Cases on Appeal From Lower Courts Allowed to Die Through Neglect.

MANY CRIMINALS GO FREE

Convictions Secured in Municipal Court While Public Opinion Is Aroused Are Lost Sight Of and Penalty Is Evaded.

Cases appealed from the Municipal Court on convictions recorded there under city ordinances are lying dormant in the office of the Clerk of the Circuit Court to the number of more than 160. Just what the actual number is, no one seems to know. In the City Attorney's office there has been prepared a list of 100 cases, but Clerk Bush of the Circuit Court says there are more. Circult Court says there are more, and is going back five years to deter-mine the exact number. In addition, since the list was prepared, several weeks ago, another big sheaf of tran-scripts has gone up. There seems to be no immediate prospect of clearing the docket, though many of the cases

are over a year old.

In the fact that appeals to the Circuit from the Municipal Court are almost as dilatory as from the State to the Supreme Court, disinterested ob-servers see a great contributing factor to the miscarriage of justice which those now engaged in a controversy on that subject have not turned their at-

Appeals Are Often Trivial. Appeals Are Often Trivial.

In many, perhaps a majority of instances it is obvious that the appeal is taken merely to avert for a time or forever the penalty imposed by the lower court, the appellant trusting to the subsidence of public and official interest, the lapse of memory of the facts, the disappearance of material witnesses and the chance of finding another tudge and jury who will take another judge and jury who will take a different view. True, in many instances a legal question exists, on which, in full good faith, a test is sought in the higher courts, but an appeal from the Municipal Court requires no citation of error, and in the average case the defendant attorney takes no oral exception to any incident in the

Responsibility for the condition is bandled about by those sharing in the duty. Deputy City Attorney Sullivan, whose province is to carry the cases through on appeal, asserts that he cannot prevail on the Circuit Court to set them for trial. At the office of the Clerk of the Circuit Court it is said that no diligent effort has been made to bring the cases before the court. Bad Effect in Evidence Dally.

The paralyzing effect of this situa-tion is witnessed daily. Some out-rageous condition, a raging epidemic of speed mania, the discovery of extensive traffic in cocaine among young boys, persistent selling of liquor to drunken men, or a "moral wave" in the tenderloin, arises; court and prosecutor are aroused to a sense of the necessity for action, the police spend long days carrying out the campaign, convictions are obtained after hard fighting, and one or more exemplary sen-tences are imposed. Immediately the appeal is taken, the emergency dies out, public feeling becomes soothed, and the offenders, with a nominal bond between them and the serving of their between them and the serving of their sentences, go unpunished until many months later, when their cases come up on appeal, and all the human misery and public spirit that inspired their ap-prehension are forgotten. The crusade has spent itself and the offenders grad-ually return to their practices, until new offenses become so serious as to necessitate doing the work all over again.

him, and he was convicted in Municipal Court and sentenced to 90 days at the rockpile. He appealed, was convicted by a jury in Circuit Court, was granted a new trial, and the court records now show the case dismissed, though the City Attorney asserts that he was not consulted about the dismissed and has presumed that the case missal and has presumed that the case remained on the docket for re-trial. J. H. Murphy, convicted of selling cocaine from an office building, also

has an appeal pending for over a year.
When Mrs. Frank Skidmore, incensed
that her husband had been permitted

out Agreement.

Into temporary being some weeks ago, the hand adjusted to short and the hand equandered 11500, took the enforcement of the putter should be adjusted the short and the hand equandered 11500, took the enforcement of the putter should be adjusted to the short and the hand equandered 11500, took the enforcement of the putter should be adjusted to the short and the short and taken to the rockpile, but interposed taken to the rockpile, but interposed taken to the rockpile, but interposed the short and the case still is awaiting that.

Liquer Question Unanswered.

Liquer Question

dwindled away, the question no longer is a live one, and when new emergencies of the sort arise, none of the parties is any nearer knowing what the law holds his limitations to be.

Witnesses Cannot Be Held.

Nowhere is the miscarriage of justice more noticeable than in the war upon disorderly places and "blind pigs." Of such cases there are two-score or more on the list of pending cases, and in nearly all of them the evidence on which the conviction was based was obtained from persons of the transient class, long since lost sight of. The law does not permit the confining of witnesses on appeal, and if it did, the long periods that intervene would make such action highly unjust to the witnesses.

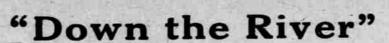
Seeter, who is my office percently the records out of my office or give them any examination except in my presence.

At a meeting of the local barbers' union which lasted until midnight Wednesday, there was heated discussion of the demand of Organizer Seeter and of Mr. Leabo's refusal to turn over his books, sentiment being sharply divided. Adjournment to this evening was finally taken without agreement having been reached.

Kimbail College Successful.

Kimbail College Successful.

WILLAMETTE UNIVERSITY, Sulem, Or., Aug. 29.—(Special.)—The Kimbail College of Theology which last June closed the most successful year's work unjust to the witnesses.



-Forty miles from Portland and 21/2 miles from the railroad station and steamboat landing at Goble, Oregon, lies that fertile section that has attracted so many homeseekers in the past few months.



Columbia Acres

It is here that the man of small means, who, seeking a piece of land for a farm home, say 10 acres or more, finds those advantages and facilities that mean so much in its development. The record of what has been accomplished at Columbia Acres-the number of small farm tracts that have been sold here and the number of buyers who are already located on their tracts, is sufficiently convincing of the merits of this section. And this marked activity in selling and development has been brought about by these advantages and

facilities-Rich Soil, Good Roads, Finest Water, Abundance of Fuel, Splendid Transportation Facilities by Rail and River, Desirable Location, Ideal Homesites, etc.

It's a certainty that the man who is willing to work with his hands and his brain will find contentment and happiness-and independence, in a farm home. Columbia Acres, with its many advantages and facilities is a certainty-not a possibility.

And when you take into consideration all these, and the prices and terms, we believe that you will agree with us that ours is a genuinely good proposition-that it commands at least your investigation.

Get in touch with us-learn how easy we've made it for you to own one of the farm tracts. Better still, go down and see the land for yourself-you can easily do so in a day and at trifling expense. We will be glad to go down with you.

Our Office Open Saturday Evenings Until 8:30 o'Clock

Cut This Out, Sign and Mail to Us Today

10-Acre Tract

for \$500

On the Terms

\$50 Down and

\$12 Monthly

Balance at 6 Per Cent

10-Acre Tract

for \$600

On the Terms

\$60 Down and

\$15 Monthly

Balance at 6 Per Cent

F. B. HOLBROOK CO., PORTLAND, OREGON Kindly send matter pertaining to Columbia Acres

F. B. HOLBROOK CO.

214 LUMBER EXCHANGE BUILDING SECOND and STARK STREETS Main 5396-Phones-A 7507

IRREGULARITY IS ALLEGED

Secretary Leabo Refuses to Turn Over Records and Union Holds Heated Discussion Without Agreement.

new offenses become so serious as to necessitate doing the work all over again.

From the list of 100 cases, a few typical instances may be drawn.

Illustration is Cited.

Over a year ago it became known that scores of young boys were addicted to the use of cocaine, and after long investigation, large part of the supply was traced to the drug store of Solomon Miller, in South Portland. He was caught in the act of making a saie, several youths testified to getting their supplies of the drug from him, and he was convicted in Municipal Court and sentenced to 90 days at the rockpile.

BOOKS ARE WANTED

entrance requirements. In case a student matriculating is without an "A.B." degree it will be necessary for the applicant to spend four years at work before graduating. The college is now financially unencumbered and the coming years will see much money expended for the further improvement of the courses offered. During the past year the phonograph system of sermonizing was used with the most marked success. By this plan a student after learning a sermon must rehearse it into a phonograph, then readjust it before class room recital or any public delivery.

IRREGULARITY IS ALLEGED

PARK COMMISSION TO DIE Council's Authority Exceeded and Fund Is Exhausted.

"It's the ax" for the proposed recreation commission, which was fondled into temporary being some weeks ago, only to be permitted to die a slow, but

SOME ORCHARDS FAILURE

Yield Large in Vicinity of Felida Experts Attempt to Discover Cause of Poor Crop This Year-New Trees Urged.

be derived from a long sleep in the salt air preceded by an invigorating plunge.
A party of seven enthusiasts, Mrs.
M. Morrison, Mrs. Nan Morse, Miss Mil-Buyers Not Active and Growers

Expect Good Prices.

M. Morrison, airs, Nan Morse, Miss Silved and Clarence Cook, all of Portland, made the initial plunge last night, after making the agreement to repeat the experience every night for a week. Dr. C. W. Cornellus, newly arrived, agreed to join in all future baths. in all future baths.

DAILY METEOROLOGICAL REPORT.

PORTLAND, Aug. 29.—Maximum temperature, 70 degrees; minimum, 50 degrees. River reading at 8 A. M., 5.3 feet; change in last 24 hours, 6.1 foot fail. Total rainfail (5 P. M. to 5 P. M.), 0.0 inch; total rainfail since September 1, 1911, 57.67 inches; normal rainfail since September 1, 1911, 57.67 inches; deficiency of rainfail since September 1, 1912, 84.0 inches. Total sunshine August 29, 3 hours, 55 minutes; possible sunshine, 13 hours, 25 minutes. Barometer (reduced to sea-level) at 5 P. M., 30.06 inches.

THE WEATHER. THE WEATHER.

| STATIONS | past 19 hours Maximum tempt. | 3 | Wind | | |
|--|---------------------------------|------------------------------|------------------|-----------|---------------------|
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| luth | 66 | 0.00 | 16 | NE | Cloudy |
| THE RESIDENCE OF THE PARTY OF T | 200 | LA BA | Promise Contract | | 1291 mmm |

WOMAN, 80, EQUESTRIENNE

Sidesaddle Used by Pioneer Crossing
Plains to Hold Her Again.

COTTAGE GROVE, Or., Aug. 29.—
(Special.)—Riding the same side-saddle which she used in crossing the plains in 1852, Aunt Jane Veatch, aged over 80, will take part in the parade which will be a part of the Grange industrial and agricultural exhibition to be held September 5, 6, 7.

The baby show, which will be one of the features of the fair, will be held the last day.

If possible, the true cause of the poor crop. It has been suggested that a more hardy tree be substituted for the present variety.

Prunes will be ripe about Septembre of similar characteris central at sea off the Nountain and Plains States, in a sea of the provided here, is rapidle by Magazine Article Adopt Novelly.

Scaside Visitors Beguiled by Magazine Article Adopt Novelly.

SEASIDE, Or., Aug. 29.—(Special.)—Moonlight bathing, recently introduced here, is rapidly becoming popular, All informations, and the parade which will be one of the features of the fair, will be held the last day.

For "goodness" sake wear Hanan's shoes.

If possible, the true cause of the pasty tree be substituted for the present variety.

Prunes will be substituted for the present variety.

Prunes will be ripe about Septembre of similar characteris southern Rocky Mountain and Plains States, In a spreading in and another of similar characteris at a sea off the Nountain characteris southern Rocky Mountain and Plains States, Within the present variety.

NIGHT BATHING FAD NOW

Seaside Visitors Beguiled by Magasin 1852, Aunt Jane Veatch, aged over 80, Northern Canada, the Dakotas, Northern Utah. Southern Canada, the Dakotas, Northern Canada, the Dakotas, Northern

GOODBYE WEEK HEILIG THEATER 7th and Taylo Phones Main 1 and A 1122,

TONIGHT TOMORFOW Special Price Matinee Tomorrow Last Three Times.

CATHRINE COUNTISS

and Her Excellent Company in Maxime "HER OWN WAY." Evenings, 75c, 50c, 35c, 25c. Saturday's Matinee, 50c, 25c.

HEILIG THEATER 7 BEGINNING NEXT SUNDAY MATINESS WEDNESDAY-SATURDAY GIB_ERT & SULLIVAN FESTIVAL CO

De Wolfe Hopper
Blauche Duffield, Eugene Cowles, George
MacFarlane, Kate Condon, Arthur Aldriége, Viola Gillette, Arthur Cunningham, Alice Brady and Louise Barthel.
Sunday and Monday Nights, Saturday
Matinee, "The MIKADO"
Tuesday, Friday, "THE PIRATES OF
PENZANCE"
Wed, Matinee and Night, "PINAFORE"
Thursday Night, "PATIENCE"
Evenings and Saturday Matinee, \$2,
\$1.50, \$1, 75c, 50c, Special Wed, Mat,
\$1.50, \$1, 76c, 50c. \$1.50, \$1, 10c, 50c \$1.50, \$1, 75c, 50c SEATS NOW SELLING.



Matiness

10 and 20c Any Seat 10c WEEK AUGUST 26—"The Houseboai Party," Manley and Walsh, Granto and Maud, Kelen Primrose, "Onsip," Lee Tung Foo, Pictures, Orchestra.



Hawaiians, Philip Pelz, Mrs. Pelz and Great Feature Bill After-noons and Evenings.

VERNON

PORTLAND

AUGUST 26, 27, 28, 20, 30, 31 September 1, 2. Games Begin Weekdays at 3:00 P. M. Sundays at 2:30 P. M. LADIES' DAY FRIDAY. Boys Under 12 Free to Bleachers Wednesday.

AUCTION SALES TODAY. At Wilson's Auction House, at 19 A. M. urniture. 171-3-5 Second street.

GREGON HUMANE SOCIETY OFFICE 175 MADISON STREET.

Phones—Main 598, A 7589.

Horse Ambulance Phone Marshall 600.
All disabled or diseased animals will receive prompt attention. Will be called for at a nominal cost. Refer all cases of crucity to this office. Open day and wight.

Out-of-town real estate and reliable endorsement. Money to be used to improve propday and wight.

in Northwestern Oregon and Western Washington, where showers will probably occur. The weather will be warmer cast of the Cascade Mountains. Southerly winds will obtain. FORECASTS.

Portland and vicinity-Probably showers:

Neutro Rayo-Lenses

We Fit Eyes With Proper Glasses

or lens, that your eyes require Any other kind is apt to do them an injury.

We fit each eye separately by unerring tests that reveal every defect. Our knowledge of the human eye is sufficient to insure that you receive the glasses that

Let Us Examine Your Eyes

There is no charge for advice, and our charges for glasses are as small as the cost of the glasses and frames you require will permit.

Sixth Floor Selling Bldg., Sixth and Alder.

MEETING NOTICES

PORTLAND LODGE, NO. F. AND A. M .- Masonic T. le—Special communication the Priday) evening at 7:30 and 'clock, Work in E. A. degre isitors welcome. By order W. M. STEADMAN, Secretary.



WASHINGTON COMMAND ERY, NO. 15 K. T.—Special conclave this (Friday) even-ing 8 o'clock, Order of the temple, All Sir Knights cour-teously invited to attend. F. H. NOLTNER, Recorder,

DIED.

STANYON—In this city, August 25, at the residence of George T. Mirchell, 52 Jessup street, Henry Stanyon, aged 76 years 7 months 18 days. Remains are at Holman's Funeral Parlors. Announcement of funeral later. Philadelphia, Pittsburg, Pa., Toronto, Canada, and Middlesbrough, England papers please copy.

land papers please copy.

SMITH—At the family residence, 90 East
S5th street, August 20, Mrs. Ellen Smith,
aged 34 years, 11 months, beloved wife of
Baniel Smith and daughter of J. F. Brady.
Remains at the parlors of Dunning &
McEntee. Notice of funeral later.
STAVOSKY—In this city, August 29, Laverne Stavosky, aged 21 years 7 months
and 25 days. The remains are at Finloy's parlors. Funeral notice will appear
in a later issue. HORNTON-Died at Good Samaritan Hos-pital, August 29, at 11 A. M., Mrs. Lee Emma Thornton, daughter of the late D R. and Ida A. Nelson-and nites of Mrs. J. E. Magere, Funeral notice later. MERRIMAN—At her residence, 4116 64th st. S. E., August 23. Josephine Merriman, aged \$1 years 8 months 8 days. Re-mains are at Holman's funeral pariors. Announcement of funeral later.

Announcement of funeral later.

PALMER—At Leander, Or. August 28, Ray Palmer, aged 22 years. Remains at the establishment of J. P. Finley & Son, Third and Madison streets: Funeral notice will appear in a subsequent issue.

ENGLEHART—Is this city, August 29, Clara Englehart, aged 10 years. Remains at the pariors of the Skewes Undertaking Co., corner 2d and Clay, Notice of funeral later.

FUNERAL NOTICES

KRETZER-At 129 East 79th street North, August 20, Christen Kretzer, aged 52 years 4 months 14 days, Funeral will take place from the purions of the East Side Funeral Directors, 414 East Alder Street, today (Friday), August 26, 120 P. M. Friends respectfully invited, Picase omit flowers.

flowers.

JOHNSON—The funeral services of Arthur W., Infant son of Mr. and Mrs. Samuel Johnson, will be held at Holman's funeral parters at 2 P. M. today (Friday). Interment Riverview Cemeters.

M'COLM—The funeral of Philip P. McCoim, grandson of Dr. W. O. Boon, of Kern Park, will be held Saturday, August 31, at 2 P. M. from the family residence, spea 48th ave. S. E. Friends invited. Interment at Mount Scott Park Cemetery.

JOHNSON—The funeral services of the late Herbert J. Johnson will be held at Finley's chapel at 2 P. M. today (Friday). Friends invited. Interment Riverview Cemetery.

MERRIAM-At 4504 E. 64th st., Arieta, Josephine Merriam, aged 51 years, of con-sumption. Funeral will be held Sunday at 10 o'clock at Holman's undertaking

MEMORIALS—Portland Marble Works, 264 4th, opposite City Hall. Estab. 1838. MONUMENTS—Otto Schumann Marble Works. East 3d and Pine Sts. East 743. MR. EDWARD HOLMAN, the leading fa-neral director and undertaker, 220 Third st. corner Salmon, Lady assistant. Dunning & McEntee, Funeral Directora, ith and Pine, Phone Main 430, Lady attendant. Office of County Coroner. A. R. ZELLEB CO., 502-4 Williams ave. Phone East 1088, C 1088, Lady attendant. J. P. FINLEY & SON, 2d and Madison Lady attendant. Phone Main 9, A 1899. EAST SIDE Funeral Directors, successor to F. S. Dunning, Inc., E. 52, B 2525. LERCH, Undertaker, cor. East Alder and Sixth. East 781, B 1888. Lady attendant.

•••••••• CEMETERY

SKEWES COMPANY, 3d and Clay. Mais

Beautiful Mount Scott Park CONTAINING 335 ACRES. Portland's Only Modern Cemetery With Perpetual Care.

NEW TODAY.

\$100,000 3 Years

erty. No brokers. B 354, Oregonian.

Would You

southerly winds.

Oregon—Generally fair, except showers in northwest portion. Warmer east portion: like to own a beautiful Seaside Home and get a good income besides?

Washington—Fair east, showers west portion; southerly winds.

Idaho—Fair and warmer.

Acting District Forecaster.

TheoDorre F. DRAKE.

Acting District Forecaster.

Season of the place makes you a comfortable home now. Price \$2800 till September 15th; \$200 down, balance terms. Dr. Swain, Ocean Lake Park, Garibaldi Beach.

Mortgage Loans CENTRAL BUSINESS PROPERTY. LOWEST CURRENT RATES. WM. MAC MASTER

Park Street Corner Adapted for family hotel

or club. Present building yields fair income. \$12,000. Terms. AR 230, Oregonian,

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CITY & FARM LOANS Any amount at current rates.

JOHN E. CRONAN

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Mortgage Loans

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