

THE OBSERVER

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FIRST DEGREE MURDER.

Inquiries from people unversed in the technicalities of the law have come to the Observer lately in regards to the legal definitions of murder in first and second degree and manslaughter. The definitions are:

Murder in first degree: If any person shall purposely, and of deliberate and premeditated malice, or in the commission or attempt to commit any rape, arson, robbery or burglary, kill another, such person shall be guilty of murder in the first degree. (B. & C. Code, Sec. 1741.)

Murder in second degree: If any person shall purposely and maliciously, but without deliberation and premeditation or in the commission or attempt to commit any felony, other than rape, arson, robbery or burglary, kill another, such person shall be deemed guilty of murder in the second degree, (B. & C. Code, Sec. 1742); or kill or injure another so that death is caused, in a duel. (B. & C. Sec. 1743)

Manslaughter: If any person shall, without malice, express or implied, and without deliberation, upon sudden heat of passion, caused by a provocation apparently sufficiently to make the passion irresistible, voluntarily kill another, such person shall be deemed guilty of manslaughter. (B. & C. Code, Sec. 1745); or, if any person shall, in the commission of an unlawful act, or a lawful act without due caution or circumspection, involuntarily kill another, such person shall be deemed guilty of manslaughter. (B. & C. Code, Sec. 1746) Certain other acts are defined to constitute manslaughter, by Secs. 1747, 1748, 1749 and 1750.

THAT WAIL.

Such a sadness! Such a grief! The rancher wails because the cowboy has got the "bug" of unrest. In place of punching cows at \$40 per, he would be posing as the noble cowboy hero, rescuing the beautiful daughter of the rancher from the villain, quotes an exchange. He would ride up in a cloud of dust, shade the sun from his eyes, then, while his horse bucks for the benefit of those who will see the film, giving local color so to speak he pulls his gun from his holster and with shots, one, two, three disables the villain, makes away with the girl and is happy ever afterwards. Then, for a change, he becomes a squawman and clutches to his manly bosom some lovely squaw (white girl made up for the occasion) after rescuing her from the rage of Black Thunder, or an equally poetic person.

Oh, yes, it's a great game being a moving picture cowboy. Posing as a hero at three per-day—has fits over posing as the real thing and doing hard work.

ALARMED AT OUR GROWTH.

President Butler, of Columbia University, is alarmed over the increase of population in the continental United States. He can see already that we are nearing the stage already in China, Russia and India, wherein the population threatens to crowd upon subsistence. In that connection he warns us that "we should cease to live on our capital and begin to live on our income."

The warning is slightly ambiguous, except as to its general import, which may read thus: that we should be more economical in the use of opportunities and resources which Nature has provided, and that in the matter of agriculture, for example, we should learn to get more out of the soil than we do at present, and at the same time maintain its productivity. So far, the warning is in line with the doctrine of conservation, and in that respect is worthy of serious heed, remarks an exchange.

Court attaches and men who have followed closely all trials of importance in recent years affirm that District Attorney Ivanhoe made the most brilliant argument yesterday forenoon that has been made to a Union county jury in years. Free from flowery eloquence but laid before the jury in a plain, simple and connected manner, the speech will stand as an appeal in class by itself for a long time.

There was a touch of humanity in that verdict reached in the Ellexon case—it is justice sprinkled with consistency.

WANTS VICTIM OF MAD DOG GIVEN PASTEUR

THOUGH JOHNSON HAS RECOVERED, LITTLE IS ANXIOUS.

Found Dogs and Coyotes Showing Signs of Hydrophobia.

Dr. Lytle, the state veterinary, returned this afternoon from Wallowa county where he has made a careful examination of the reported hydrophobia cases in that county, said to have been spread by coyotes inflicted with the dreaded disease. The Pendleton doctor is determined to have the man who was bitten by a "mad" dog at Grouse or near there, taken to Portland and placed in the Pasteur Institute. Mr. Johnson has been informed that he is fully recovered as the wound has healed up, but the state veterinary will not be content until the Pasteur treatment has been given him. The disease may crop out at a later date, when apparently the man has fully recovered. Mr. Lytle made a careful inspection of the dogs inflicted with the disease. The case is unquestionably hydrophobia and all possible care to stamp out the disease will be carried out. While he is extremely desirous of having the animals carefully guarded and penned in, he is still more anxious to have the Pasteur process applied to Mr. Johnson, the only man known to have been bitten by the inflicted dogs.

Store Open Friday & Saturday Evening

USEFUL GIFTS ARE APPROPRIATE

Our Christmas Showing

includes many useful gifts for every one. You will be certain to find something here that will please

Store Open Friday & Saturday Evening

WHAT TO BUY FOR HIM

- Bath Robes \$4.00 to \$12.00 Smoking Jackets \$3.50 to \$10.00 House Slippers 50c to \$2.50 Keiser Neckwear 50c to \$1.50 Linen Handkerchiefs 25c to 50c Silk Mufflers 75c to \$2.50 Warm Dress Gloves \$1.25 to \$5.00 Traveling Bags \$2.50 to \$25.00 Suit Cases \$2.50 to \$22.50 Fancy Suspenders 50c to \$1.50

GIFTS THAT WILL PLEASE HER

- Silk Kimonos \$4.00 to \$15.00 Hand Bags \$1.25 to \$10.00 Silk Scarfs \$1.00 to \$3.00 Tailored Waists \$1.50 to \$3.00 Mexican Drawn Work 50c to \$5.00 Round Table Linens \$4.00 to \$3.50 Napkins to Match \$6.00 to \$10.00 Doz. Square and Oblong Table Linens \$2.50 to \$7.50 Each Napkins to Match \$3.00 to \$4.50 Doz. Hand Embroidered Hdkfs. 25c to 80c. Keiser Ladies Neckwear 25c to \$1.50 Fancy White Aprons 30c to \$1.25

PRESENTS FOR CHILDREN

- Flying Machines 25c Each Diabolo Spinners 50c set Baby Bumps 60c to \$1.25 Teddy Bears 50c and \$1.25 Talking Esquimos 65c to \$1.25 Woolly Dogs 50c to \$1.25 Chanticleer Dolls 35c each Childs Fur Sets \$1.75 to \$3.00 Stocking Caps 25c to 60c House Slippers 50c to \$1.00 Knit Bootes 20c to 50c pair

\$8 Another shipment of Pendleton Indian Blankets just received. The best gift for \$8 any one of the family. Bought to retail at \$8 each

Fine Linens - DELAYED SHIPMENT ARRIVED AND NOW ON DISPLAY

Store Open Friday and Saturday Evenings

N. K. WEST - The Quality Store

...THE LAST WEEK...

AND THE BEST WEEK TO BUY

Our store is still full of the choicest line of Christmas Goods ever shown in La Grande. Our prices are very low and you can find just what you want here. Pickard Hand Painted China...none quite so good. Our cut glass display is still complete and the prices are very low. You have never seen a nicer display of perfumes...and they are always acceptable gifts. Ladies Hand Bags....All kinds, shapes and colors...and Jewel Cases that never Tarnish

DON'T OVERLOOK

REXALL

Hill's Drug Store

REXALL