

OPPORTUNITY

Judge Frazer Accuses Eugene Blazier.

"FLAGRANT CASE," HE SAYS

Jury Returns Verdict of Guilty in Gambling Case.

WHEN COURT GIVES HIS VIEWS

He Informs Deputy District Attorney That Manifest Perjury of Defendant Should Be Called to Attention of Grand Jury.

"PERJURY," SAYS JUDGE FRAZER.

Mr. Moore: I wish to say to you as Deputy District Attorney that I think the manifest perjury committed by the defendant in this case in the course of his testimony should be brought to the attention of the grand jury...

Judge Frazer made the foregoing remarks yesterday immediately after the jury, which heard the evidence in the case of Eugene Blazier on charges of conducting and operating a roulette game, had returned a verdict of guilty.

Blazier made defense that he sold out the gambling implements three years ago to one Hellery, and yesterday the attorneys for the prosecution, District Attorney Manning and Henry E. McGinn, called three witnesses...

Denlinger testified that he had seen Blazier on a similar errand and had met both E. J. and Eugene Blazier. He did not know them by their given names, but he had been directed to the younger one...

When Judge Sears called convened in the afternoon and the case against August Erickson was taken up, another sensation was sprung. Henry E. McGinn arose and stated that he had been requested to draw from the gambling cases as private prosecutor.

"May your honor please," said Mr. McGinn, addressing the court, "I wish to inform you that my services are no longer required or desired. I wish it to appear of record that I am relinquishing them to the court."

Object to Marion Johnson. Ed Mendenhall and R. C. Spencer complained to County Clerk Fields that in the Blazier case his deputy, Marion Johnson, handled the jury box in such a way that names of jurors always came out known to the defendant...

Judge's Charge to the Jury. Gentlemen of the Jury: The information filed by the District Attorney against the defendant, and upon which he is now being tried, charges that on the 21st day of July, 1904, in the County of Multnomah and State of Oregon, the defendant and there being did then and there wilfully and unlawfully deal, play and carry on, open an establishment beyond a reasonable doubt...

On the part of the defendant here it has been contended that he is not the owner or proprietor of any roulette game at the date or at any other date within three years, and it is asserted in his behalf that if this game was carried on he had nothing to do with it. The direct evidence of one witness who is entitled to full credit is sufficient for proof of any fact at issue in this case.

simple means what the words themselves mean, and that I think you can understand better than any definition given in the law books. The doubt must be a reasonable one. I will not attempt to give you any definition. I believe the above is the "reasonable doubt" in a case more easily understood than any definition I could give you.

It is alleged in the information that this game was conducted and operated as a roulette game on the 21st of July. There has been some evidence introduced here as to his carrying on other games where it is alleged that some evidence was introduced as to whether or not the defendant is guilty of having conducted as owner this roulette game only. He cannot be convicted on this information of carrying on any other game.

Date is Not Material. The date, however, on which it is alleged that this took place is not material; that is, it is not material that you should find it happened upon the exact date. If you find from the evidence in this case that this defendant conducted and operated as owner a roulette game within this county at any time on or about the 21st day of July and prior to the filing of the information in this case, it has been established to the satisfaction of the jury that he is guilty, even if you find that he conducted and operated as owner this roulette game as charged in the information at any time during a year or more than a year, or more than one year, or more than two years, or more than three years, or more than four years, or more than five years, or more than six years, or more than seven years, or more than eight years, or more than nine years, or more than ten years, or more than eleven years, or more than twelve years, or more than thirteen years, or more than fourteen years, or more than fifteen years, or more than sixteen years, or more than seventeen years, or more than eighteen years, or more than nineteen years, or more than twenty years, or more than twenty-one years, or more than twenty-two years, or more than twenty-three years, or more than twenty-four years, or more than twenty-five years, or more than twenty-six years, or more than twenty-seven years, or more than twenty-eight years, or more than twenty-nine years, or more than thirty years.

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Law Itself Not on Trial. Gentlemen of the jury, the rules of evidence in a case of this kind are just the same as in any other criminal case. It is not necessary that the evidence to convict a man of gambling be directed to the jury, or that the evidence to convict a man of any other crime with which he might be charged. You may consider the circumstances as well as the direct evidence. In this case it is only necessary that you be satisfied, as in any criminal case, beyond a reasonable doubt of the guilt of the defendant in order to convict him.

Jury to Judge of the Facts. If you find that a game of roulette was played at the time alleged, but that the defendant did not own it or if you have a reasonable doubt as to whether or not he did, you must find him not guilty.

There were far fewer fires than might have been expected during the past dry Summer, and for that reason the lumbermen are not so active as two years ago in preparing bills for the Legislature for fire protection. They intend making some effort to regulate the time for slashings, but will not attempt stringent rules. They believe the settlers themselves are beginning to appreciate the folly of setting brush on fire at a season when a match in the grass means a loss of millions of feet of lumber.

Result of Opposition to Mormons. NEW YORK, Nov. 22.—Through an ordinance which has just gone into effect it will be necessary hereafter for a missionary, church or religious society wishing to hold religious services in a street or public place in this city, to obtain the consent of the Aldermen of the district in which the meeting is to be held before a license from the Mayor can be had.

Permits for Brush Fires. Senator Booth Says No Stringent Forest-Fire Law Will Be Asked. There were far fewer fires than might have been expected during the past dry Summer, and for that reason the lumbermen are not so active as two years ago in preparing bills for the Legislature for fire protection.

ARTIST MURPHY ATTENDS THE LAND FRAUD TRIAL



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WIFE'S LONG SEARCH Tracks Truant Husband From New York to Portland. SHE MEETS HIM ON STREET. E. H. Goodwin Arrested After Heart-Breaking Chase Over Continent by Spouse Whom He Had Deserted for Another.

Edward H. Goodwin, a scion of one of the first families, has traced Chief Hunt's fall because he is charged with deserting his wife and child and traveling over the country with another woman.

WIFE TRACKS HUSBAND ACROSS CONTINENT TO CAUSE HIS ARREST. WALLA WALLA, Wash., Nov. 22.—(Special).—An amusing example of a fortune-teller's attempt to master the intricacies of English is found in a letter actually received at the Walla Walla Land Office a few days ago.

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Shows Excellent Financial Condition. WASHINGTON, Nov. 22.—The call on National Bank depositors for the 10th cent of Government deposits has created no hurry, and, according to Secretary of the Treasury, indicates an excellent financial condition generally.

Postal Authorities Charge Fraud. CHICAGO, Nov. 22.—Many complaints made to the Chicago Postoffice concerning the use of the United States mails fraudulently have resulted in the arrest of Charles Sturtz.

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Wife's long search for her husband across the continent ends in her meeting him on the street in Portland. The husband, Edward H. Goodwin, was arrested after a heart-breaking chase over the continent by his wife, who had deserted for another.

WEDDED IN SECRET

A. J. Clark and Cecilia E. Duke Surprise Relatives. BOTH MISSED FROM HOME. Anxious Search is Started and Mystery of Their Disappearance is Solved Only When Marriage Licenses Are Scanned.

At Mr. Clark's home at Mount Tabor it was feared that he had been held up, and robbed, and perhaps made way with, and his sister came early to town and instituted a search, but without success.

Mr. Clark is a highly-respected business man of Portland, and a member of the firm of Clark Bros. Brothers, formerly Miss Cecilia E. Duke is also well known and respected. It is confidently expected that Mr. and Mrs. Clark will show up after they have finished their honeymoon, and in the course of years, tell the story of their exciting and romantic elopement to their grandchildren.

ENFORCING PURE FOOD LAW. Collector at New York Assumes a Very Aggressive Attitude. NEW YORK, Nov. 22.—Collector of Customs Stranahan, of the Port of New York, has assumed the aggressive for the Government in its attitude towards the enforcement of the pure food law.

Judge Admits Evidence. "The crime is in the conspiracy," he said. "The means involved in it are not in the indictment. It is not necessary to hold the affidavits false, but it is necessary to prove that the signatures are those of the persons named in the indictment."

Large Additions to Yale's Funds. NEW HAVEN, Conn., Nov. 22.—The fifth annual report of Morris F. Tyler, president of Yale University, shows that during the fiscal year ended July 21, 1904, there were additions to Yale's funds amounting to \$46,678 and gifts to income of \$20,000.

DO YOU WEAR GLASSES? Properly fitted glasses and MURINE promote eye comfort. Murine makes weak eyes strong. Ask your oculist, optician, or Murine Eye Remedy Co., Chicago.

INTERESTING IF TRUE. You Can Try It for Yourself and Prove It. One grain of the active principle in Stuart's Dyspepsia Tablets will digest 3,000 grains of meat, eggs or other wholesome food, and this claim has been proven by actual experiment which anyone can perform for himself in the following manner:

Another Ovation to Prince Fushima. ST. LOUIS, Nov. 22.—Another ovation was accorded Prince Fushima at the Imperial Japanese Garden which he visited again today in the course of his round of sightseeing at the World's Fair.

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MRS ALICE GOODWIN