

MANY CHANGES IN JUDICIAL SYSTEM ARE RECOMMENDED

In Address Before State Bar Association Judge King Suggests County Courts Be Done Away With.

Revolutionary changes in the present judicial system in Oregon are recommended in the address of ex-Supreme Court Justice Will R. King, made before the State Bar association meeting at the federal court today. Judge King recommends among other things the establishment of a water board to try all water cases, the establishment of a new appellate court to occupy a position between the circuit court and the supreme court and the automatic increasing of the number of judges of the circuit court, doing away altogether with county courts.

The delay and expense of appealing cases is one of the greatest evils in the present judicial system, said Judge King. At present the cost of appeal is such that it can be borne only by wealthy litigants who can pay the cost of printing and other bills and who can afford to wait several years for the decision. Even then, the cost of the appeal is apt to amount to a sum greater than that in litigation. To increase the number of supreme court judges would not solve the problem in the opinion of Judge King. It would result, he says, in the court sitting in two divisions as is the case in the state of Washington, and returning contradictory opinions.

Benefits of Court of Appeals. Judge King says the solution is the establishing of a court of appeals to consist of three judges, the number to increase in proportion with the population of the state. Cases could then be classified so that one class may stop with the court of appeals and such appeals as might be taken to the supreme court should be limited to decisions upon questions of law only.

At present more than one half the time of the supreme court is consumed in reading testimony in equity cases. Judge King said that every county in the state should have a circuit judge, the court to be given original jurisdiction in all probate matters, thereby abolishing the office of county judge. He thinks the present salaries paid county judges would be almost sufficient to pay the additional expenses of the extra circuit judges. In counties where more than one judge is needed he thinks the number should be increased automatically as special elections for additional judges will always be opposed by some elements.

His suggestion giving the water board or board of control from one to three additional members, with judicial powers limited to the trial of cases involving water rights. He wants the board given the standing of a court to try such cases and enter decrees with the right of litigants to appeal therefrom to the proposed court of appeals. Within five years he says the supreme court will be not less than three years in arrears in its work, half the time the court being kept busy on water cases alone.

Penalty for Appeals for Delay. The paper also recommends that judges of the circuit court be paid not less than \$5000 a year and judges of the supreme court not less than \$5000 a year. Judge King asks especially that the statute enforcing a penalty for appeals made for delay be imposed, in the hope of encouraging the speedy handling of

cases before the appellate court and discouraging the appeal of every case from the circuit court. At present, he says, where litigants can afford an appeal, they do not hesitate to take it whether they are right or wrong, because no penalty attaches to appeals for purposes of delay.

This morning's session of the Bar association meeting was not largely attended, but an effort will be made to have not only all members of the association but other attorneys as well present at subsequent meetings. Reports were received this morning from the executive committee, the committee on legal education and admission to the bar and from the grievance committee.

The reading of the last named report aroused a storm of discussion that lasted until adjournment at noon and that will be taken up again after the regular program is completed this afternoon. E. C. Brounagh, as-chairman of the grievance committee, reported that illness and press of other duties had made it impossible for him to perform his duties as he should have and the committee had nothing to report. He stated that he wished personally to assume the responsibility for the failure of the committee to act.

Cites Unprofessional Conduct Cases.

Julius Silvestone, another member of the committee, presented what might be termed a minority report and which recited a number of apparently flagrant cases of unprofessional and criminal conduct on the part of members of the bar which he demanded the association should investigate. He referred particularly to alleged infractions of an attorney who frequently appears for Greek laborers and of another who is at present under indictment in the state court for the alleged offering to accept a bribe while acting as judge. No names were mentioned in Mr. Silvestone's report, but he stated the attorney in question is now basing at Palm Beach, Fla. He accused him of having taken the \$800 savings of an ignorant Swedish servant employed in his family, of charging the girl several hundred dollars' attorney fees when she asked for

the money and of harassing her until she finally committed suicide in a fit of despondency over the loss of her little capital.

Slater to Address Meeting.

Martin L. Pipes suggested that the grievance committee look into these cases, report them for dismissal from the association if the charges were found to be justified, and that the special prosecutor of the association prosecute them before the state supreme court if evidence sufficient were found. He said he did not believe the committee had any right to try the men before the association. Charles J. Schaubel said that many trivial cases were reported to grievance committees and that no man's name was secure. He recommended caution in handling the cases. E. Heckbert suggested that if Mr. Silvestone had any evidence he try the men in the state criminal courts, not before the Bar association. Further discussion of the report was continued until this afternoon.

CHAUTAQUA PROGRAM READY FOR JULY 9, '12

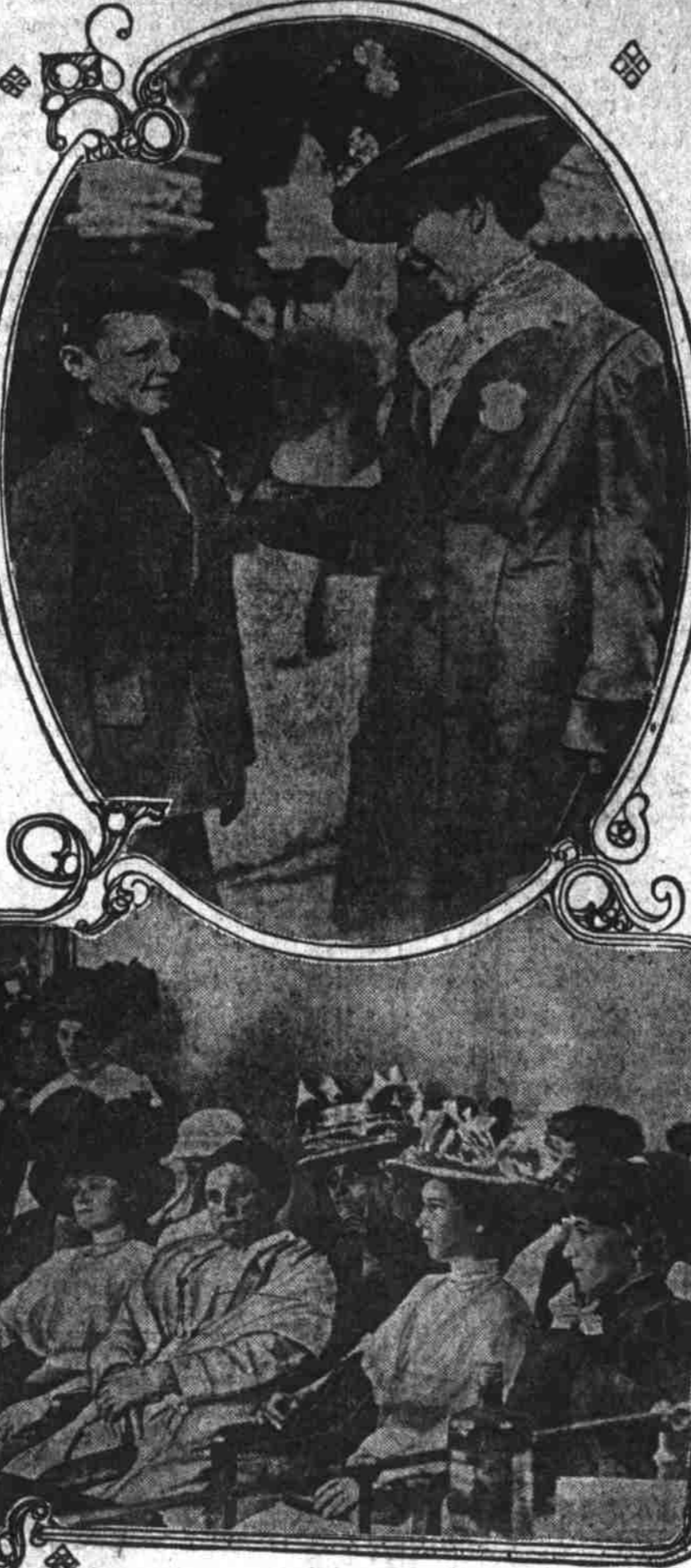
(Special to The Journal.) Oregon City, Or., Nov. 21.—Secretary Cross of the Willamette Valley Chautauqua assembly announced today that the program for the meeting at Gladstone park, July 9 to July 21, inclusive, had been completed. Mr. Cross has arranged with Alfred E. Flude of a Chicago Entertainment company to furnish several of the attractions. The headliner will be the Chicago operatic company, among the members of which are John B. Miller, soloist, of the Thomas orchestra; Arthur Miller, Apollo Musical society; Ross L. Lutzer, Cannon, Apollo Musical society; Leonora Allen, soprano, and Edgar Nelson, pianist and pipe organist. The platform work will be in charge of E. Platt Jones, and the most prominent speakers will be Frank P. Sadler, municipal judge of Chicago; Lou J. Beauchamp, the noted humorist; Clinton T. Howard, temperance orator; Fred Emerson Brooks, western poet; Dr. Len G. Broughton, Georgia preacher, and John Mitchell, labor leader.

Land Grant Cases Set.

United States Judge Wolverton has assigned November 26 to January 14 as the dates for taking the plaintiff's testimony in the suits of the United States against the Oregon & California railroad to cancel the Oregon land grant; from February 5 to March 27 for the defense to introduce its testimony, and from March 30 to April 15 for rebuttal.

The Royal Prussian Aeronautical observatory has instituted a service to warn navigators of the air of the approach of thunder storms.

WOMEN IN PUBLIC SERVICE



The upper picture is that of a Los Angeles, Cal., police woman. Below is the photograph of the first jury composed entirely of women, recently empaneled in Los Angeles to try an editor accused of printing a story in violation of law. They are all married women and their families were interested spectators of the proceedings in court. The case was tried before Justice Cassidy who gave the women jurors the privilege of wearing their hats, if they so desired, during the proceedings. The jury was composed of Mrs. B. T. Wallace, Mrs. Bertha Schermer, Mrs. A. H. Trimble, Mrs. Eva E. Carolus, Mrs. Mary Power, Mrs. Florence Brainard, Mrs. Nellie Mooman, Mrs. Carrie A. Ray, Mrs. N. Steiner, Mrs. A. D. Leavitt, Mrs. J. Hill and Mrs. Essie Finney.

GYPSY ADDRESSES THE ROTARY CLUB

Evangelist Disclaiming Honor for Self Says He's Plain, Trying to Be Christian.

When the men failed to fill all the seats at the noon Gipsy Smith meeting in the Empress theatre today, the evangelist called for a vote on whether to let the women in. The vote was unanimous. "The gypsy asked the men if they thought they could be saved by reversion to babyhood innocence or by moral living. "If you can the Christ is superfluous," he affirmed. "But does any one dare chop down the cross?" questioned the evangelist. "Would anyone take the Bible and cross out the word 'atonement'?" Your trouble is not mental, it is not a consciousness—moral weakness—but the Creator has said, 'You err in your hearts. You try to live the new life with the old heart.' Introduced as a "specialist in soul-romance of grace," by Dr. John Boyd, Gipsy Smith addressed 300 members and guests of the Rotary club at luncheon in the Hotel Portland this afternoon. "I'm just a plain man trying to live an honest Christian life," said the evangelist in deprecation of the glowing introduction given not only by Dr. Boyd but by Dr. Benjamin Young, chairman of the Gipsy Smith executive committee, who called him an "illustration of what God can do with a thoroughly consecrated man." "If you honestly make money, it should be consecrated to God. He will hold you to account for it—but be sure your money is clean," said the evangelist. "Be sure your life is clean. Make the world better for women and children for your having lived." "If there's anything in your business that prevents your serving the Lord, get out of it. He God's purpose for every man is that he live clean, straight, pure—nobly."

MADRAS, BY 7 TO 1, VOTES WATER BONDS

(Special to The Journal.) Madras, Or., Nov. 21.—At a special election held for the purpose in this city yesterday, Madras voted \$10,000 water bonds by a ratio of more than 7 to 1. Bids for the bonds and for construction of the water system will be advertised for at once, and the plan of the council is to have actual work begun before the first of the year and the water system installed completely by early summer, a water supply for the same having been already obtained.

MAXWELL CO. IN FIGHT WITH U. S.

Sale by Auction of 400 Acres in Third Umatilla Unit is Protested.

(Special to The Journal.) Hermiston, Or., Nov. 21.—The case of the Maxwell Land & Irrigation company in its injunction against the Hermiston Bank & Trust company, enjoining the latter, which is the trustee for the government, from selling at public auction any of the Maxwell land, will soon be heard. The Maxwell people contend that the government has not lived up to its part of the contract, or what it stated it would do when the project was first started, when it was understood that the government would bring the water to the highest practical point of every legal subdivision. This was done in the first unit of the project, but in the other units some of the settlers have had to spend several hundred dollars to get the water to their lands. The government also agreed to put in a drainage system and the Maxwell company alleges it has not done this. Settlers on the project will give testimony in regard to the promises made by the government and alleged not to have been fulfilled. "The Maxwell company has a contract with the government in regard to the sale of its land, and is expected to sell a certain amount of land before a certain time, and in case this is not done the trustee is notified to sell at public auction what land is not sold. There is about 400 acres of this land not sold in the third unit of the project, and the trust is to restrain the trustee from selling the Maxwell company has a small army of salesmen on the road and has been very successful. The land proposed for sale at auction contains some of the best on the project."

FOUR GOVERNORS TO BE GUESTS OF REALTY MEN

Chicago, Nov. 21.—Four governors of western states are to be speakers at the annual banquet of the Cook County Real Estate board on the evening of November 28. Brief addresses upon the real estate opportunities of the commonwealths are to be made by Governor Oswald West of Oregon, Governor James H. Hawley of Idaho, Governor E. L. Norris of Montana and Governor E. O. Berthard of Minnesota. Besides the addresses by the governors the banquet will hear remarks by a representative of the Panama-Pacific exposition of San Francisco. The dinner, at the Hotel La Salle, will be for 500 realty men and their guests.

Clatsop Assessment Roll.

(Special to The Journal.) Astoria, Or., Nov. 21.—The work of segregating the 1911 tax assessment roll has been completed and shows a total assessed valuation of taxable property as follows: Astoria, \$3,334,755; Warrenton, \$1,954,242; Seaside, \$1,626,987; taxable property in Clatsop county not located in cities or towns, \$4,652,135.

SWEARS HE PADDED VALUE OF JOHN D.'S MESABA RAILROAD

Engineer Tells Stanley Investigators He Was Instructed to Overdraw Reports to Hide Earnings.

(United Press Leased Wire.) Washington, Nov. 21.—That he padded reports of a railroad to hide its earnings under the personal instructions of John D. Rockefeller, attorney and that the oil king somehow "absorbed" some valuable stocks he held, was the burden of testimony today by C. H. Martz, an engineer who constructed the Duluth, Mesaba and Northern railroad, testifying before the Stanley congressional committee which is investigating the steel trust. Martz detailed the facts of Rockefeller's securing control of the road, and then said that after the road was put in Rockefeller's hands he was instructed to make a report padded to show that the road was valued at \$5,000,000.

"The report," Martz testified, "was submitted to the Minnesota state railroad commission in order to show that the freight rates charged on ore represented a reasonable return on the money invested and were not exorbitant. I padded the report under instructions from George Murray, Rockefeller's personal counsel." Martz said he at one time personally owned 19 shares of the company's stock and that he turned over his holdings without informing them when told to do so in order to raise money with which to build a branch line when the company was forced to use all its stock as security. He understood that his shares went to Rockefeller's office. But they never came back. He was informed that Rockefeller objected to his employees owning stock in his concern. Rockefeller offered Martz \$25 a share for the stock. Martz sold it for \$30 a share. The same stock now pays \$200 a year in dividends.

CRUISERS DISPATCHED TO SANTO DOMINGO

(United Press Leased Wire.) Washington, Nov. 21.—The armored cruisers Washington and North Carolina were ordered this afternoon to proceed at full speed to Santo Domingo to protect American lives and property there in case of disturbances following the assassination of President Caeceres.

Hill Boosts for Oregon. (Special to The Journal.) Chicago, Nov. 21.—James J. Hill was the principal speaker at the land show yesterday. He spoke of the wonderful resources of Oregon and of the possibilities offered for settlement. William Hanley of Burns and ex-Governor Brady of Idaho were honored guests at the big exposition.

WHERE CERTIFICATES EXCEL (NO. 3)

YOU may have the whole abstract examined, from the government down to date, and yet if an omission or error was committed by an abstractor early in the history of the title, no liability whatever could be imputed to the firm that made the last continuation. The liability is fixed in a Certificate of Title—we take the risk—assuming responsibility for the whole title. Investigate. Call for booklet.

TITLE AND TRUST COMPANY Lewis Bldg., 4th and Oak.

HYDE DEFENSE AIMS HEAVY BLOW AT STATE

(United Press Leased Wire.) Kansas City, Mo., Nov. 21.—Attorney Reed today continued the opening statement for the prosecution in the second trial of Dr. Bennett Clarke Hyde, the alleged "garm poisoner," accused of the murder of Colonel Thomas H. Swope, his millionaire uncle by marriage, and numerous other relatives, by inserting typhoid germs in their blood. The defense objected to the introduction by the prosecution of statements that Christian Swope also died with the hands of Dr. Hyde, and on this most important point at the trial, Christian Swope was a nephew of the colonel, and a legatee under his will, who died two years ago. As the theory of the prosecution is built around the supposition that Dr. Hyde murdered the long list of relatives in order to tighten his grip on the million which he married, the probable elimination by the court of testimony and statements in regard to the other deaths will prove a serious handicap to the state.

MITCHELL SAYS MINERS 'PACKED' AGAINST HIM

(United Press Leased Wire.) Atlanta, Ga., Nov. 21.—The convention of the American Federation of Labor was thrown into an uproar here today when Vice President John Mitchell charged that the convention of the United Mine Workers of America was packed through the use of fraudulent credentials when the miners forced him to resign from the National Civic Federation. Secretary Duncan McDonald of the Illinois miners demanded that Mitchell submit proof to this effect at the next miners convention. This Mitchell promised to do. The trouble arose from the adverse report of the committee on resolutions.

OLD MRS. FULLMER IS ILL FROM STORM

Penniless at Astoria Hotel, She Is to Receive Subscription Money.

(Special to The Journal.) Astoria, Or., Nov. 21.—Mrs. Mary Fullmer, the "fine old lady" of the Washington wreck, continued to her room in a local hotel suffering from nervous prostration and a threatened attack of typhoid fever, resulting from her terrible experience aboard the steam schooner, which came so near to destruction a week ago. She will not be able to leave her room for several days and perhaps two weeks. She is practically penniless and subscriptions are being circulated for her by citizens.

Peritonitis Kills Young Rancher.

(Special to The Journal.) Oregon City, Or., Nov. 21.—Smith LeCroy, 24 years of age, a rancher, who lived near Redland, died at a hospital in Portland Monday. He had been operated upon for peritonitis. LeCroy lived alone on a ranch, and when stricken last Thursday night, crawled to the home of a neighbor. He remained there the next day, and Saturday was taken on a train to Portland. He rallied from the operation and it was thought for some time that he would recover. His condition, however, changed for the worse Sunday night. LeCroy was reared in Viola and was a son of a pioneer. His mother is living. The funeral will be held in Redland.

Four Carloads to Hear Gipsy.

Oregon City, Nov. 21.—About 300 residents of this city will go to Portland tomorrow night to attend the services conducted by Gipsy Smith. Four cars have been chartered. Two cars will be occupied by members of the Baptist church and the other two have been engaged by members of the Methodist and Congregational church. Seats have been reserved for the delegation from this city. A reduced fare has been arranged.

Special Sale

Now is the time to obtain one of those marvelous Hornless Talking Machines. As an ideal Christmas present it has no equal, and will be a pleasant daily reminder for many years to come. It is a strong educational influence, as well as a most delightful source of entertainment. Just at the present time we are making a big feature of this machine and are offering strong inducements to help us sell the allotted 600.

Talking Machines

Two hundred sold in two weeks. Twenty-four selections free with each machine. Sent on three days' free trial to any home. Will refund money to any purchaser not pleased with instrument. Made in mahogany, quarter-sawed oak and fumed oak, with highest grade of piano finish. Largest sized turntable—triple-spring motor (plays six pieces with one winding)—concealed sound chamber—hornless type—modulating doors—produces tone absolutely lifelike. Price \$59 cash, or \$7 cash and \$4 monthly.

Now on Sale at 371 Washington Street COLUMBIA PHONOGRAPH CO. EILERS MUSIC HOUSE Seventh and Alder Streets

A Genuine Edison "1912 MODEL" The Very Latest

With Handsome Oak Cabinet and One Dozen (12) Records, Complete.

\$43.35



A Dollar a Week

places this splendid Edison outfit in any home. This is really the most complete outfit we have ever offered on these terms.

In addition to the latest 1912 Genuine Edison Machine, exactly like picture shown above, we include a handsome record cabinet, either oak or mahogany, as you prefer, as well as 1 dozen Edison records (6 standard and 6 ambers), your own selecting, complete for only \$43.35

This Edison machine, with nickel-plated and polished mandrel, will play all Edison records. The newly designed motor has improved start and stop regulating device, runs noiselessly and can be wound while running.

It is equipped also with new style model "S" reproducer, which plays both two and four-minute records. Get yours today. Graves Music Co. 111 FOURTH ST.

Christmas Special

We give you an extra 10 per cent on any article purchased at our store this month, in order to avoid the holiday rush, as our quarters are none too large. We give this special inducement to make your selections now, and we will lay them aside for you until the holidays.

See Our Special \$20 Diamond Rings

- LADIES' WALTHAM OR ELGIN MOVEMENT, 20-Year Guaranteed Case... \$11.50
 - GENTS' WALTHAM OR ELGIN MOVEMENT, 20-Year Guaranteed Case... \$ 9.00
 - LADIES' WALTHAM OR ELGIN MOVEMENT, 14-Karat Solid Gold Case... \$20.00
 - LADIES' CHATELAINE WATCHES, Guaranteed American Movements, spec'l \$ 7.00
 - TEN-PIECE STERLING SILVER MANICURE SET, Special... \$ 6.00
 - FIVE-PIECE GENTS' STERLING SILVER MILITARY SET, Special... \$12.50
 - LADIES' STERLING SILVER TOILET SET, Special... \$12.50
 - STERLING SILVER THIMBLES Special 10¢ — \$1.00 ALARM CLOCKS, Special 63¢
 - LADIES' SILVER TOILET SETS, Special... \$7.50
- EVERY ARTICLE GUARANTEED. NO CHARGE FOR ENGRAVING.

STANDARD JEWELRY STORE

141 1/2 Third Street, Near Alder