

EVIDENCE BY TON IN PHILLIPS CASE

Five Days of Second Trial Pass With Only Half Dozen Witnesses Heard.

ENTIRE RECORDS OFFERED

Action Against Banker Proving Costly to Clark County With Expense Registering \$1200 Already and Is Only Fairly Begun.

KALAMA, Wash., March 9.—(Special.)—Tons of evidence, including all the books, notes, mortgages, contracts and other records of the defunct Commercial Bank of Vancouver, Wash., were introduced in evidence by the state today in the trial against Hugh C. Phillips, president of the bank, charged with having received deposits when knowing that his bank was unsafe and insolvent.

John Y. Richardson, of Portland, expert accountant who was employed by the bank for the purpose of examining the books of the closed bank, was called as a witness by the state at the opening of court this morning and remained on the witness stand the greater portion of today.

The prosecution offered in evidence the entire records and books of the bank for the purpose of future reference. To this the defense interposed an objection, asserting that the state should designate the books and the particular pages to be examined. Judge McKenney sustained the objection, and the state then designated each and every page of the books of balance from March 2, 1907, to December 17, 1910.

Defense at Last Compromises.

The defense then insisted upon its right to hear read every page of evidence introduced. It would require a couple of weeks' steady reading, a compromise was effected and Richardson's examination proceeded. Two irregularities were brought out in his testimony regarding the bookkeeping. The first occurred on December 2, 1907, in which two certified checks, for \$1000 each, were cashed by the Commercial Bank on itself and payable to the Bank of California, its Portland correspondent.

The next day these checks were turned back to the Commercial Bank marked "paid," without any evidence of their having been in the hands of the Bank of California at all. On further examination the fact was brought out that these certified checks were issued for securities upon which to secure a loan from the Bank of California, but when the loan was not negotiated the checks were returned to the bank and cancelled.

The attorney for the defense asked the expert accountant if the would cancel these checks in any way affected the solvency or the insolvency of the bank, or if they in any way affected the relation of the bank to the liabilities of the bank. The accountant answered: "No, not in the least."

The other irregularity in the books found by Richardson, was in November, 1910, when a note signed by Lee Aldrich for \$1000 was carried for a few days as cash on hand.

Defense Scores Point.

The defense secured from Richardson the admission that if the transaction in no way affected the relations of the assets and liabilities of the bank, or its solvency.

Receiver Kies was placed on the witness stand in the afternoon and testified regarding the disposal of much of the properties received by the bank as security for loans made to Aldrich and others. The receiver testified that he had failed to collect some of the property, notably the section of land in Morrow County, Oregon, turned over to the bank by Aldrich, had proved a poor asset.

Judge McKenney ruled that the jury should not consider the price received by Receiver Kies on the various properties sold since taking charge of the bank's affairs, but should consider the value of the property at the time the bank received the Hamilton's deposit on December 16, 1910.

The trial has now run five days and less than half a dozen witnesses have testified. More than 50 witnesses are yet to be called. The former trial, in November, lasted 10 days and cost Clark County \$1494.93. The present case has already made an expense bill of over \$1200, and is only fairly begun. The case will be continued Monday.

TARIFF IS CALLED "CRUEL"

Speaker Clark Says Five-Fold Benefit Goes to "Barons."

FRANKFORT, Ky., March 9.—Champ Clark, speaker of the National House of Representatives, a guest in the capital of his native state, today denounced the Kentucky Legislature the record made by the Democratic party in Congress.

"It has been given out in a manner that seems authorized by the President," Taft proposes to veto any tariff bills that we pass. We welcome the issue. We don't believe it can be postponed, minimized or shunted out of the way.

"The present tariff law raises about \$200,000,000 a year. It is estimated that every time one dollar goes to Uncle Sam's coffers under the high protective tariff system about five dollars go into the pockets of the tariff barons.

JUDGE CHANGE NOT LIKED

Scheme of Elimination in Contests Finds Opposition.

PACIFIC UNIVERSITY, Forest Grove, Or., March 9.—(Special.)—As one of the most successful annual intercollegiate oratorical contests ever held which Oregon University, for the sixth time, was here last night, it was an exceptionally well conducted contest on the part of the state executive committee, free from any irregularities or disputes.

CLACKAMAS FOLK SHY AT SINGLE TAX

Farmers Applaud Negative in U'Ren-Dimick Debate at Beaver Creek.

SECOND CLASH ARRANGED

Attacks Made by Fels Supporter on His Opponent Are Decried by 200 Persons Who Hear Proposed Law Exposed.

OREGON CITY, Or., March 9.—(Special.)—Acrimonious attacks upon Judge Grant B. Dimick, who espoused the

PROMINENT NEWPORT RESIDENTS CELEBRATE GOLDEN WEDDING ANNIVERSARY.



Mr. and Mrs. W.S. Whitten

NEWPORT, Or., March 9.—(Special.)—Mr. and Mrs. W. S. Whitten, prominent residents of Newport for many years, celebrated their golden wedding anniversary on February 13 in this city. Their home was crowded by their numerous friends who came with presents, including a large loving-cup, contributed by all of their guests, and to offer congratulations. A programme had been arranged in advance by the Rev. Mr. Hurd and Elmer Patrick.

W. S. Whitten was the son of a Baptist minister and was born in Phillipsburg, Mo., July 15, 1834. Mrs. Whitten was the daughter of Elijah Camp, bell and was born in Georgetown, Md. Mr. Whitten was a sea captain, having had charge of sailing vessels which went to all parts of the world from Bath, Me. They were married in 1862 and came to Oregon in 1877, settling in Washington County near Forest Grove. In 1887 they moved to Newport, residing there continuously ever since. They have two children, W. S. Whitten, Jr., a business man of Newberg, and F. C. Whitten, of 525 Chamber of Commerce, Portland.

negativity, William D. Wheelwright, of Portland, responded on behalf of the judges. H. W. Stone and Professor Elmer, of Newberg, were also guests of the occasion.

FORBES IS BEND'S FIRST

ATTORNEY ORIGINAL CANDIDATE FOR STATE OFFICE.

College Man Has Distinction of Being City's Initial Aspirant for Representative.

BEND, Or., March 9.—(Special.)—The distinction of being the first candidate from Bend for a state office falls to Vernon A. Forbes, an attorney, who is running for the Republican nomination for Representative from this district.

As Wesley O. Smith, of Klamath Falls, is the only other candidate on the Republican ticket, and inasmuch as this district, and it is almost invariably Republican, with the primaries less than a month distant and no other candidates in the field, it is practically a foregone conclusion that Forbes will be nominated, and that Bend will make its initial entrance into state politics.

A practicing attorney for three years, Mr. Forbes has identified himself with many legal cases with the settlers, and particularly has been a student of the problems that have arisen in connection with the irrigation projects of the FORBES.

At the recent irrigation congress in Portland he was a speaker. A fuller publicity in all state land matters, barring the possibility of star chamber proceedings for the Land Board, is the key note of the platform with which Mr. Forbes is going before the electorate.

H. P. Belknap, of Prineville, the previous incumbent of the office of Representative, has been forced to retire from politics, at least temporarily, because of ill-health. Mr. Forbes is a college graduate, having received his legal and academic education at the University of Minnesota.



Vernon A. Forbes, Bend's First Candidate, for State Office, Makes Announcement.

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negative side of a joint debate on the "County Single Tax or Land Value Bill," by W. S. U'Ren, the Joseph Fels fund advocate of single tax, at Beaver Creek Hall Friday night, failed to win the audience to his way of thinking.

The audience repeatedly expressed its aversion to single tax by prolonged applause for Judge Dimick. More than 200 persons of Beaver Creek and the surrounding district filled the hall, and from the expressions of sentiment, the single tax medicine will not be taken by farmers of this district when election day comes next November.

It was freely asserted after the meeting that Mr. U'Ren's attacks on Judge Dimick lost him many friends, and he was criticized openly by those who heard him for indulging in this method instead of explaining the theories of single tax for which the meeting was called.

Another Debate Arranged.

As a result of the debate at Beaver Creek, W. S. U'Ren today issued the following challenge to Grant B. Dimick, which was accepted:

"So many of our mutual friends have expressed a desire to hear a discussion of the county bill to exempt improvements, personal property and occupations in Clackamas County from taxation, commonly called the 'single tax bill,' that it affords me much pleasure to invite you to meet me at Shively's Opera-house at the earliest date that will be convenient, without expense to you for the hall or the advertising. The comments on the joint discussion last night at Beaver Creek Hall were so satisfactory from my point of view that I extend this invitation to you for Oregon City with great pleasure."

The time for the debate will be arranged Monday or Tuesday.

Modification Is Advocated.

In his opening remarks Mr. U'Ren charged Judge Dimick with not being a friend of the plain black and white, but this was strenuously denied by the latter, who asserted that he had worked for and voted for the measure. Judge Dimick said that he believed that the initiative and referendum should be modified so that not more than six measures should be brought before the people to vote upon at one time, thus avoiding confusion.

Mr. U'Ren then sought refuge by charging that Judge Dimick had never been upon the side of the corporations. Judge Dimick took the fight into the ballroom of the single-taxer, and, reading from extracts from the report of the "Single Tax Conference" held in New York, November, 1910, charged that the single tax as espoused by Mr. U'Ren and the Joseph Fels supporters was nothing more nor less than the theory of Henry George.

U'Ren Makes Denial.

"I am reading from your own booklet, Mr. U'Ren," said Judge Dimick, "which says in plain black and white, referring to the death of Count Tolstoy, that 'this foremost man of the world, whose teachings have made him famous in all lands, has repeatedly announced his belief in the doctrine of Henry George, for which we stand, etc.' I call your attention, gentlemen of this audience, to those last few words, 'for which we stand, etc.' and then ask Mr. U'Ren whether his single tax is not Henry George's single tax."

Mr. U'Ren promptly denied the charge, notwithstanding the printed evidence.

Judge Dimick then cited other planks in the single tax platform as printed in the report.

"Page five of this pamphlet," he said, "contains the following paragraph: 'In addition to the foregoing, the Commission has sent out a quantity of such literature as is obtainable, and many are now under way for the preparation of a Merchants' and Manufacturers' Booklet, the object of which is to show that land value taxation means a saving of dollars, an actual

profit of dollars, to merchants and manufacturers.'"

Advertisement for Packard Motor Car Co., Detroit. Features include: 'Ask the man who owns one', 'The Dominant Six', 'The greatest piece of machinery that ever went upon the highways and the most luxurious carriage.', 'Fastest Getaway', 'Best hill-climber', 'Power without noise', 'Easiest large car to drive', 'Smoothest starting and stopping', 'Safe investment'. Includes a large illustration of a Packard Six car.

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Farmers Held to Bear Burden.

"Now Mr. U'Ren, with the removal of the tax on all improved property, upon whose shoulders will the burden rest to pay this vast amount removed? There is but one answer. The farmers and those horny handed sons of toil, who do not own city lands and buildings, upon the men who have grabbed off their own rough lands to make their own homes and who should retain the benefit of the enhanced value they have by their own efforts placed upon it."

"Labor should not pay a tax. It is our principle," said Mr. U'Ren. "Let the speculative interests be taxed. Let the franchisees of the railroads, as franchisees, be taxed and force the Southern Pacific to pay a tax upon the thousands of acres of lands which it is holding, unimproved, for purely speculative purposes. Place the tax on the fellow that is living off the improvements of the community."

This reply Judge Dimick brought from the latter, when he again took

the floor, further fire in the form of quotations from the booklet.

Book's Statements Read.

"In order to prove further that single tax is a confiscation of private property in land I cite you to page 362 of Henry George's own book on single tax, which the Joseph Fels Fund Commission said in its resolution heretofore mentioned, that the single tax advocates stand for:

"We have weighed every objection and seen that neither on the ground of equity or experience is there anything to deter us from making land common property by confiscating rent."

"We should satisfy the law of justice, we meet all economic requirements by, and at one stroke abolishing all private titles, declaring land public property and letting it out to the highest bidder in lots to suit under such conditions as would scarcely guard the private rights to improvements."

"On page 364 of Henry George's book we read: 'Let the individuals retain what they are pleased to call their land. We may leave them the shell if we take the kernel.'

"Now, men and women of Beaver Creek, you are sure of having the shell and the other fellow will have the kernel. Are you satisfied with such an unfair arrangement as that? That is just what the single tax people say they will do and you will have the taxes that have been removed from the manufacturing plants to pay for and the result will be, an increase in your tax assessment, not a reduction, as is asserted by the Joseph Fels advocates."

Mr. U'Ren replied by quoting from a specially prepared tax roll, figures that were arranged to show a reduction

in taxes, but Judge Dimick said that the County Assessor of Clackamas County had informed him that this roll was made up from the 1910 list and was unfair to use in an argument.

Congressman Stone, of Illinois, does not have an exalted opinion of his colleagues. When he reached home a fortnight ago he said that some of them "almost ought to be hanged." At the same time, he admitted he was surprised at the "large number of honest, sincere and hard-working men" whom he found in Congress.

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Oregon First Excursion Special

Advertisement for Southern Pacific Sunset Ogden & Shasta Routes. Includes a circular logo with 'SOUTHERN PACIFIC' and 'SUNSET OGDEN & SHASTA ROUTES'. Text: 'Portland to San Francisco Tuesday, March 12, 1912'. 'Account PANAMA PACIFIC EXPOSITION 1915'. 'To select a site for the Oregon Building at the Panama Pacific Exposition, to be held in San Francisco, 1915, Oregon's patriotic citizens, headed by His Excellency, Governor West and the Oregon Commission, will leave Portland by special train, consisting of dynamo-baggage car, observation car, two superb dining cars and eight first-class Pullman sleepers. Electric lighted throughout. Train will be in readiness at Union Depot at 10:30 A. M. Luncheon will be served on date of departure on a carte plan.'

Advertisement for Seeley, Who Fitted Czar of Russia, Called to Portland. Features include: 'RUPTURE', 'Seeley, Who Fitted Czar of Russia, Called to Portland', 'Seeley's Spermatic Shield Pad', 'You get The Do & Groove'. Text: 'E. H. Seeley, of Chicago, is now at the Multnomah Hotel and will remain in Portland this Monday, Tuesday, Wednesday and Thursday. He says: 'The Spermatic Shield Truss as fitted to the Czar of Russia and now used and approved by the United States Government, will not only retain any case of Hernia perfectly, affording immediate and complete relief, but cures the opening in ten days on the average case.' This instrument received the only award in England and in Spain, producing results without surgery or harmful injections. Mr. Seeley has documentary references from the U. S. Gov't, Washington, D. C., for inspection. If any interested will call he will be glad to show the truss without charge, or fit them if desired.'