

SELF DEFENSE TO BE FINCH'S PLEA

Counsel Outlines Story of Struggle in Fisher's Office Day of Murder.

PROGRESS SPITE OF DELAY

Finch's Attorneys Interpose Objections and Wranglings, and Intention Seems to Be to Make Most of Every Chance for Delay.

Whatever hope James A. Finch may have of cheating the gallows for the murder of Ralph B. Fisher is based on a story which he will tell from the witness stand of the State Circuit Court of a deadly assault on him by the Bar Association prosecutor. This story was outlined before the jury in the case yesterday afternoon by the assassin's lawyers. It is denounced by attorneys for the state as a cunning fabrication, devised by the lawyer murderer in his extremity as the only possible method of saving his neck. The story is said to be as much an assault on the name of the state as an intended vindication of Finch.

Much Progress Made.

"We will show that Finch went up in the elevator in the Mohawk building, his hand on his revolver, and that Mr. Fisher was lying a corpse before the elevator boy had time to go to the top of the building and come down again," was the statement of Special Prosecutor Spencer, which disclosed clearly that the state is prepared to meet Finch's weird tale. Completion of the jury, presentation of opening statements and examination of two witnesses was the unexpected progress made in the case during the day. The state occupied but a few minutes in opening, but the defense consumed 40 minutes in telling of the things that will be developed in behalf of Finch.

Defense Objects to Jury.

It was 11:30 o'clock when the jury was completed, and then Attorney Lord, of Finch's counsel, interposed a technical objection to acceptance of W. H. Musser and Albert Sunderland, who had just been accepted as the third special venire issued in the case. Lord called attention to a provision of law whereby all talons on the regular panel must be used up before special venires may be called. Deputy County Clerk Lounsbury was directed to inquire as to the disposition of the regular panel, and he found that all had been used on the various cases excepting one man, who was excused. Objection to the acceptance of Musser and Sunderland was then overruled.

The defense had used 11 of its 12 peremptory challenges by this time. The 11th was used on T. H. Foster, a native of Scotland. There has been a disposition on the part of the defense to rule out even those of Scotch descent, because of the nativity of District Attorney Cameron, who is directing the state's case.

Finch to Be Handcuffed.

It was asked of the Court that the Sheriff be instructed to omit handcuffing Finch hereafter. "He's perfectly harmless and there is no use humiliating him with heavy handcuffs, for he doesn't intend to try to escape," Lord assured the Court. Judge Bronaugh, however, said that this matter was entirely at the discretion of Sheriff Stevens.

Spencer Outlines Case.

"Ralph B. Fisher, as we shall show to you, gentlemen, was an ambitious and an esteemed young man, and the good will of all who knew him," said Mr. Spencer. In his capacity of prosecutor of the Bar Association it became his duty to proceed against the unworthy of the profession. It will be shown that it was necessary for him to file three charges against his defendant, Finch— for drunkenness, forging a pension certificate and— "Hold on, I object," said all four of Finch's lawyers in one voice. They went on to say that the previous charges had qualifications, the later suggested that nothing to do with this trial and were Fisher was in the witness stand would look and see and as he opened the door to the inner office, Finch brushed past, his hand on his gun, and almost on the instant sustained in their view.

left his office at 11:30 A. M., going to the Hudson Arms store, where he bought a cheap revolver and a box of cartridges, getting the clerk to load the revolver.

Tells Story of Murder.

"Finch, as we shall show you, then went towards the Mohawk building, where Mr. Fisher had his office. He passed a saloon in the neighborhood to take a couple of drinks or so and then went on into the Mohawk building, his hand on his revolver. And before the elevator boy who took Finch up had time to get to the top of the building and down again, Fisher was lying a corpse beside his chair and dead in his office.

Defense Goes Into Detail.

"Maybe I was wrong in thinking there was room for another eye-witness in the room with Mr. Lord," suggested Spencer, and shortly concluded his remarks. Lord outlined the case of the defense in greater detail. "It is my duty, and a grave one, to state between the defendant and the malefactor which has just now been shown to you only too well," he said. "In this duty I must ask you to help me, not only as jurors, but as citizens.

Gives Explanation of Gun.

"Now, the night before, we will show that C. H. Pigott, a nephew of the man who is accused in this case, was called by Mrs. Finch, who was occupying his house, and who complained that burglars were trying to get in. She asked him to purchase her a revolver, and so the next day Finch, learning of the incident, went down and bought a gun and went back to his office. It was immediately upon his arrival that he got the telephone message from Fisher to come over.

Tells of Desperate Fight.

"Finch didn't want any trouble and he said, 'For God's sake, don't, don't, don't.' He tried to get out, but his positions were such that he had to pass Fisher, who had arisen. Mr. Finch started to go by him, and again the seal came to go by him, and again the seal came to go by him. Half dead by the blow and putting aside the insult, he again tried to escape.

Two Witnesses Examined.

Lord concluded by saying all these things would be fully proved and asking that the jurors be attentive and decide purely on the testimony. He attempted an arraignment of The Oregonian for its expressions on the subject of Finch's assassination, but was interrupted by Deputy District Attorney Fitzgerald. Judge Bronaugh directed him to confine himself to the case.

Tilt With Judge.

"You'll make this a mistrial, I'll tell you that," Holcomb advised Judge Bronaugh, who promptly ruled the other way and directed that the case proceed. Morehead was used merely to identify the records in the case and was excused without cross-examination.

Large Crowds Attracted.

No murder trial of past years has attracted so many people. Although the curious multitude was excluded after the seats had all been filled, enough persons claiming to be lawyers got into the room during the afternoon to jam completely every inch of standing room. There were no less than 200 persons in the spacious courtroom and double that number was turned away.

GROGERS OUT OF IT

State Pure Food Law Must Come From Other Source.

DEFEATED TWO YEARS AGO

Association Spent Time and Money on Measure Which Was Beaten in Last Legislature by the Jobbers.

CHICAGO PARENTS ANXIOUS

Send Many Letters Urging That Their Children Come West.

The proud parents of promising children in Chicago have swamped the public department of the Commercial Club with applications inquiring for information as to the qualifications that will be required of the 50 Chicago school children whom Tom Richardson, manager of the club, proposed to bring to Oregon next year as a novelty advertising departure. No less than a dozen communications on this subject reached the desk of Assistant Secretary Crissey yesterday. More are expected today and daily hereafter.

Placed Bags and Cases, Harris Truck Co.

of the many letters received only one presumed to disapprove of the plan to have the party consist of 50 school children. The author of this one was a woman who formerly resided in the West. She contended that a better plan would be to choose 20 progressive women, believing that from an advertising viewpoint, better results could be expected.

sumers full-weight packages," said Charles B. Merrick, secretary of the Retail Grocers' Association yesterday, "but we received opposition from very unexpected sources. Principal among the opponents to the bill was the Consumers' League, the very organization that should not only have been directly interested in the proposed bill, but should have joined with us in our fight. Among the 90 members of the Legislature, at least eight are members of our organization from different parts of the state. So far as I am advised, none of them expects to father any such measure, although if such a bill should be introduced they would not only support it, but do everything in their power to bring about its enactment."

Association Spent Time and Money on Measure Which Was Beaten in Last Legislature by the Jobbers.

If legislation enlarging the scope of the pure food laws of the state is presented at the coming session of the Legislature, it will have to originate from less interested sources than those that fought earnestly for such a bill at the 1907 session. Two years ago the Retail Grocers' Association introduced and supported a bill guarding against the introduction of adulterants into the state and requiring true net weight of all packages. Jobbers and manufacturers joined in an assault on this measure, the author of which was D. C. Burns, a Representative from this county. As a result that provision of the bill relating to weights was eliminated.

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FREE! FREE! FREE! EDUCATIONAL CONTEST

Have you entered? If not, get busy. It costs you nothing.

A Beautiful \$80 Drop-Head, Latest-Improved, White Sewing Machine



to be given away absolutely free to the one writing the sentence the greatest number of times. It is yours for the mere trying. The White Sewing Machine Company has placed at our disposal 100 of their latest improved drop-head automatic-lift machines for advertising purposes. One to be given away free. There are 100 other valuable prizes to be given away. If you are not successful in winning the first prize, you can easily win one of the other 100 prizes. These prizes are valuable to the winners. Do it now.

RULES GOVERNING THE CONTEST

Any person living in the United States can enter this contest. No employee of this firm or of any firm in the same business will be allowed to enter contest. It is conditional upon entering contest that contestants shall abide by the decisions of the judges, who will be three representatives of the daily papers of Portland.

Take a piece of paper the size of a Government postal card, write the following sentence, "The White is King of Sewing Machines," as many times as you can, and on the other side of paper answer the following questions: Have you a sewing machine? Old or new? What make have you? How many times did you write the sentence? Write your name and address plainly. The prizes will be awarded as follows:

FIRST PRIZE—The one writing the sentence the greatest number of times will receive free of charge a beautiful \$80.00, style 35, drop-head, automatic-lift White Sewing Machine, with a complete set of the latest improved ease-hardened steel attachments. There will be 100 other prizes awarded, ranging in value from \$15.00 to \$25.00.

The Contest Closes December 29 at 10 P. M. Address Letters H. D. JONES, (Contest Dept.) 420 WASHINGTON STREET PORTLAND, OREGON

The Electro Thermal Garment For Rheumatism and all Kindred Ailments

A new scientific garment. It gives nerve force—it will relieve pain. Indorsed by the leading physicians.



The Coat That Cures

Why go to the springs, when you can have the same benefits in your own home by wearing some of our garments? All the benefits of the springs and the benefits of electro-radiation, with absolutely no chance of harm.

A child can operate our garment. As a protection and cure for colds and incipient pneumonia it has no equal. It is an instant relief for any congestion or pain caused by poor circulation. Rheumatism, Paralysis, Chills, Llagrippe, Insomnia, Kidney and Liver Disorders, Gout, etc., all yield quickly in this garment.

Call and get a free treatment. A demonstration can be given in a few minutes.

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Watch your laundress!

Let her use ordinary soap for ordinary purposes.

But, for the finer things—for lawns, dimities, colored goods and everything else that requires special care in laundering—she should use Ivory Soap; and none other.

Why Ivory Soap? Because it is pure soap and nothing else. No "free" alkali in it; no coloring matter; no chemicals.

Ivory Soap 99 1/100 Per Cent. Pure.

Yin Kin Lum Chinese Restaurant

Chop suey and noodles, Chinese and American cook. Merchant's lunch 25c. Open every day. 81-83 1/2 NORTH FOURTH STREET, Corner Everett. Home Phone, A 2793

Advertisement for Marx & Bloch diamond dealers. Features a large diamond illustration and text: "If it's a DIAMOND You Want SEE US FIRST Be it large or small we have them. Our prices are always lower than elsewhere. CREDIT IF YOU WANT IT Marx & Bloch Largest Diamond Dealers in Oregon 74 Third St."

Advertisement for Sherman, Clay & Co. Victor gramophone. Features an illustration of a gramophone and text: "The gift that gladdens every home and spreads its joy the year around The Victor If you want your children to remember you gratefully for years to come, give them a Victor Talking Machine. They will forsake all other gifts for a Victor. For Christmas entertaining, nothing equals the Victor—it's a joy to every one—young or old, funny or gay. It plays grand opera, band and orchestra music, comic songs, funny recitations, etc.—everything that's good in music. If you want to dance, the Victor provides the music, keeps perfect time, and is plenty loud enough for a very large room. Easy terms of ownership will be arranged. Sherman, Clay & Co. SIXTH AND MORRISON STREETS OPPOSITE POSTOFFICE STORE OPEN EVENINGS"

Advertisement for Columbia Phonograph Company. Features an illustration of a gramophone and text: "THE ONE BEST CHRISTMAS GIFT You couldn't make a better present than a Columbia Graphophone if you paid ten times the cost of one. Pay After the Holidays, on Easy Payments if You Prefer Includes 12 Columbia Double-Disc Records (24 selections) and 200 needles \$35.30. Finer Outfits up to \$250 Sold by Your Dealer, or by COLUMBIA Phonograph Company 371 WASHINGTON ST."

Advertisement for Phillip's Shoe Co. Packard shoe for men. Features an illustration of a shoe and text: "Sold By Phillip's Shoe Co. 109 Sixth St., Portland, Oregon THE Packard SHOE FOR MEN \$4.00 AND \$5.00 FASHIONED FOR FITABLE FEET UNION MADE"