

PRIZE FIGHT LAW FREES FOUR MEN

"Oregon Statute Is Defective in Failing to Define Crime," Says Judge Holmes.

DEMURRER IS SUSTAINED

Roy and Charles Saling, James A. White and Adolph Ritche Escape Trial for "Aiding" Cloverdale "Exhibition."

TILLAMOOK, Or., April 15.—(Special.)—Because the Legislature failed specifically to define what a "prize-fight" really is, Judge Webster Holmes today decided that the anti-prizefight law of Oregon is defective, and County Attorney Gerson was forced to move the dismissal of four prize-fight indictments returned by a recent grand jury.

Roy Saling, Adolph Ritche, Charles Saling and James A. White were indicted for "aiding and abetting" a prizefight at Cloverdale on April 4 last. The cases of Roy Saling and Ritche came up today on demurrers filed by their counsel, Attorney Johnson. The court sustained the demurrer, the effect of which ruling was to bar the introduction of any evidence by the prosecution and the cases were ordered to trial. This decision so non-pleased County Attorney Gerson that he moved to dismiss all four cases, which was done.

Judge Attacks Law. Judge Holmes, in his decision, said: "The Supreme Court has already held that you cannot bring an indictment upon a common law offense, and so far as this statute is concerned, it relies on what you might call common law. Different individuals might have different definitions. A law, a criminal law, must always be definite and certain. The Legislature must state what acts constitute a crime."

"In this statute there is nothing said about it and so far as the court is concerned, I will not undertake to legislate or ingraft my own personal views into the statute, and tell this jury that it is not the province of the court to do. There never has been a case before the Supreme Court construing this section so far as I know."

Crime Must Be Defined. "This point has not been raised with reference to the statute, but it has been raised as to other criminal statutes. The crime must always be defined. It must have a definition, and I fail to see how an indictment could possibly be drawn to state a crime under the statute. The crime is absolutely defective and wanting, in that one respect, in defining what constitutes a prizefight. "The dictionary give a definition, it is true, and the legal dictionaries give definitions, but they are all of different kinds, and there is a line of demarcation between what is commonly called sparring exhibitions and athletic performances, although they are commonly called fights with gloves. They use the term 'fight' in both instances, and, in order for any court or jury to tell which is a sparring match or a prizefight, you have to read into the statute something that is not there. I will sustain the objection."

DAIRY PROSPECT PLEAS

Umatilla Irrigation Project Said to Offer Many Advantages.

PENDLETON, Or., April 15.—(Special.)—"Dairying on the Umatilla irrigation project bids fair to be one of the really big and successful enterprises of this part of Eastern Oregon," says S. J. Damon, expert for the dairy division of the extension service of the United States Department of Agriculture and Oregon Agricultural College. Attorney J. Roy Raley, of this city, who owns a 100-acre alfalfa ranch on the project, says "the budding dairy men find the aid of Mr. Damon of great value. His advice in making tests of cows, in order to determine the best producers and in buying, especially has been a big service to us. The methods taught by him in the gathering and keeping of data prove of inestimable worth, and he has won the friendship of all with whom he comes in contact."

RAILROAD EARNINGS GROW

Northern Pacific Receipts Largest in Company's History.

OLYMPIA, Wash., April 15.—(Special.)—Gross earnings during the calendar year 1913, totaling \$72,000,275.29, the largest in the history of the railroad, are shown by the Northern Pacific in its annual report just filed with the State Tax Commission. Earnings credited to the State of Washington were \$19,257,714.74, the largest since 1914. Operating expenses have kept up with the increased earnings, the report says, totaling \$45,140,182.64 for the system and \$12,843,832.80 for the State of Washington. The total income for the system in 1913 was \$26,857,192.65, as against \$26,927,163.63 in 1912. For the State of Washington the income was \$6,328,737.45, as against \$6,752,627.95 in 1912.

OREGON LAMBS PLENTIFUL

Pendleton Company Says Increase Is 100 Per Cent.

PENDLETON, Or., April 15.—(Special.)—The present lambing season has been one of the most satisfactory the sheepmen of Eastern Oregon have ever experienced, according to Bert Smith, of the J. E. Smith Company. He says the company's herds have been "lambing" for four weeks, and that they have been saving 100 per cent of the increase. The experience of the Smith Company is being duplicated by other growers of wool throughout Umatilla, Morrow, Gilliam and Grant Counties. In some cases the percentage of increase is declared to be the greatest in the history of the industry in Eastern Oregon.

TOWNS FORM PARTNERSHIP

Oregon City and West Linn Agree on Co-operative Water System.

OREGON CITY, Or., April 15.—(Special.)—That the permanent survey of the pipe line from the south fork of the

Clackamas will begin Monday; that the committees from Oregon City and West Linn have framed a tentative agreement for the partnership plan which was satisfactory to both cities, and that the Southern Pacific and Portland Railway, Light & Power Company had shown a spirit of co-operation in aiding the project is the announcement of William Anderson.

The last joint session of the water committees from Oregon City and West Linn to arrange details for the partnership plan was held Tuesday. The tentative plan was considered and the report which the committees will make to their respective Councils was outlined.

The plan to be suggested by the committee is to have West Linn pay one-third of the cost of the pipe line from the intake to the reservoir. From the Oregon City reservoir to the West Linn reservoir the line would be owned, constructed and maintained by West Linn. The distributing systems of the two towns will be separate and all collections of water rents kept apart.

ABRAHAM ENTERS RACE

FORMER STATE SENATOR SEEKS PLACE AS REPRESENTATIVE.

City Attorney of Roseburg Asserts Men Experienced in Legislature Should Be Candidates.

ROSEBURG, Or., April 15.—(Special.)—Believing that men of experience in the legislative field, as well as in business,



Albert Abraham.

ness, should seek the office of Representative, Albert Abraham, of this city, will endeavor to enter the state House of Representatives. Mr. Abraham was State Senator from Douglas County and discovered many jokers in measures before the Legislature in the two sessions.

He maintains that he is taking the unusual step of being a candidate for Representative, after having been a member of the Senate, because he feels that he will be better able to stand the wheeling and persuasion of the lobbyist than a man of less experience. He stands for rigid economy, and was the first in Douglas to take this platform, it is said. Mr. Abraham is a Republican of considerable political experience. By profession he is an attorney, having received his lessons in the office of the old firm of Dolph, Bellinger, Mallory & Simon, in Portland. Previous to that he attended the University of Oregon and the University of California. He was admitted to the bar in 1892, was elected bankruptcy receiver in 1898, and in 1908 he was elected to the State Senate. He is now City Attorney for Roseburg.

COURT AUTHORIZES ISSUE

Receiver Permitted to Make Certificates to Build Power Plant.

BOISE, Idaho, April 15.—(Special.)—Judge Frank S. Dietrich, of the Federal Court, has issued an order permitting the receiver of the Idaho-Oregon Light & Power Company to issue receiver's certificates up to \$250,000 to be used in the completion of the Oxbow power plant on the Snake River between Idaho and Oregon. The application of the receiver was made some time ago, and the stockholders of the company divided on defending and opposing it. The plant, when completed, will be one of the largest in the West and represent an investment of more than \$1,000,000, it is said.

Pipe Reaches Ridgefield.

RIDGEFIELD, Wash., April 15.—(Special.)—Five carloads of reinforced culvert sections are being received at the Ridgefield freight yards. The culvert sections are five inches thick, four feet four inches wide, with a diameter of six feet and a circumference of nearly 19 feet, and each section weighs 4222 pounds. They will be used in making a culvert under the Brazeo Creek fill.

LINN COUNTY PIONEER DIES AT AGE OF 85.

Alphonso Webster Stannard. BROWNSVILLE, Or., April 15.—(Special.)—Alphonso Webster Stannard, one of Linn County's oldest and most prominent pioneers, died at his home here recently, aged 85 years. Mr. Stannard was born in New Hampshire, and in 1855 crossed the plains with an oxteam, and in the Fall of that year took up a donation land claim three and one-half miles from Brownsville. He is survived by seven children.

NEW PLAN IS URGED

West Opposes Time Extension Deschutes Project Now.

REASONS TOLD IN LETTER

West Side Tract Could Be Improved From East Side Options' Sale and Sold for \$360,000, Governor Writes Desert Board.

SALEM, Or., April 15.—(Special.)—Regarding the report of the Des Chutes Land Company's project made by State Engineer Lewis, Governor West today declared if an extension of time was given the company sufficient money would be collected from the sale of options on the East Side lands to complete the West Side project, and that the West side project could be disposed of for \$360,000. He said J. E. Morson, president of the company, could use this money as he saw fit. He favors a new contract, a reasonable bond and other safe guards before an extension is granted.

A letter addressed by the governor to the State Desert Land Board, which will act on the report of Mr. Lewis at its next meeting contains the following: "As I understand the situation, there is sufficient water available from the ordinary flow of the particular fork of the Deschutes from which the water is taken to irrigate the West Side tract. It is necessary, however, to order to water the East Side tract, to supplement the flow of the Deschutes with water stored in Crescent Lake as a reservoir.

East Tract Would Have No Water. "Mr. Lewis points out in his report that an expenditure of a little over \$27,000 would place the said West Side tract, or 10,000 acres, under water. This would leave, however, the East Side tract, or 20,000 acres, yet without water and dependent for same upon the construction of the Crescent Lake reservoir, and make an extension of the canal necessary to serve the lands. "While it is impossible to secure definite information upon the subject owing to the fact that the board has failed to require, and Mr. Morson to supply, a list of options or water rights sold, I am quite certain that it will be found that the said options sold cover lands upon the East Side project and that the money received from these purchases has been expended toward the completion of the West Side tract, from which they would receive little or no direct benefit.

Enter Work Might Not Be Done. "If Mr. Morson's company is given an extension of time without taking these matters into consideration, and the purchasers of the options given some protection, the following will undoubtedly result: Sufficient money will be collected from the options sold upon the said East Side lands to complete the West Side project. This would give Morson in the neighborhood of 10,000 acres of unsold lands with an authorized lien of \$36 per acre. Owing to the extension of time he would receive, he would hang the remainder of the project upon the hook for at least the time given by the extension of his contract and in the meantime dispose of the West Side tract for the sum of \$360,000.

Seven Want to Be Sheriff.

ST. HELENS, Or., April 15.—(Special.)—For the office of County Sheriff there are seven candidates. Those asking for the nomination are: A. B. Lake, Republican, St. Helens, now deputy sheriff; J. F. Johnson, Republican, St. Helens; N. H. Kinney, Republican, St. Helens; E. C. Stanwood, Republican, St. Helens; George W. Grant, Democrat, Scappoose; U. W. Clark, Democrat, St. Helens, and L. H. Combs, Democrat, St. Helens.

Convict Arrested, Surprised.

WALLA WALLA, Wash., April 15.—(Special.)—Arnold Alsop, alias Sid Scott, was arrested near Dixie today. He escaped from the Deer Lodge, Montana, prison December 15, after serving four months of an 18 months' sentence for using a knife on a negro. Alsop did not deny his identity but demanded to know "who in hell gave me away?"



Users of Manning's Coffee have the keen satisfaction of knowing that they get full strength and grace in every cup. It's freshly roasted by the store every day and ground for you at the time your purchase is made.

MUSICIANS!

C. G. "Conn" Circus Bore CORNET

MANNING'S COFFEE STORE JONES MARKET FOURTH & ALDER

FREE

Graves Music Co. 151-153 Fourth Street, Portland, Ore.

What is the Encyclopaedia Britannica?

Why should I own a set? Why should I buy it NOW?

STRANGE as these questions sound to people who know what a tremendously important and valuable work the Encyclopaedia Britannica is, hundreds and hundreds of men and women who see this advertising are asking themselves these very questions.

For those who have never come in contact with the Britannica we can simply say, "It is the greatest gathering together and compilation for ready reference of essential, practical world-knowledge that has ever been issued."

It is the work of the foremost authorities on every phase of human knowledge. It is written in a clear, easily read and easy to understand manner. It is the court of last resort for the greatest thinkers and doers of the day, as well as the "man in the street."

When lawyers, doctors, statesmen, judges, manufacturers, travelers, teachers, scholars, students, engineers, or trained workmen say, "The Encyclopaedia Britannica says—thus or so," controversy and question ceases. It is the authority on every subject touched.

To understand What the Britannica is, is to understand Why you should own it

The successful men of this age, whether leaders of finance, heads of educational institutions, directors of great newspapers, builders of great ditches, bridges or railroads, experts in mining, manufacturing or farming industries, are successful and their opinions carry convictions because they know. This class of men and women were quick to purchase the new 11th Edition of the Britannica. To them it is a necessity, a tool, an instrument by which they build up and hold onto their leadership and success.

Why should You own a set of the Encyclopaedia Britannica?

Because if you will only try to make good use of it, it holds, between the covers of its 29 volumes, knowledge that it has taken the world centuries to accumulate—knowledge that you can apply to instant advantage. The men who have not gone ahead are in the last analysis men who do not know. Perhaps this is just the opportunity that you have been waiting to come tapping at your door. No matter what your vocation—clerk, salesman, miner, lumberman, carpenter, teacher, weaver, dyer, any of the trades, any of the professions, the new Britannica will be an invaluable aid to you in your work. It points the way up. It gives facts on which to grow.

Send for our Complete Prospectus--Free

To make it easy for you to get a clear, comprehensive idea of what the new Britannica is, we have published an 80-page handsomely printed prospectus of 250,000 words, which costs us 50 cents a copy to print and mail. This contains sample pages that show the new and marvelous form in which this tremendous work is put into 29 slim, beautiful books that can be handled and read with as much comfort as you can handle and read an average book. It shows the new India Paper by the use of which the whole of such a large work, 44,000,000 words, 28,150 pages of text, dealing with half a million topics, 14,689 full-page plates, text illustrations and maps, has been condensed into a form that enables the entire set to be placed on your library table or desk.

Write for this Prospectus today. If you think there is a need for the Britannica in your life and work (and there is); if you seriously want particulars about it, let us send you this handsome prospectus. If you are merely curious to see what the prospectus looks like, don't write. In itself the prospectus can do you no possible good. In that it can help you to decide whether or not you ought to buy the Britannica you will find it instructive and interesting.

Why you should order NOW!

We have now on hand only a limited number of complete sets of the Britannica.

We have received instructions from the publishers, the Press of the University of Cambridge (England), that on May 28th next we must positively advance our prices by from \$29 to \$50 a set according to the binding. We are spending thousands of dollars in the next few weeks to tell the people of this Nation the news of this price change and to give them the opportunity to save in the total, tens of thousands of dollars. Many intending buyers have delayed and delayed. The orders are now coming in with a rush. No man

A Possible Saving of \$29 to \$50

or woman of ordinary means can afford to throw away

A Possible Saving of \$29 to \$50 The rate at which orders are now coming is going quickly to exhaust our present supply of sets. You must order before May 28th to get the present low price. You cannot have immediate delivery if you do not order at once.

You can have this book delivered to you now and get the lowest cash price. Or you can make 4, 8 or 12 monthly payments. Or you can make a first payment of

Only \$5.00

and pay the remainder in monthly payments of \$5.00 (17 cents a day, less than the price of two fair cigars).

When our supply on hand is exhausted we will have to advise "We will ship as soon as possible." This will undoubtedly mean no deliveries during

May. Probably none after April 21st and for several weeks thereafter.

Send for the Prospectus now. Fill in the blank below while you are thinking about it.

Application for the Prospectus

Manager, ENCYCLOPAEDIA BRITANNICA 120 West 32d Street, New York

Send me by mail the Prospectus of the 11th Edition of the Encyclopaedia Britannica with particulars of present prices, bindings, deferred payments, bookcases, etc.

Name, Profession or Business, Residence

\$29 to \$50 is the Price of Delay

The Encyclopaedia Britannica

Head Office, 120 West 32d Street, New York

