to the practice of driving the stop to the shifting penal-ties upon reckless drivers of automo-biles. Chief of Police Cox complained hat his men could not secure results so long as the fine was a mere incident. Constant hammering upon this point The incumbent judge came to his

Constant hammering upon this point was set at rest eventually by an in-crease in the schedule of fines for these offenses, but after a few days of severity the court dropped back into a relaxed policy and of late has gone of ar as to averend sentence in most far as to suspend sentence in most of the cases

Law Not Followed.

He has even disregarded the law He has even disregarded the law by imposing penalties below the mini-mum after his attention was called to the fact that he was doing so. By a peculiar freak in the city ordinances, it is provided that the minimum fine within the fire limits, where protection is most needed, is \$10, while in the out-lying districts the lowest fine is \$25. Without regard to this, the court fell into the way of imposing fines of \$10 without regard to the place of offense, Newspapers commented upon the fact. Newspapers commented upon the fact, but many \$10 fines have been imposed since that time, for speeding outside the limits.

Most unusual of the court's acts has been the assumption of the pardoning power, which has grown to such an extent that Judge Tazwell probably will be called before the grand jury to explain his extra-legal actions.

Dealings Are Shown.

woman upon the testimony of a mos **BRIGGS CASE GROWS** obvious decoy. With a maximum of debatable trans-actions the court has taken a maximum of time, and the gulek dispatch which is necessary in handling the business has become a thing of the past. Wit-resses and attorneys are permitted to bring in any matter that suits them and prosecutions wander far afield. Recent actions of the court, includ-ing the phenomenal success of Judge Tazwell Accused of Freeing Recent actions of the court, include ing the phenomenal success of Judge Taxwell's quast partner. Attorney Had-dock, whose "batting average" is esti-mated by afficers of the court to be a loss of three or four cases out of about 75, have focused attention upon Munici-pal Court affairs, and A. S. Briggs says search that more matters will be LAWYER'S RETURN AWAITED openly that more matters will be brought in question when he makes his defense on charges of taking money to release prisoners from the rockpile. Arley J. Townsend Imprisoned at

Second Prisoner.

Rockpile Says He Paid Superin-

tendent \$150 for Release.

Hearing Due Tomorrow.

Briggs also asserts that Judge Taz-well, in conversation with him, did not deny that he ordered the release of

Richards, although the magistrate made a public repudiation of the chargo at the time of the accuration. Briggs has demanded a subpoena for Judge

Taxwell, to appear and give testimony at his preliminary hearing in the Jus-tice Court tomorrow.

Money Paid Alleged.

Townsend, who is now serving a year

at Kelley Butte, after making a third attempt to lure young women through advertisements, received a sentence of 90 days and a fine of \$300 for a simllar act, committed at the Oregon Hotel last October. At the end of the 10 days he was arrested at the Oxford

Hotel for the second offence of the kind. The question arose as to how he had obtained his release, as the rec-ords showed that the \$309 had not

ords showed that the sale had not been paid. Briggs at the time took the responsibility, saying a mistake had been made, and the inquiry was dropped, Townsend going back to serve out his time. On his release at the expiration of sentence he constitut the third offence and was sent to jail under state charge. He made a state

the third offence and was sent to juil under a state charge. He made a state-ment to Deputy Sheriff Phillips, last Friday, that he had paid Briggs \$150, with the understanding that it was to be divided between the superisten-dent, Guard Anderson and a third per-son, whom Townsend understood to be the Muricinal Judge.

Lawyer Mentions Judge.

At the time of the discovery of Townsend's premature release, a rep-resentative of The Oregonian asked Attorney Hurst, then apearing for the prisoner, who had paid his time. The lawyer replied that it had not been

paid, that Judge Taxwell had commuted sentence. Seeking confirmation of this statement from Judge Taxwell.

the inquirer was informed that no such action had been taken, and the judge showed surpluse that Townsend wis at

the Municipal Judge.

liberty.

BARON VIEWS PORTLAND Antonin de Mandat-Grancey Says Development Here Surprises.

Baron Antonin de Mandat-Grancey from Paris, arrived in Portland Friday from Paris, arrived in Portland Friday night and passed yesterday in this city investigating its resources and indus-tries. The Baron was entertained at luncheon by the Arlington Club, and was taken for an automobile irlp over the city by William McMurray and friends. A visit was made to the For-

********************* MISSING YOUNG MAN SOUGHT BY PARENTS WHO LIVE IN ENGLAND.



Albert Bettesworth.

'My dear lad, do write home My dear jad, do write some-Your mother is very anxious and so is your loving dad." The above message is from the parents of Albert Bettesworth, who left the home of his cousin, Herbert Norton, 418 Somerville avenue Otney. Pa on June ? avenue, Olney, Pa., on June 2, and has not been seen nor heard

Mr. Bettesworth is 21 years of age, is 5 feet 7 inches tall, is of age, is s reet i mones tail, is of fair complexion, with brown eyes, and light, wavy hair. His upper teeth are gold filled, and his lower teeth are very un-even. He weighs about 135 pounds. Mr. Bettesworth's parents who are still in Far. parents, who are still in Eng-land, are in great distress and anxiety about him, and for their sake, if he sees this, he is earnestly asked to communicate with them.

estry building and other places of in-terest, and M. de Mandat-Grancey ob-tained much literature concerning Portland and Oregon.

liberty. "Oh, well," said the lawyer, "If that is what Taxwell says, lot it go at that; I don't want to stir anything up." Further inquiry was blocked by a statement by Briggs that he had over-looked the \$300 fine and that the whole thing was a mistake. Now Briggs re-Briggs Makes Denial.

rders from Judge Tazwell

ficers Were Lax.

He left last night on the Shasta Lim-ited, saying that he was very anxious to make the trip out of Portland at such a time that he might pass through the Rogue River Valley by day. He is very much interested in the fruitrais-ing of the Rogue River Valley, as his home in France is situated near one friends who wanted to get him out of the greatest apple-raising centers and that he thought the prisoner was of Europe. His family, which accompanied him from Seattle, Wash, went visitor at the rockpile for several on to San Francisco Friday night, weeks, in the interest of Townsend. on to San Francisco Friday night, leaving him to pass a day in Portland before joining them. At length I got orders to realese him, and I did so. I am going to call Hurst The Baron is greatly interested in the Pacific Coast, and expressed sur-prise at the rapid strides in developas a witness. The grand jury was at Kelley Buile Friday, but did not at that time ques-tion Townsend. The case will be ment that are being made by all of the large Northwestern cities he has taken up probably next week. Briggsa relies on his ability to prove that Townsend had no money and that the release was obtained by Hurst through visited.

detectives ordered to the scene of the orime were unavoidably delayed in reaching there, asserts that his men did the best possible. He admits that the unfortunate absence to capture the fugitive when he returned to his home Friday night. There had been a feud between the men, which culminated in a fist fight on the day before the assault. At the conclusion of the battle Skufas warned Geannopolis that if he returned to work at the plant of the Durable Roof-ing Company, which would be killed.

would be killed. The Kenton people say that when Skufas returned to his house Friday night some of his countrymen went to look for a policeman and found an offi-cer in a moving picture show.

SULZBERGER TO BE VISITOR

Packer Will Arrive in Portland in September Is Announced.

G. F. Sulzberger, head of Sulzberger & Sons Packing Company, will visit Portland in September. His visit will be the first that has been made to this city by a member of that big firm and his coming is a response to an invitation sent him by the Portland Commercial Club R. W. Raymond, who met Mr. Sulz-berger in New York. Monday; took the On the raturn to the city of At-torney Roscoe P. Hurst, said to be in California, hinges sensational evidence California, hinges sensational evidence concerning the premature release of Ariey J. Townsend from the Linnton rockpile last January, according to a statement made yesterday by A. S. Briggs, former superintendent of the quarry, who is accused of releasing Townsend for \$150. Briggs asserts that through the agency of Hurst and the order of Judge Taswell be released the man, thus putting the case on equal footing with another in which Briggs is accused of releasing O. A. Richards for \$100. Briggs also asserts that Judge Taz-

**************************** LAD, WHOSE TIGHT SHOE COST RIGHT LEG, IS RE-COVERING OPERATION.



Clarence Hubbard. Bearing bravely the amputa-tion of his right leg. Clarence Hubbard, the 13-year-old son of Mr. and Mrs. R. W. Hubbard, of 1275 Hawthorne street, is re-ported doing well at the Good Samaritan Hospital, where the operation took place Tuesday. The operation was more than usually painful because the leg usually painful, because the leg had already developed signs of the blood poisoning which made amputation necessary. The lad wore a pair of tight shoes last July 4, causing a small blisten on one heel, which he neglected. He was taken to the Good Samaritan Hospital soon after with a badly inflamed foot, but was thought to have recovered. Blood poisoning, which set in, caused his return to the hospitai Tuesday.

matter up with him and Mr. Sulzberger

matter up with him and Mr. Sulzberger announced his acceptance of the invita-tion yesterday at Chicago. Beginnings of the work on the Sulz-berger packing plant here will not be delayed until after his visit, however, but will be pushed forward as fast as possible. Mr. Sulzberger expressed him-self as well pleased with the co-opera-tion he had received from the busi-ness men and commercial organiza-



First instance of the fact that the court was letting men out of jail before their terms were out, came to light last January, when Jack Nelson, an actor, was fined \$100 for assaulting a girl in an effort to take away from her a diamond ring he had given her. The man was unable to pay his fine, and went to the Linnton rockpile. Soon afterward he appeared in court as complainant against M. Weiser, a chauffeur, afterward indicted for engaging in the white slave trade.

He accused Weisen of shearing a ring from him while he was confined at the rockpile, raising money upon if to pay his fine, and retaining the over-plus. If then came to light that Weiser had gone to Judge Taxwell in his private office, had secured a reduction of Nelson's fine to \$50, had paid that amount out of the money obtained is pawning Nelson's ring and had thrust e remainder, money properly belong-g to the city, in his pocket. At the time of this discovery Judge

Taxwell announced that he would make no more orders in chambers, but he did not cease commuting sentences. Among those who have enjoyed the leniency of the court in this way are Robert MacMunies. Fred Goldberg and Richard O'Keefe. drug-users. O. A. Richards and Ariey Townsend. from whom A. S. Briggs, ex-superintendent of the rocknile, is accused of having taken money for premature release, were turned out on orders from the court, according to assertions of the accused. Tazwell announced that he would make

Practices Are Admitted.

Judge Tazwell admits that he has commuted many sentences after they were imposed, but bases the practice upon established usage, though admit-ting that there is no warrant in law. A legacy from past times which cul-minated in Taiswell's incumbency and for a time held promine of involving

for a time held promise of involving the city in suits for thousands of do-lars was the practice of committing men to fine or jail without the constimen to fine or jail without the consti-tutional procedure. This came to light in the case of Gus Franco, who escaped prosecution on the charge of giving liquor to children because no complaint frad been drawn against him. Attor-neys took up the matter and prepared to bring suit against the city in all cases where the procedure was not in form, but found the task too enerous and dropped it. Much criticism was directed at the court for a ruling made last Novem-

Much criticism was directed at the court for a ruling made last Novem-ber in a case relating to the enforce-ment of the weights and measures or-dinance. William Constantine, a hutcher, accused of selling short-weight meat, was let go upon the pro-nouncement from the bench that the complainant should have gone back and demanded full weight. It was pointed one the the first the transout by the City Attorney that, sup-posing a dealer was making a practice of defrauding his customers, he would gladly make restitution in the few cases where he was caught.

Court Not Consistent.

In the enforcement of the liquor or In the enforcement of the liquor or-dinance the court has paltered and has been on both sides of the question. When a certain notorious Fianders-street resort was at the mercy of the law, having committed a second affense and thereby upon conviction forfaited its license automatically, the court held that the evidence of a decoy was not admissible and dismissed the case. A few weeks later, when the defondant was a young woman, in a far less was a young woman, in a far less fagrant transaction, he reversed his former decision, though the same propositions of isw were presented by the same attorney, and convicted the

Winter Travel Encouraged.

W. E. Coman, general freight and passenger agent of the Hill lines, re-ports that this season has been a most successful one so far as beach POLICE CENSURE most successful one so far as beach travel is concerned. Although vaca-tionists are beginning to return to the city for the opening of the city schools next month, an exceptiogally heavy Fall and Winter patronage is ex-pected at Gearhart and Seaside. The weather at these resorts during Sep-tember is usually pleasanter than at any other time in the gear, and the management of the Hill lines is doing everything possible to add to their at-tractiveness as all-year resorts. It is Kenton Residents Complain That Oftractiveness as all-year resorts. It is the intention of this railroad system to continue its present satisfactory service to both Gearhart and Seaside as long as the patronage war-

given in securing an advantageous location at the stockyards. Mr. Raymond, who made his trip East to confer with the proprietors of the Berlin Machine Company that

HEARD

is to establish a factory here, left yes terday for Portland from Chicag

Striking Linemen Aided

Organized labor is standing behind he members of the local electrical the. union who several weeks ago inaugurated a strike against the Mount Hood Railway & Power Company be-cause of a disagreement as to hours of labor and wages. At a meeting Friday might, the Central Labor Council recom-mended that an assessment of 20 cents a month per capita be levied by the several unions of the city against their membership for the aid of the striking

inemen, the assessment to continue in force during the pendency of the strike.

Fruit Shipments Increase.

receive daily a complete transcript of all arrests, supplemented by daily re-ports from the sergeants in charge of the various districts as to the actions of the men under their command. The Mayor will also have laid be-fore him a daily transcript of the cases of the Municipal Court. He will then a ship to trace the arrests by pa-Failure of the police to capture Nick Skufas, who heat Harris Geannopolis to the point of death at Kenton, Fri-day, has aroused great criticism in the suburb, and the feeling was added to yesterday when a report spread that the assaulted man was dead. The res-idents assert that mismanagement by the policemen was responsible for the loss of three chances to capture the fugitive. This is explained from the suburb is that mismanagement by the policemen was responsible for the fugitive. them for results. It is the purpose of the Mayor to decide for himself what kind of ser-vice each policeman in the city ser-vice is doing.

Workers to Be Picked

trolmen on the beats throughout the city up to the court, and to check them for results.

COURT ALSO UNDER EYE

Mayor Decides to Watch Peace

Guards Daily to Be Able to

Oust Laggards and Reward

Best Patrolmen.

Mayor Rushlight has formulated what is regarded as the most novel

system for checking the work of police-men over devised in Portland. He will

eccive daily a complete transcript of

system for

"I propose to note what the police are doing," said the Mayor yesterday, "whether they are arresting citizens and taxpayers for trival offenses or whether they are arresting vicious characters for serious offenses. I want to trace the arrests and see when a case gets into the Municipal Court whether the policeman making the ar-rest supplies the evidence to obtain

whether the policeman making the ar-rest supplies the evidence to obtain conviction. When I make up my mind that a particular policeman is making good where he is. I will keep him there, but when I find that a policeman is not making good, I will have him changed to other work." It is largely the fact that the Mayor is giving such close personal attention to the work of the police force that is unique. He is going to try and keep tab on every member of the de-partment, he says, with a view to se-lecting the efficient and faithful ones and giving them the best there is to be had in the way of promotion and reward for duty well done and of com-peting the laggards and the incom-petents to "make good" or get out. Laggards to Suffer.

Laggards to Suffer.

"If I find, after checking the force If I mad, after checking the force, that certain men are sleepy and don't work hard, said the Mayor, "I will find a place for them where they will not have a chance to sleep. I will put them on a crossing, for example; there is not much chance to sleep there. I don't intend to have shiftless, there are allowed on the shiftless. incompetent policemen on the force and, when I finish this job, I venture to say that the city will have a mighty

to say that the city will have a mighty different police force." The Mayor remarked, also, that the police force is doing better work now than it did some time ago; that con-ditions are improving. He also com-plimented the work of Acting Chief Jover.

Train Time Is Cut.

Effective at midnight last night, the reat Northern inaugurated a modified medule in the operation of its trains

Traffic Order Interpreted.

Potter, leaving Ash-street dock at 8 A. M. A special fare of \$1 to Astoria has been made by the O.-W. R. & N. Authority of policemen to divert traffic to parallel streets, is discretion-ary and conditioned upon the necessi-ties of the particular case, according For those who are unable to go via the Potter, the Harvest Queen and Hassalo will leave Ash-street dock at 8 P. M. Monday, arriving in Astoria at 7 A. M., Tuesday, in time for all the exercises. For reservations, etc., call at City Ticket Office, Third and Washington streets. to a ruling in Municipal Court yester-der. A. L. Fish appeared as defendant, accused of refusing to turn out on East Burnside street when ordered to do so. He asserted that there was no congestion at the time and the order was unnecessary. He was dismissed.

C. E. S. Wood to Speak. Colonel C. E. S. Wood will deliver

Water Hurled, Suit Filed.

a short address tonight at 8 o'clock, in Ringler's Hall, Second and Morrison For throwing a bucket of water upon Ben Laznik, ruining his clothes and giving him a cold in the head, H. A. Kline is asked to pay \$250. Laznik itemizes his claim as being \$10 for the streets. Questions and five-minute speeches will be allowed after the ad-dress. Ringler's Hall is the regular meeting place of branch four of the Socialist party of Portland, each Suncold, \$20 for the suit and the remain- day evening.

Astoria, via the steamer

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COMFORT SILENCE HATTTHE NAME IMPLI "38 - SIX" The Peerless 38 horse power, six-cylinder

motor has the snap and flexibility that a fully satisfactory roadster engine must possess. The Peerless control system is extremely simple, and operation of this roadster is always a pleasure, whether in city traffic or country touring. The low lines of the body are of pleasing appearance, and the appointments for convenience and comfort are complete.

The "38-Six" is also built as a Coupé with inside drive and as a Limousine; or with Touring or Torpedo body.

This model, the "48-Six," the "60-Six," the "40-Four" and the distinctive fore-door bodies are described in our new Peerless catalog.

The steering column of the Peerless is irreversible; it cannot be swerved out of its course by ordinary road obstacles and shocks are not transmitted to the rim of the steering wheel. This is but one of the features in the Peerless construction that make for comfort and for safety.

You are invited to visit our Salesroom

H. L. Keats Auto Co. 7th and Burnside Streets

NEW SACRED HEART STRUCTURES. Three buildings for the Sacred Heart parish, at the southeast corner of East Eleventh and Bismark streets, on Benedictine Heights, will soon be completed. At the corner the two-story frame convent build-ing is finished. Adjoining is the fireproof schoolhouse, built of hollow tile, which will soon be ready for oc-

It is two stories high, with a full basement. Work is being pushed forward on this building, so it will be completed for the opening of school next month. The parish residence for Rev. Father Gregory, a 10-room house, stands just south of the schoolhouse. The church was moved from the former site on Milwaukie street. These new buildings represent an outlay of about \$30,096. The schoolhouse will accommodate 250 pupils, and will be fireproof. It is the first building of the sort erected of hollow tiling. These parish buildings will be dedicated the last of the month.

