

COX ACQUITTED OF NEGLIGENCE OF DUTY

Court Instructs Jury That Offense Charged Is Not Covered by Law.

EVIDENCE NOT SUFFICIENT

County Detective Admits He Would Not Have Felt Justified in Making Arrests Without Authority of Warrant.

By a verdict of not guilty directed by Judge Kavanaugh, ex-Chief of Police Cox was freed from the charge of neglect of official duty in not closing disorderly houses about the city, at the afternoon session of his trial in the Circuit Court yesterday. The court based the directed verdict on the ground that the acts with which the chief was charged were not a crime against the Oregon laws and also that the evidence was not sufficient to justify a continuance of the trial.

Law Not Applicable.

It was just after the state had rested its case yesterday afternoon that Ralph E. Moody, one of Cox's attorneys, presented the motion that the case be dismissed. In addition to contending that the evidence was not sufficient to warrant a continuance of the case, Mr. Moody insisted that section 2045 of the state law did not provide that a neglect of duty of the kind charged against the Chief of Police was a crime. The law, he said was directed at any one who might retard justice by willful neglect of duty, such as an officer who failed to serve a legal paper when directed to do so, and that it could not be applied to the case on trial.

A point made by the defense was the difficulty in getting the necessary evidence against disorderly houses to bring about a conviction. The only evidence produced in the case to prove that the houses mentioned in the indictment were of a disorderly nature, was their reputation as such.

Arrest Not Justifiable.

"Would you feel justified in making an arrest of any person conducting one of these houses on the evidence at your command?" Maher was asked, by John F. Logan, one of Cox's attorneys. "Not without a warrant," was the reply.

The testimony of Police Captain Slover was the most detrimental to Cox's defense. He said that in an interview with Cox, he had been told by Cox that he should not interfere with the so-called "parlor houses" until he received orders to that effect. The Chief told him, he said, that Captain Bailey would look after the "combination houses," or those in which intoxicating liquors are sold.

At a recess of the case, Chief Cox made it a point to deny the truth of Slover's testimony insofar as it referred to letting the parlor houses go without being molested.

"Captain Slover is in error in that," said the Chief. "I never told him that." The testimony of Captain Slover was made one of the features of Mr. Collier's demand that the case be not dismissed.

Detectives of the Municipal Association, who gathered evidence that resulted in the indictment of several women about the city for conducting disorderly houses, were forced on the witness stand by Mr. Logan to acknowledge that not one of the indictments against the women had resulted in a conviction.

Residence Section Invaded.

The defense laid stress on the testimony of Detective Maher to the effect that since the effort had been made to purify the city, the immoral women had been moving about from place to place, invading at times the most exclusive residence districts. The witness testified that one place on Williams Heights had come into existence as a result of the crusade that had been made against this class of women.

G. E. Kellogg testified that he had been employed by the Municipal League to gather information against disorderly houses, and that when visiting some of these he was told by the woman conducting the place at his Clay street that a policeman was at that time a patron of the place. A little later, he said, a patrolman with a star numbered 24 emerged from the house.

Inference Not Permitted.

It was while Maher was still on the stand, just before the noon recess, that Mr. Logan asked him this question: "Was it not about the time that the Municipal Association was threatening to invoke the recall against Mr. Cameron that he suddenly became active in investigating these places?"

The question followed the witness' statement that he was working under the direction of the District Attorney's office in gathering evidence against immoral houses.

Deputy District Attorney Dennison was vigorously protesting to the question, even before it was fairly asked. He appealed to the court to prevent such an inference, and aided by his colleague, soon obtained the ruling that the question need not be answered.

After the case was dismissed, the jury went into the hallway of the courthouse and among themselves took a straw ballot. It was agreed by all present that they would have voted for an acquittal, if the case had gone to them for a verdict.

British Concert Is Tonight.

The St. Andrew's, British Benevolent, Caledonian, Welsh and Canadian societies and Clan Macleay, of the city, unite in a concert at the Army, Tenth and Couch streets, to celebrate Empire day by raising, with the proceeds

of the concert, money to pay for a bed at St. Vincent's Hospital, a bed that will be known as Queen Alexandra bed, and other benevolent work. The music programme is a good one and will be taken part in by Miss Jane Irene Burns, Mrs. Rose Reed Hanscomb, Robert Burton, Fred T. Crowther, J. M. Hughes and Carl Denton, with Scotch dances in costume by Misses Elsie Johnston and Annie Williamson, assisted by John Smith, piper. Addresses will be made by W. T. Williamson and James Laidlaw, British Consul.

AUDITORIUM IS INDORSED

Sellwood Commercial Club Heartily In Favor of Plan.

Tom Richardson delivered an address at the Sellwood Commercial Clubrooms last night in favor of the auditorium project, involving an issue of \$400,000 bonds. He was cheered and at the conclusion of the address a motion to indorse the project was adopted unanimously. Mr. Richardson said, among other things:

"We know what the rose has done for Portland. With the Auditorium to help, is it not possible to make the Rose City the musical metropolis as well as the capital of flowers? Will anything mix better than roses and music? They are twins to start with."

"The Auditorium spells 'got together' in chorus. 'Stay together' is the same result of a few doses of Auditorium mixture."

"We are proud of Portland. God built an auditorium for it to grow in. Nature worked overtime in constructing a great scenic section. Portland is its hub."

"We please the visiting delegate. Let's prepare an auditorium to multiply this new American species. It pays. Ask Los Angeles."

"Every man and woman who comes from the East to the Pacific Coast becomes a better American. The Auditorium will bring them. The Auditorium is a missionary as well as a patriot builder."

INSTITUTE TO BE HELD

Sunday School Elementary Grade Teachers Will Meet.

Sunday school teachers of elementary grades of all denominations will hold an institute in the White Temple all day Thursday, beginning at 10:30 A. M. The institute is under the direction of the Portland Graded Union, which has invited all Sunday-school workers to attend. There will be a luncheon and social from noon to 2 P. M., and the programme of exercises will be:

10:30 A. M.—Devotional opening, conducted by the president, Mrs. H. E. Steele; motion songs and exercises by the union; "What Shall We Do With the Babies?" Mrs. L. C. Phillips; "A Little Child Shall Lead Them," Mrs. O. J. Ferris; "The Use of the Eye-Gate," Mrs. C. A. Murden; round table, conducted by Mrs. J. W. Wilkins; model of the temple, shown and explained by Mrs. G. A. Padlock.

1:00 P. M.—Devotional opening, Dr. Luther H. Drott; "Handwork," J. A. Knorr; "How Shall We Be Prepared?" Mrs. H. Black; round table, conducted by Rev. C. L. Phillips; motion songs and exercises by the union; "Growth of the Union," Mrs. F. H. Cook; "Practical Work in Small Schools," Rev. G. L. Phillips; section conferences in separate rooms; Beginners, Mrs. E. L. Hart; primary, Miss Grace Haas; Junior, J. A. Knorr; Music for recitation, Miss Lula Forrester; talk by R. H. Steele.

"EVERY LITTLE MOVEMENT"

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HOW TO SUCCEED

During the last few years conditions in all lines of business, even professional life, have changed so completely that every man is waking up to the fact that in order to win success he must specialize and learn to do some one thing and do it well.

So it is with any article that is sold to the people. It must have genuine merit or no amount of advertising will maintain the demand for the article.

For many years we have watched with much interest the remarkable record maintained by Dr. Kilmer's Swamp-Root, the great Kidney, Liver and Bladder Remedy. From the very beginning the proprietors had so much confidence in it that they invited every one to test it, free of cost, before purchasing.

It is a physician's prescription. They have on file thousands of letters received from former sufferers who are now enjoying good health as a result of its use.

However, if you wish first to try a sample bottle, address Dr. Kilmer & Co., Binghamton, N. Y., and mention this paper. They will gladly forward you a sample bottle by mail, absolutely free.

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