

WHY POLICE RAID?

Judge Hogue Wants to Know a Few Things.

ASKS OFFICER CHURCH TO TELL

Police Sergeant Acts as Mediator in Fixing Up Gambling Trouble—He Hears From the Court in No Uncertain Language.

Some explanation of the reason why the authorities are powerless to put a stop to gambling and other forms of vice forbidden in the city ordinance was brought out yesterday at the Police Court in the trial of Fred Morley, charged with gambling. Sergeant Church was on the stand, and before Judge Hogue and Attorney R. E. Glitner had finished questioning him he was in rather an embarrassing situation. The testimony showed that the sergeant had been notified by Morley that a game of poker was running at De Martin's. Morley claimed he had been robbed in the game. Instead of sending officers to raid the place, Church telephoned to De Martin to come down to the station and see if he could not square it with the boy. This falling, Church placed Morley under arrest for gambling, but preferred no charge against De Martin for letting the game run in his house.

Morley, according to the testimony, is a green country boy who came to the city with \$15 in his pocket and, seeing the game, took a hand. He had played but a few moments when he was dealt a queen full, and bet all of his money. Much to his dismay, however, the other players held a king full, and he lost. Believing that there had been crooked work, he went at once to the police station and notified Sergeant Church.

"Do you want to swear out a complaint against these men for gambling?" asked the sergeant.

"No," said the boy, "I want to get my money back."

The sergeant then telephoned to De Martin, and he and the young man who had held the king full came to the station. "He only lost \$5," said they, and they offered to return \$5 to Morley. Morley would not take the money, however, and held out for the entire \$15. After they had talked settlement for some time and reached no adjustment, the two young men were placed under arrest, but allowed to go on \$5 bail. Nothing was done in the case of De Martin.

It was when Sergeant Church was called on the stand that the fun commenced. After questioning him some time as to the facts in the case, Attorney Glitner asked:

"Now, you are an officer of the law, are you not, Mr. Church?"

"Yes."

"You know that there is an ordinance against gambling or running a gambling-house?"

"Yes."

"Then when this young man told you of gambling at this house you did not make any effort to have the guilty parties, but sent for the man to come down and square it?"

"He was not willing to sign any charge against them for gambling," said he. "He only insisted on having his money back."

"Well, you telephoned to De Martin to come down."

"Yes."

"And he said that the man only lost \$5. Was not that a confession of gambling? Otherwise, how did he lose the money?"

Here Church appeared a little bothered at the general trend of the questions.

"Oh, I guess I could have brought a charge against him," said he. "I guess I could bring a similar charge against you if I depended upon the word of every stranger that comes in."

"It is not on trial," said the attorney.

Here Judge Hogue took a part in the examination.

"Why did you not send officers to raid the place when you were told that there was gambling there?" he asked.

"I did not think that I had a right to," said he. "There was no complaint."

"Have you any instructions from the chief as to what to do when you hear of a place where there is gambling?" said the judge.

"Yes."

"What is it?"

"Send the police."

"Then, why didn't you raid this place when the young man brought you the word and the accused people themselves came to you and admitted having gambled by saying that they had lost \$5?"

"Well, if you want to know, I will tell you," said the sergeant, with an air that led the judge to think that he was coming to some important discovery.

"Well, if I hadn't wanted to know I would not have asked," said the judge, and the sergeant thought for a minute and said:

"Well, to tell you the truth, I didn't think of it. And then there were not any policemen around the office, so I couldn't."

"You heard that the law was being broken," said the judge, "and could not send any officers to stop it? Then I should like to know what the Police Department is for."

"My impression of the case is," continued he, "that Morley did not come to the station for the purpose of bringing the law-breakers to justice, but just for the purpose of getting his money back, and he is not entitled to any consideration for that. He is an offender the same as the rest. He brought evidence to the station, but this did not help the police. I doubt if any amount of evidence could be brought to the Police Department to spur it to action. It seems that if any one desires to report on the gamblers he had better go somewhere else than to the police. It is a matter in which they are not interested."

After the trial was over Mr. Glitner made an eloquent appeal for the defendant. "He admits that he is guilty of gambling," said he, "but the law allows a fine of from \$1 to \$500. I think that this is a case where you ought to make the fine the lowest possible. It is a hard thing for us to find out the places where the people are gambling, and if we find the ones that give us the information and fine them heavily it will serve to close the mouths of others, and the vice will go on more than ever. If we let them see that we are glad to have them tell us where we can find these vices and punish the offenders there will be some encouragement. There are a number of people who gamble because there is a game running. If the games were stopped there would not be any gambling. The ones who run them are the ones who are really the most guilty, and it is to discourage the victims whom they rob from reporting the matter, how can we expect to stop it?"

The case was continued, however. The judge then issued a bench warrant for the "king-full" man, but in the fortuitous name of Adams. It is also intended to prefer charges against De Martin for having run a gambling-house.

JUDGE HOGUE SPEAKS OUT.

Writes to Police Commission Urging Destruction of Gambling Devices.

Further evidence of the decided stand that Judge Hogue has taken in the enforcement of the city ordinance is contained in the letter which he has written to the Police Commission. In his court he has made the penalties heavy, but the proper sense in the raising of the hands of the Police Commission, Sections 53 and 54 of the city charter say that this property shall be destroyed, and in his letter he calls attention to this fact. The letter reads:

Portland Oct. 3, 1902.—To G. W. Bates, A. L. Maxwell and William M. Ladd, Police Commissioners and the City of Portland—Gentlemen: I have been instructed by W. H. Hogue, Municipal Judge, to inform you that on the 27th day of September, 1902, Tom Williams et al. appeared before the Municipal Court by counsel and pleaded guilty to a violation of the ordinance charging of gambling against the above-named defendants by the City of Portland.

The above-named defendants, defendants were found gambling in known as the Gem Club, and located at 127 1/2 Sixth street.

In the course of the trial it did not appear as to who were the owners of the above-named premises. On the 24th day of September, 1902, also appeared before the Municipal Court in person and by counsel Sold Back and 26 other Chinese, charged by the city of the crime of visiting a gambling-house. The last above-named defendants, through their counsel, deputed and were accorded a jury trial, seen by jury being composed of representative business men of the city. The jury in their deliberation found all, except the three last above-named defendants, guilty as charged.

The premises wherein the above-named Chinese were found visiting is located at 29 North Second street. It did not appear at the trial who were the owners of said premises.

Your Municipal Judge respectfully desires to your attention to sections 53 and 54 of the charter of the City of Portland.

Respectfully yours, FRED L. OLSON, Clerk Municipal Court.

GAME BIRDS SCARCER

SLAUGHTER OF LAST SEASON HAS TOLD ON THEM.

Game Warden Quimby Suggests Amendments to Law—Make Outside Hunters Pay.

"Game birds are not so plentiful in the Willamette Valley as they were last year," said Game Warden and Forestry Warden Quimby yesterday. "Yes, there are some violations of the open season laws, but when you are watching crows and the culprits may feel the power of the law when they are not looking for it."

"In Multnomah County there are fewer illegal practices than anywhere else in the state. This is because of the greater chance of detection. Violators have been vigorously ferreted out in this county. The laws were more faithfully observed in this county also during the closed season. The reason is because of the greater number of plentiful here this season than in other counties."

Linn and Lane Counties last season had more upland birds than any other districts, but when Quimby says they are thinned out this year. "Last November, during the last 15 days of the open season, when game may be marketed, 5000 birds were destroyed," said he. "It was a ruthless wholesale slaughter. Probably 2500 of them were hens. As hens lay between 40 and 50 eggs every season, and hatch as many as three broods of young, it is easy to see how the slaughter has thinned out the birds. The effect probably is more apparent this year than it would be at any other time on account of the destruction that late cold rains worked upon the birds. Farmers and train hands have told me this year that they saw many young birds dead or benumbed by the cold."

Mr. Quimby likes to hunt the ring-necked pheasant as well as does anybody else. "That pheasant," said he, "is the finest game in the world, and hunting it is the most thrilling of sports. It is easy to understand how otherwise law-abiding citizens allow their enthusiasm to get away with them. Quimby says, being under the law they will have to pay the penalty. Our laws are the most lenient of any in the United States. We are permitted to kill 10 pheasants a day. In some Eastern states citizens may not kill more than that number in a whole year. We may hunt every day in the week in the open season. But Eastern hunters are frequently prohibited from hunting on Sunday, and even on certain week days.

"I believe in protecting the birds while we have them, instead of trying to restore them when they are nearly exterminated. The Oregon laws are good as far as they go, but the time is demanding that they be improved. We have made a good beginning. Now we shall have to build higher from those beginnings. I have six deputies now, all over the state. The time is coming when I shall have to have two or three in each of the valley counties, especially just before the open season begins. Of course, I can't carry them all over the state, but I can't get up to fulfill their duties vigorously."

Mr. Quimby believes that an effective system of non-resident licenses would afford revenue that would meet the entire expense of the Game Warden service. That cost at present is borne by the state, which appropriates \$200 a year. "Oregon is famed all over the United States as the best place in the world for upland birds," remarks Mr. Quimby. "The number of outside hunters is increasing every year. But, owing to an unfortunate wording of the present law, we cannot license them, as do authorities in other states. Nine-tenths of the states have these licenses. It reduces the cost of game production to the states and puts the cost where it belongs. Here, outsiders pay licenses only for killing game on the market. Californians come over the line and kill much game and take it home, in many cases without detection."

Mr. Quimby says that penalties are too small. He suggests that in the case of upland birds, for example, fines be imposed according to the number of birds killed beyond the legal number. In this way the punishment would be graded according to the offense.

"We are having a little trouble as to ducks. Sportsmen up the valley complain that Multnomah hunters kill off more than their share. The fact is, however, that in this county sportsmen attract the ducks by feeding them. Therefore the fowls are attracted here in preference to other places. Birds are like folks. They like those places best where they are best entertained."

LET HUNTERS BEWARE.

Maclean Park Will Be Protected—Purchase of Buffaloes!

No hunting nor shooting in Maclean Park. This is the mandate of the Park Commission. Any person caught there preying upon the beasts of the field or the fowls of the air will be prosecuted to the full extent of the law. Municipal Judge Hogue said yesterday that he would inflict the penalties that the law provides.

Many game birds have flocked to the park recently, especially pheasants. This is because of the protection afforded them there by the undisturbed natural conditions. But in the past three days people have been shooting in the park. The commission yesterday resolved to station a guard in the park, and he will wear a star granted by the Chief of Police. The commission is determined to make severe examples of culprits. The park is well plastered with notices forbidding hunting.

It's up to the commission whether or not to purchase some buffaloes. A man in the Middle West has offered to sell buffaloes to the city at the rate of \$60 each. The city has a number of acres, but not so much that of the wilderness as of where to put the animals. The City Park has no place for them, and neither has the property of the Water Commission, the City Park, Columbia Park, at Peninsula, containing 300 acres, might be available. Maclean Park is not suitable, because the land there is not level enough. The commission referred the matter to Dr. T. L. Elliot and Colonel L. L. Hawkins.

An offer to sell the city two small tigers was also referred to Colonel Hawkins and Dr. Elliot. The zoo at the City Park does not contain the number and quality of animals that it should have, but owing to the small amount of money available the commission can make only small expenditures.

ROBBED A PAWN SHOP.

Man Guilty of the Crime Caught by the Police.

A bold, bad robber was caught by Detectives Kerrigan and Snow yesterday and confessed to having broken into a number of pawn shops across the city. He is Frank Seymour, who gave his age as 22, and stated that he had recently arrived from New York, and he is now known to be the man who has committed a robbery at a pawn shop. He has probably been in the city but a short time, but he has not been wasting any time while here.

Yesterday the detectives obtained a description of a man who had been trying to sell some of the stolen articles about 2 o'clock he was in the act of paying for a bed in the Everett lodging-house, when the detective stepped up to him.

"Never mind," said Snow, "we have a free lodging place for you."

The man seemed to know what the detectives wanted and attempted to draw a gun. He was too slow, however, and he was overpowered before he could do anything. After they had taken him to the City Jail he confessed that he was a number of pawn shops across the city to get out of it," he said; "you have me, and there is no chance to overcome the evidence."

When asked if he was a general bad character, the detective remarked that any man who had nerve enough deliberately to throw a rock through one of the large windows of a store and then to wait until everything was quiet and go in and create a commotion, was bad enough to deserve any attention.

WASN'T AN ARISTOCRAT.

Owner of a Fall Pitcher Denies an Imputation.

The attention of wayfarers on North Sixth street was attracted early last evening by a man carrying an immense water pitcher filled with beer. His progress was exceedingly slow, owing to the necessity he was under of using one foot to find the other. He finally brought up alongside of a saloon, and, stimulated by his environment, propped himself up against the wall and indulged in a lengthy drink. He withdrew his head from the pitcher's mouth, to encounter the thirty eyes of a man in a wretched state of sobriety. This individual was stirred to wrath by the sight of such intoxicated sufficiency, and bawled to his comrades within:

"Look 'ere, mates! 'Ere's a blooming aristocrat, a Republican, mates, wot's got a trust in beer."

The blissful holder of the pitcher fared up into transitory intelligibility and answered wrathfully:

"Republican! Not on your life. I'm no Republican. Who dares insinuate that I'm a Republican? I'm a Swede."

This announcement caused a temporary silence, which the "Swede" employed in again refreshing himself with the contents of the pitcher. Then, swinging the vessel gaily around his head, he vociferated once more:

"Republican! Who says I'm a—"

Here utterance failed him for a physiological reason, and when his tongue once again found play it was to intone the singular watchword of "Swede." With this parting defiance to his traducers he turned him slowly about and started on up Sixth street, crooning "The Drunkard's Lullaby."

THROUGH THE COLUMBIA RIVER

A delightful trip of a few hours will take you through the greatest combination of river and mountain scenery on earth.

Return can be made by steamer from Cascade Locks. Special low rates for this trip. Tickets to \$4.00 and \$4.00, tickets on, Third and Washington.

Meier & Frank Company

Just received—the complete new Fall and Winter line of Keiser Neckwear and Belts for ladies.

Ladies' Neckwear Superb new styles in Ladies' Neckwear—Largest and best variety we have ever shown and very reasonably priced.

Store open tonight until 9:30—Usual concert on Third Floor.—Don't buy a stove until you have carefully looked into the merits of our "Peninsular" line—Stoves, Ranges and Wood Heaters in very large variety and ranging in price from \$4.50 to \$65—Basement.

Kid Gloves 86c Pair

A Saturday Glove bargain of great importance—A prominent Gloversville, N. Y., manufacturer made this offering possible by throwing in our way at a very low price 400 pairs of ladies' 2-clasp Pique Gloves in brown, navy, tan, mode, red and black, all sizes and extraordinary value at

86c Pair

"Perrins" Gloves, all the new Fall shades, \$1.50 to \$3.00 pr.

Men's and Boys' Clothing

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Veilings 25c

Ladies' "Straford" combination suits in natural and white—Silk crocheted trimmed—Button across the chest—All sizes, big values at \$1.57 each

Ladies' "Hohenzollern" sanitary German underwear—Finest quality, vests and pants. \$2.00 grade for \$1.37 \$2.50 grade for \$1.69

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