

**COURT QUASHES  
LIBEL CHARGES**

**PANAMA CANAL INDICTMENT  
DISMISSED**

**PROSECUTION DECLARED TO BE  
UNCONSTITUTIONAL**

Press Publishing Company, Accused by Roosevelt of Criminal Falsification, Liberated by United States Court

NEW YORK, Jan. 26.—The indictment against the Press Publishing Company, publishers of the New York World, charging Joseph Pulitzer and others with criminal libel against Theodore Roosevelt, President Taft and others, was quashed today in the United States district court.

Judge Hough ruled that the statute upon which the indictment rested was not sufficient authority, or, in other words, that the court had no jurisdiction.

Delaney Nicoll, counsel for the defendants, interpreted the decision as a signal victory for the freedom of the press.

"The curiously ingenious mind," he said, "that brought to life for the first time in 85 years the law under which this prosecution was begun, has retired to private life, but has left this legacy behind it."

"This is not a prosecution brought by aggrieved or injured private individuals; it was begun by the president of the United States in an attempt to show that a libel had been committed upon the American people."

"The statute under which this suit was brought was drafted to punish offenses not covered by laws in the section in which they were committed. In construing the statute, it is not for us to consider what a fair-minded attorney general might do under it; it is for us to consider what can be done with it."

"We had better have the sedition law or even the star chamber again than such a monstrous practise as the government advocated in this proceeding."

President Roosevelt, in his message of December 15, 1908, to congress, thus characterized the publications of which he complained:

"It is idle to say that the known character of Mr. Pulitzer and his newspaper are such that the statements in that paper will be believed by nobody; unfortunately, thousands of persons are ill-informed in this respect and believe the statements they see in print, even though they appear in a newspaper published by Mr. Pulitzer."

"These statements are false in every particular from beginning to end. The wickedness of the slanders is only surpassed by their fatuity. So utterly baseless are the stories that apparently they represent in part merely matter collected for campaign purposes and in part stories originally blackmail."

"I do not believe we should concern ourselves with the particular individuals who wrote the lying and libelous articles. The real offender is Joseph Pulitzer, editor and proprietor of the World. It should not be left to a private citizen to sue Mr. Pulitzer for libel. He should be prosecuted by the governmental authorities."

"There is nothing to choose between a public servant who betrays his trust, a public servant who is guilty of blackmail or theft, or financial dishonesty of any kind, and a man guilty as Mr. Joseph Pulitzer has been guilty in this instance. It is, therefore, a high national duty to bring to justice this villifier of the American people."

Judge Hough, in rendering his decision, said, in part:

"It is charged here that the crime

**New Catholic Church to Be  
Dedicated by Bishop Conaty**



ST. MICHAEL'S CHURCH

A high mass after the dedication services, in which the Holy Cross choir will take part. A vesper service will be conducted in the evening by the officiating priests.

The church, which has just been finished, has a seating capacity of 600 persons.

of sending libelous matter through the mails is punishable at the place of destination of the libelous matter. If that is so held that the offense of libel on federal territory is a crime cognizable in the federal courts, the question is a broad one. In this case, we have an alleged libel published in New York city and sent out into Orange county."

"But we find that, in the distribution made in Orange county, it happened to be disseminated at West Point, a territory ceded to the government, and, therefore, the action comes up in this court."

"It cannot be denied that by the same act a crime may be committed cognizable by the state and the nation, but this affords no reason to confine the punishment of the offenders to one jurisdiction."

"The law invoked here, is, I take it, simply a territorial convenience, and that, in this case, if any crime has been committed, it is to be regarded rather as an offense against the state of New York, which happened to be committed on government land, than an offense against the government under the statute."

"The burden of proof rests on the prosecution to show it was the intent of congress to entrust to the courts of the United States the punishment of offenses other than those primarily committed on United States territory."

"Among lawyers the opinion was general that today's collapse of the government's case marks an end of further prosecution."

**MISMANAGEMENT OF  
BANK FUNDS CHARGED**

County Treasurer, District Attorney and Two Bankers Are Under Indictment at Redwood City, in This State

REDWOOD CITY, Cal., Jan. 26.—Indictments against Dr. Joseph L. Ross, president of the First National bank of San Mateo, and L. P. Behrens, the cashier of the same institution, were returned before Superior Judge George M. Buck today by the grand jury, which also presented accusations against P. P. Chamberlain, county treasurer, and Joseph J. Bullock, district attorney of the county.

The indictments against Ross and Behrens charge that they as bank officials applied county money to their own use, greatly in excess of 50 per cent of the paid up capital of the bank, without giving any security as required by law.

The paid up capital of the bank is \$102,300, which would only allow the institution to take \$51,150 upon giving proper security, while the indictments charge the bank officials with receiving \$300,000.

The accusation against Chamberlain is for his connection with the deposit of the money in the First National bank and the accusation against District Attorney Bullock charges him with failure to enforce the law regarding such deposits.

**RESURRECTION DAY FOR  
CHINESE DEAD IN CHICAGO**

Thirty-One Bodies Shipped from the Windy City Cemetery on Way to Consecrated Ground in Orient

CHICAGO, Jan. 26.—"Resurrection day" ceremonies for Chicago Chinese were held at Rose Hill cemetery where the Chinese burying ground for the middle west is located.

Thirty-one boxes will be Chicago's quota to the grim shipment which will be started to a port in the Yangtze river, S. C., to China, where the bones will be reinterred in consecrated ground.

Sam Moy, the most famous Chinese buried in the ground at Rose Hill, will not be taken to China. He died in 1902. The explanation which local Chinese give, is that he became so famous and important while here that it is not necessary for him to be buried in consecrated soil in order to enjoy the delights of conversing and living with the ancestors who have gone before.

**MRS. HARRIMAN TO QUIT  
WALL STREET SPECULATION**

Millions of Late Railway Magnate Will Be Invested in High-Class Realty

NEW YORK, Jan. 26.—The millions left by E. H. Harriman are to be withdrawn gradually from Wall street, according to a statement published here today, and will be invested to a large extent in high class Manhattan realty.

Mrs. Harriman's advisers, it is said, realize that without the hand of Mr. Harriman to guide and guard her interests in stocks, there might be manipulation which would cause a large loss to the estate, and might have a far-reaching effect on the financial interests of the country.

**MOVEMENT ON FOOT FOR  
NEW STATE OF SISKIYOU**

North California and South Oregon Tired of Being Slighted by State Governments

MEDFORD, Ore., Jan. 26.—Agitation for the creation of a proposed new state, to be called Siskiyou, out of Northern California and southern Oregon, has reached such a stage that a convention has been called to meet at Yreka, Cal., on March 15. A number of prominent men of the territory affected have promised to attend. The proposed state would include seven counties of California and five in Oregon.

Alleged slight of this territory by the more populous districts of the two states has been the cause of dissatisfaction culminating in this movement.

**ORDERS BANKER RELEASED**

SAN FRANCISCO, Jan. 26.—At the request of State Superintendent of Banks Alden Anderson, Captain of Detectives Anderson today asked the police of Memphis, Tenn. to release William C. Hays, former vice president and general manager of the Union State bank here. Anderson declared that while the affairs of the wrecked bank are still in a bad muddle he had not secured sufficient evidence to charge Hays with a violation of the state banking laws.

**BLACK DAMP KILLS TWO**

CHICAGO, Jan. 26.—Death from black damp and natural gas was the fate today of two workmen who had been lowered ninety feet in a bucket to the bottom of a caisson where a large building is in course of construction. In a futile effort to save the men two firemen were overcome, but revived. One of the workmen was asphyxiated after he had volunteered to be lowered into the caisson in an effort to save his companion.

**SHOOTS AT HUSBAND**

SAN FRANCISCO, Jan. 26.—Because her husband threatened to leave her while her mother lay dying, she was ill herself, Mrs. Bertram Woods fired a shot at him today as he was walking away from his home. The shot went wild, and to the police she said she had merely fired into the air. On her promise to come to headquarters when called, the woman was not placed under arrest.

**FIVE BODIES RECOVERED**

SAULT STE MARIE, Mich., Jan. 26.—Five bodies were recovered today from the Canadian Pacific railway wreck in Spanish river. Miss Morrison, a sister of Daniel Morrison, is still missing. The death toll now numbers forty-nine. From inquiries from relatives it is believed the total death list will reach thirty-seven.

**VIRGINIA ELECTS SENATOR**

RICHMOND, Va., Jan. 26.—The legislature today re-elected John W. Daniel to the United States senate.



**Fashionable One-Piece  
Cloth Dresses**

Every One in the House Marked  
Just One-Half Price

SCARCELY a woman but what could make excellent use of one of these pretty wool dresses during the cool days of early Spring, and the price at which they are now marked hardly covers the cost of materials alone.

**The New York  
CLOAK & SUIT  
HOUSE**

The Style Shop of Los Angeles



**The Styles**

ARE as varied as one could wish and include many of the most popular modes for present wear, both plain tailored and more elaborate.



**The Colors**

VERY nearly every fashionable shade is represented in the assortment, so you will be sure to find one which pleases you.

**EXPANSION  
SALE**

**Sensation Follows Sensation!**

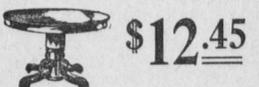
Bargain follows Bargain and Customer after Customer finds here the things in Furniture, Carpets and Draperies that she had been wanting at prices that have never before been equaled in this city. It is not the custom of this store to advertise perpetual or constantly recurring sales. We stand for value, twelve months in the year. But right now there is a very real and a very pressing necessity for moving brand new furniture quickly, and these low prices are certainly doing the work.

**Liberal Credit On All Goods**



**Golden Oak  
Dresser**  
Regularly \$19.50

A big dresser, with gracefully swelling front, that is easily worth its original price. Beautifully finished, heavy plate glass mirror with beveled edge.



**Dining Table**  
Regularly \$16.75

Fumed oak; beautifully grained and made massively; extra finish; 6-foot extension.



**Dining Chair**  
Regularly \$3.25

Golden oak with real black leather seat; built with extra reinforcement and uncommon solidity.

**Linoleums**

One of the largest stocks in Los Angeles to go at sensational Expansion Sale prices. \$1.75 A quality German In-laid, now, laid, ..... \$1.50

\$1.65 A quality American In-laid, now, laid, ..... \$1.45

65c grades now priced, laid, ..... 52½c

80c and 85c grades now priced, laid, ..... 69c

No. 1 English Oilcloth, 39c Worth 55c, now, laid, ..... 39c

ALL LINOLEUM REMNANTS, HALF PRICE

**Portieres \$3.25**

Fancy Rep Portieres, 48 inches wide, 3 yards long, with tapestry band; regularly \$5.00 a pair, now \$3.25 pair.

\$10.00 Portieres at ..... \$7.25

\$12.50 Portieres at ..... \$9.35

\$15.00 Portieres at ..... \$9.75

**Remnants ½ Price**

Our stock-taking is now over. Many remnants have accumulated of from 1 to 4 yards. There is a large assortment of Tapestries, Rugs, Damasks, Stripe Silks, China Silk, Figured Nets, Swisses, Madras, Scrim and all kinds. All regardless of cost at just ½ price.

**Bungalow Nets 16c**

We now show one of the largest assortments of Bungalow Net in Los Angeles, and there is not an old pattern in the stock. During this sale we will sell:

25c Bungalow Net at ..... 16c

35c Bungalow Net at ..... 22c

50c Bungalow Net at ..... 29c

**Rugs**

\$40 Royal Wilton rugs, 9x12, ..... \$34.25

\$25 Wilton rugs, 9x12, ..... \$28.50

\$30 Body Brussels rugs, 9x12, ..... \$24.85

\$30 Body Brussels rugs, 9x12, ..... \$26.55



**Oak Rocker**  
Regularly \$8

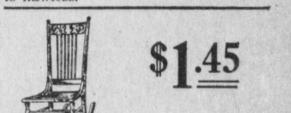
Fumed oak; mostly quarter-sawn; heavy, durable imitation Spanish leather cushion.



**Iron Bed**  
Regularly \$6.50

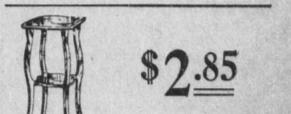
Choice of six attractive finishes in this pretty design. Very heavy construction, with lines that make it unusually rich and a workmanship that is flawless.

Choice of six attractive finishes in this pretty design. Very heavy construction, with lines that make it unusually rich and a workmanship that is flawless.



**Oak Rocker**  
Regularly \$2

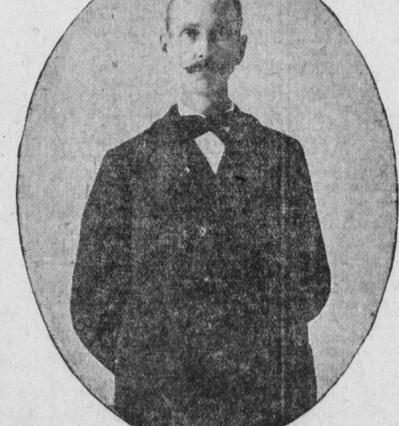
Solid oak, golden; most of it quartered; good cane seat; \$2 would be cheap for it.



**Parlor Stand**  
Regularly \$3.75

Solid mahogany or golden oak; dainty yet decidedly substantial; your opportunity if you need one.

**Temperance Advocate  
Recommends**



"It is the greatest tonic for general debility," says Louis H. Eaton of Zanesville, Ohio. He believes that Duffy's Pure Malt Whiskey taken as directed is a proper medicine for all.

He writes: "You are at liberty to publish any and all statements made by me in regard to the medicinal virtue of Duffy's Pure Malt Whiskey. I will promptly answer all who may write me concerning my sickness and the beneficial effects of your medicine, for my stomach ills. In a word, I most heartily and conscientiously recommend your Whiskey. It is the elixir of life."

"I do not recommend any intoxicating liquor as a beverage; it is a curse to the country, but taken in a right manner, a good, pure whiskey is certainly a proper medicine, and I believe Duffy's Pure Malt Whiskey is one of the best that money can buy. It is a great tonic for general debility." Louis H. Eaton, 639 Chestnut St., Zanesville, Ohio.

Ministers of the gospel, doctors of medicine, nurses and people everywhere unite in commending Duffy's Pure Malt Whiskey, the only perfect tonic stimulant, the one true medicinal whiskey. It has brought health and happiness to thousands of homes during the past fifty years. It is recognized and used as a family medicine everywhere.

Your Truly,  
Louis H. Eaton  
Zanesville, Ohio  
8-19-09

**Duffy's Pure Malt Whiskey**

is one of the greatest strength builders and tonic stimulants known to medicine. It strengthens and fortifies the system against the attacks of disease and dangerous germs and assists in building up the weakened tissues in a gradual, healthy, natural manner. It is wonderfully effective in the cure and prevention of consumption, pneumonia, grip, bronchitis, coughs, colds, malaria, low fevers and all wasting, weakened, diseased conditions if taken in time in small doses as directed.

It is invaluable for overworked men, delicate women and sickly children. It strengthens and sustains the system, is a promoter of health and longevity, makes the old feel young and keeps the young strong.

If in need of advice, write Medical Department, The Duffy Malt Whiskey Company, Rochester, New York, stating your case fully. Our doctors will send you advice free, together with a valuable illustrated medical booklet, containing rare common sense rules for health which you cannot afford to be without and some of the many thousands of gratifying letters from men and women in all walks of life, both old and young, who have been cured and benefited by the use of this great medicine. It is sold everywhere by druggists, grocers and dealers or shipped direct for \$1.00 per large bottle.



PHONES: F-2972 : MAIN-2972

**LYON  
MCKINNEY  
SMITH & CO**  
648-652 BROADWAY (OPPOSITE SULLIVAN) AT SEVENTH