SAY MADISON BRIDGE IS NOW O. K.

Street Railway Company Officials and County Commissioners Assure the Anxious Public That Structure Is Safe.

Officials Say Bridge Is Safe.

We would not think of running cars over the Madison street bridge if it were not perfectly safe. Our engineer has it constantly under his supervision. The minute it shall appear to be unsafe, we will stop running cars across it. We could not afford to endanger the lives of our patrons.—B. S. Josselyn, president of the Portland Railway, Light & Power company.

The Madison street bridge is just as safe as the Morrison bridge. The public can rest assured that they are in no danger as long as cars use it.—L. R. Webster, county judge.

We have had Mr. Wakefield, our engineer, make an examination of the bridge and he reports that it is safe for traffic.—W. L. Lightner, county commissioner.

The Madison street bridge is in good condition, so far as safety is concerned, if there is any virtue in the investigation of engineers and the findings of railroad and county officials. Not even the heavy Christmas traffic can make any impression on it. President Josselyn of the Portland Railway, Light & Power company says so, County Judge Webster says so, and so does County Commissioner Lightner.

For some time there has been a growing feeling on the part of the public that the old bridge is in a shaky condition and not really able to bear the heavy traffic which crosses it. This supposition has made many persons fearful to cross the river on the cars of the Oregon Water Power division and many inquiries have been sent to The Journal asking the real facts in the case.

The county commissioners, who have charge of the bridge, have been keeping close watch on the condition of the structure and yesterday sent R. L. Wakefield, the head of the Portland Bridge & Building company, to make a personal investigation of its strength. Mr. Wakefield made a report of his findings this morning to the county commissioners.

According to this report, the bridge is in as safe a condition as it has been for some time past, and it is in no danger of accident. Strengthened by the supporting piling which has been put under the stationary spans of the bridge, there is no danger to passengers, according to Mr. Wakefield.

Safe, Says Expert.

"The Madison street bridge is just as safe as the Morrison bridge," said County Judge Webster this morning. "Mr. Wakefield reports that the bridge is in good condition and in no danger of giving way. In order to make assurance doubly sure it is probable that the court will order more piling to be put under the spans, but this is not really necessary. It is simply done to take every precaution at hand.

"This thing is certain—as long as the bridge is open there will be no danger in its use. Mr. Wakefield has made an examination and reports the bridge in good condition. The superintendent makes a daily inspection of the structure, and should anything happen to weaken it the court will close it at once. As long as cars run over it there is no danger of its falling."

County Commissioner Lightner is of similar mind. He contends the structure is perfectly safe, and that the commissioners are watching it zealously. At the first intimation of any danger, however slight, the bridge will be closed to traffic.

"We can not afford to risk the safety of our patrons," said President Josselyn. "The moment we believe that there is danger, however remote, we will discontinue the use of the Madison street route and send cars across the Morrison street bridge.

Engineer on Guard.

"Our engineer has made repeated examinations of the bridge and has reported that there is no danger. He continually is on the watch, and should he find any weakness would at once order the cars off.

"We have quit running double cars across the bridge, not because we consider the bridge unsafe, but simply as a matter of extra precaution. We believe it would be just as safe to run the trailer cars across now as it ever was, but we are taking no chances. This can be depended upon, however—the moment there is danger the bridge will not be used for streetcar traffic."

It is announced by President Josselyn that the company is now making arrangements to route the Madison street traffic over the Morrison bridge, in the event that it should become necessary the principal reason for the preparation being the prospect of the construction of the new bridge.

Plans for Transfers.

It is planned to send all Sellwood Mount Scott and Hawthorne avenue traffic across the Morrison bridge, transferring at Grand avenue and Hawthorne. In other words, all people using these lines will take any Morrison bridge car and transfer to their proper destinations on the east side.

In the event of this change all Oregon City and Cazadero cars will be stopped at the end of the Madison bridge on the east side, and passengers for these runs will be transferred from the Morrison bridge lines by a special transfer service from the end of the Morrison bridge. A double track is now being constructed on East Water street between the end of the Morrison bridge and Hawthorne avenue for the use of this transfer service.

SCHURMAN WILL BE CLUB'S GUEST

Arrangements have been completed for the entertainment of Jacob Gould Schurman, president of Cornell university, who will arrive in Portland Saturday morning and who will leave for Seattle on the early Sunday morning train. President Hodson of the Commercial club will entertain Mr. Schurman at luncheon Saturday, and in the evening he will be given a dinner at the University club. At 1 o'clock President Schurman will address the members of the Commercial club in the green room.

President Schurman is widely known as a scholar and administrator and is one of the most entertaining public speakers in the country. He has been at the head of Cornell university for 15 years and was the president of the first Philippine commission. President Schurman goes from here to Seattle, where he will address the Commercial club next Tuesday. From Seattle he will proceed to Spokane, and there deliver two addresses, December 30 and 31, before the Washington State Teachers' association.

GOOD TEACHERS MUST BE PAID GOOD SALARIES

Members of School Board Explain Why Advance Is Proposed in Pay Schedule and Why the Amount Is Not Larger at This Time.

There will be a hot fight at the annual taxpayers meting at the west side high school next Monday night over the proposal to raise the salaries of the public school teachers. Four members of the school board are in favor of the proposed increase of an average of about 15 per cent, but chairman H. Wittenberg has announced his intention of taking the floor and opposing the advance as vigorously as he can. As the schedule proposed is the result of a compromise among the other members of the board, all of whom have promised to abide by it, the meeting promises to be interesting, perhaps exciting.

"I think the school teachers are getting nearly all they are worth now," stated Mr. Wittenberg this morning. "Salaries are regulated by supply and demand, and we can get all the teachers we need for what we are paying now. I am willing to allow a reasonable increase in salaries, but not what the board has recommended. I don't think it is necessary for me to say any more than I have already said on the subject. I expressed myself fully at the meeting of the board the other day, and I have not changed by opinion since. I said then that I would take the floor at the taxpayers' meeting and oppose the increase and I intend to do so."

That Mr. Wittenberg, however, will be in the small majority is evident from the statement made by I. N. Fleischner, another member of the board, this morning. Mr. Fleischner explained how the schedule recommended was arrived at.

Twenty Per Cent at First.

"The matter was first referred to the finance committee, consisting of Mrs. Sitton and myself," he said, "and we recommended a horizontal increase in salaries of 20 per cent. But we found that we had no support on the proposition, so the matter was again taken under advisement by Mrs. Sitton, H. C. Campbell and myself, and we recommended a horizontal increase of $150 flat. J. R. Beach, however, would not agree to that, and so we compromised with him at $125. This was agreed to by all the board except Mr. Wittenberg, so the board stands 4 to 1 on the proposition.

"I know there has been some dissatisfaction among some of the teachers over the raise recommended, but I think they should be willing to stand by the majority of the board, who have done all they could for them. Personally, I think they should be given the 20 per cent increase they asked for, and would be willing to vote for that yet. But as we can't get that, we must take what we can get. Three quarters of a loaf is a good deal metter than no loaf at all. I think the teachers are all underpaid and ought to get more than they now receive. Perhaps in a year or two we may be able to give them another raise, but this is the best we can do now. I have explained the situation to several of them and I think they are now fairly well satisfied that we have done the best we could for them and will be willing to stand by us.

After Good Teachers.

"As it is, the increase recommended averages about 15 per cent. Some of the teachers will get less than this and some more, but that is about the average. Our principal object in raising salaries is to be able to get as good teachers as other cities in the west. We have been paying less than Spokane, San Francisco, Seattle and Los Angeles and other cities, and as a result, they have been able to get their pick of the teachers and we have had to take what was left.

"The statement that there are plenty of teachers to be obtained for what we have been paying is incorrect. We cannot get the best teachers if we pay less than other cities do, and what we want is the very best that can be got. We want to give our children the best possible education, and to do so we must have good teachers. We can't get them unless we pay good salaries.

"We can't pay as much now as I wish we could because the city is growing so rapidly that we have to keep building new schools, but perhaps we can do better after awhile. The increase we have recommended will put us on an equality with the other cities in this part of the country, anyway, and make it possible for us to get as good teachers as they do, instead of having to take what they leave, as we have had to do in the past.

"The chief dissatisfaction with the proposed increase is with the grade teachers. They think they should have been given more than we have recommended. But I think we have done the fair thing. A teacher who has been in the schools only two or three years should not expect to get as much as one who has been teaching five or six years.

"Take the first, fourth, fifth and sixth grade teachers, for instance. A teacher who has been in the schools two years is given a raise of $50 a year, which is 4.3 per cent more than she gets now. One who has taught in the schools for three years gets $75 more, 11.5 per cent; one who has taught for four years gets an increase of $100, or 14.2 per cent; five years, $125, or 16.6; and a teacher who has been with us for six years gets $125 more a year, or an increase of 15.6 per cent.

"So you see, they get promoted as they stay with us. The teacher who gets only $50 more this year will get the $75 increase the following year, $100 the year after, and $125 the subsequent year.

"It is the same with the other grade teachers. They get $50, $75, $100, $125 increase, according to the length of time they have taught. The percentage of increase runs from 9 per cent to 17.8 per cent.

Wages Are Too Low.

"Now, with the high school teachers, it is a little different. At present a high school teacher starts in at $900 a year for the first two years; then he gets $950, and is gradually raised until at his sixth year he is getting $1100. But we have found that we can not get good teachers at that price. We can't bring a good high school teacher out from the east at only $900, because he can get more back there. So we have recommended a raise of $200 a year. According to that the high school teacher will start in at $1100, and be raised each year until the sixth year he gets $1300. That puts us on an equality with the other cities of the west, and will enable us to get as good high school teachers as they do.

"The heads of departments we have given $300 more, because we wanted to get the very best them in at $1200. But we have found that we can not get good men at that figure. They can get as much or more back east and will not come out here for $1200. So we have decided to start them in at $1500, which is an increase of 25 per cent.

Raise for Principals.

"Principals now get $2400 a year. We felt that that was entirely too little, and we have recommended that they be given $300 a year more, or $2700. That is only 12.5 per cent increase.

"Then there are a few special teachers in the school of trades, etc., who are given increases of $200 a year, and the supervisors are raised $150.

"Taking it altogether, the average increase is nearly 15 per cent—14.9 per cent, to be exact, and I think the schedule we have prepared is as fair as possible. Of course, I wanted to give the grade teachers a horizontal raise of $150, but since we could not do that, I think they ought to be willing to stand by us in what we have done for them."

The proposed schedule will give the grade teachers a total increase of $51,920; high school teachers, $13,900; school of trades, $1100, manual training teachers, $1150; supervisors, $1800; principals of elementary schools, $800, and principals of high schools, $600, making a total annual increase of $78,470, or a total monthly increase of $7847, or 14.9 per cent. The proposed monthly payroll will be $60,362.

Mr. Fleischner states that no account was taken of percentages in making out the new schedule. The percentages of increase were figured out afterward merely for the convenience and guidance of the members of the school board.

More After Awhile.

Mrs. L. W. Sitton says that the teachers who have contended that the largest percentage of increase goes to those who are already getting the biggest salaries is a mistake. It is the grade teachers who really get the most proportionately.

"I wish," said Mrs. Sitton this morning, "that we could give them all the horizontal 20 per cent increase, but I am afraid that is impossible just now. I believe the schedule we have arranged is the best that could be arranged at this time. Of course, I am heartily in favor of giving the teachers the raise recommended. I was a member of the committee that prepared the schedule.

POLICEMEN FALL INTO RIVER WHILE ON SCOWTOWN RAID

While being escorted from her scow home at the foot of East Main street to the patrol wagon last night, Annie Collins fell from the narrow plank on which she was walking and nearly dragged the policeman, Tom Swennes, into the river with her. Swennes hauled the woman out, placed her on the scow—for Annie was much the worse for liquor—and tried to arrange the planks so that no one else would fall in. He looked around just in time to see Annie tumbling head first into the river again.

This time the woman went into deep water, so Swennes had to seize her by the hair. Before she could be taken to the patrol wagon she had removed all her clothing, and the officers were in a quandary. Finally they covered her up with what dry clothing they could find and bundled her into the vehicle.

In the meanwhile Officer Robinson, while leading out Hubert McDonald, had also fallen overboard, but went in only to his waist. At last the whole party, the Collins woman who owns the scow; McDonald, Rosie McDonald, and E. J. Garrison were taken to the police station.

The police say Garrison was being robbed in the scow. He was badly cut, and the interior of the floating dwelling was besmeared with blood. The members of the party were fined $20 each today.

Scowtown at the foot of East Main street and vicinity has given the policemen much trouble lately. The noise from the Collins' woman's scow just before midnight attracted the attention of both Swennes and Robinson, but usually the isolated position of the scows leaves the occupants free to hold revels as long and as loud as they please.

TWO HEADED CALF CAUSES WORK FOR POLICE COURT

With a two-headed calf, stuffed and mounted, in his arms, C. A. Bailey of 282 Crosby street started out last evening to sell the freak. Before long he met Alfred Smith, who became interested in helping Bailey sell his monstrosity to advantage, and went with him from place to place. Refreshments were occasionally served.

Nobody wanted to buy a dead two-headed calf, however, so Bailey, still accompanied by Smith, went home. When Smith saw the stuffed calf put down on the porch of Bailey's home he at once seized it and made off.

Then began the second attempt to sell the mounted calf with two real heads. In a saloon on Union avenue, Smith, who had almost despaired of finding a purchaser, showed the freak to O. L. Lehman, who has a meat market at Union avenue and East Pine streets. Lehman was naturally interested, and as Smith said it was his property he finally bought the animal for $5.

Knowing it would attract attention, Lehman was setting up the defunct calf in front of his shop this morning when a policeman appeared and told him it had been stolen. Smith was arrested at 4 o'clock on North Third street by Sergeant Kienlin. Lehman appeared today against Smith, as did Bailey, and Smith was sentenced to 30 days' imprisonment.

WIRELESS PLANS TO COVER NORTHWEST

(Special Dispatch to The Journal.)

Spokane, Wash., Dec. 24.—Wireless stations will be established in every city of over 10,000 inhabitants in the Pacific northwest during the next year, says B. G. Green, fiscal agent of the United Wireless company. Green is negotiating for a wireless station in Spokane. The company already has stations at Sacramento, Pasadena, Santa Barbara, Vancouver, Bellingham and Tacoma.

WRECKED SCHOONER IS BROUGHT IN

(Special Dispatch to The Journal.)

Marshfield, Or., Dec. 24.—The two masted schooner San Buena Ventura, in a wrecked condition, was brought into Coos Bay today by the tug Columbia. She is badly damaged. In answer to news received here the Columbia went out and found the schooner about eight miles off Cape Blanco. All the members of the crew are aboard. She will be brought to North Bend.

FINCH TELLS STORY OF CRIME

(Continued from Page One.)

this was too harsh. Honestly speaking, I think I was perhaps deserving a reprimand, and if I had continued in my habits I might have deserved a severer sentence. But since July I had been attending strictly to business, and I thought that the judgment was too much."

All through his story Finch carried the same idea of persecution. He was crying out to be let alone and given a chance to work out his destiny, but Fisher would not let him, and pursued him with vindictive persistence. This is the story that he would have the jury believe—that he was a suppliant for mercy, Fisher the relentless prosecutor, faithless to what he had promised.

Once during his story Finch declared that he still had hopes that the punishment inflicted by the supreme court might be lessened, and that he might return to the practice of law. He said he had held out hopes to his wife that the penalty would be lessened, adding, "and I still have that hope."

Referring to a letter from the commissioner of pensions to Finch regarding the use by him of C. H. Piggott's seal in executing a pension voucher, he said he had shown it to Fisher and that the latter "appeared to be obtuse." This is the letter which Finch's attorneys have referred to as "vindicating" him, but in which he was advised by the pension department that his act was illegal; that he should read up on the law, but that he would not be prosecuted for his act as matters then stood.

Checks Were Dishonored.

Finch admitted that he "became tangled" as to the status of his bank account, and this was the reason he did not have sufficient funds to meet checks that he gave, one of the Bar association's complaints being based on these dishonored checks. He said that he thought some money had been deposited to his account when he uttered the checks, and he made them good as soon as he learned they had been refused.

Finch told in detail of the case tried last February in which he was accused of drunkenness and other misconduct before Judge Gantenbein. About February 10, he said, he received a telephone message from Fisher, whom he had known only from the preceding December, one year ago, in which Fisher accused Attorney Holcomb and himself of holding out $2000 worth of jewelry that had been stolen as a fee for defending two men then on trial. This was the transaction in which Attorney S. S. Humphrey made complaint to have Finch and Holcomb disbarred, the name of Holcomb being later erased and the charge against Finch dismissed.

"Fisher said to me then that if I did not give up the jewelry or protect Mr. Humphrey in this matter he would bring disbarment proceedings against me," said Finch. "I told him I knew nothing about the jewelry. Fisher himself brought his complaint to my office. Later he made a proposition to my partner to drop the proceedings if I would give up the jewelry, at the same time threatening that if I refused he would try to disbar me on the ground of drunkenness."

Threatened by Pinkertons.

Finch also told of threats said to have been made by Pinkertons working on the case. The next conversation he mentioned with Fisher was an accusation by Fisher that he was trying to "rob" the Flanders estate, in which he was an attorney. Then came a conversation in March or April over the pension voucher, when Fisher was "obtuse." He said Fisher then told him, "You had better resign from the bar."

His next encounter with Fisher, the witness said, was on November 4 or 5, over the telephone, when Fisher proposed that he plead guilty to the charges of misconduct, but this proposition was made to his attorneys.

"Fisher said that if I would plead guilty he would have the sentence reduced to a reprimand or suspension," said Finch, raising his voice. "Fisher ratified this over the phone. I advised against it, but my attorneys thought it the best way. So I told Fisher I was expecting to be married soon, that I would cut out drink, and only wanted to be let alone. Solely under the representations of Ralph B. Fisher that he would sign a petition for reinstatement, I consented to a plea of guilty.

"The report of the plea in the disbarment proceedings was to be held in the hands of C. M. Idleman, the referee, until I could get the petition signed for presentation to the supreme court at the same time as the plea. Fisher said he would head it, and said he would see the circuit judges, the county judge and others and get them to sign it.

Shocked By Disbarment.

"On November 17 I was married. I went to Corvallis to attend to a case in court on Monday preceding the November 28, and I read in The Journal of my disbarment in large type on the last page of the paper, as I sat in a hotel at Corvallis. I was shocked when I read it. I could not sleep, and I caught an early train for Portland, arriving Wednesday. At Woodburn on the way down B. A. Rounds, who has testified here, took a seat beside me in the smoker, and we talked about real estate. I said nothing whatever to him about my disbarment. I was sick at heart, and wanted to say nothing about that. I felt as if I were the victim of a trap."

Finch then went over his movements on the days following. On Wednesday he talked with Piggott about getting out the reinstatement petition, and that night a home for his wife and W. C. Piggot, nephew of the attorney, told about a man trying to break into the house while he was away, advising him to buy a gun.

Thursday he had a conversation with Attorney Frank S. Grant, in which he was advised to go ahead with his petition. That night he made merry at a Thanksgiving dinner at his home, but slept little that night or the night before.

Friday, he said, he was in his office the most of the day, working on a brief. Piggott went to Idleman's office to prepare his petition, brought it to the office in blank and announced that he would at once call on Fisher with it, so the prosecutor might head the list of signatures.

Drinks With a Policeman.

Saturday morning he went to his office about 9 o'clock, asked Piggott what luck he had with Fisher, and saw there were no signatures on the petition. He was not permitted to tell what Piggott told him. About 11 o'clock he went to Dubb's cafe and had a drink of brandy and pepsin with a patrolman on the Sellwood beat. Went back to his office and called up Grant to ask him to use his influence with Fisher to get the latter to sign the petition. Grant said he thought it no use, but would try.

He at once called Fisher on the telephone, several persons being in the room. He asked Fisher to sign the petition, and Fisher said in reply that in his then state of mind he did not believe he could sign it. The witness said he then pleaded.

"Ralph, you know you promised to sign it before it was circulated."

"Then Fisher said, 'Well, you better not circulate it.' I went over my case with him, reciting my marriage and my desire to live peaceably and earn a living. Fisher's answers were short and brusque, but finally I seemed to make some impression. He called me 'Jim' and said he would be in his office until 2 o'clock, and would let me know before that time.

Tells of Buying Revolver.

"It was not clear in my mind then whether I should go to his office or not, but about 12:30 I went to the Merchants National bank and cashed a check for $15 and went down to the store of the Hudson Arms company, where I bought a revolver. The clerk loaded it at my direction, and I bought a box of cartridges. This was because I remembered what my wife and W. C. Piggott had said about getting a revolver.

"After leaving the gun store I saw John Cordano in front of Arata's, and Cordano introduced me to one of the Aratas. We went inside and had a drink or two and a cigar. Shortly after that an Italian came along and I bought three chickens from him, to be delivered at home the following Tuesday.

"Leaving there, I met Charles Downer on Third street, between Alder and Morrison. I had a suit pending against him as a next friend of Julia O'Connell. We went to Rometsch's saloon and I had a drink of brandy and a cigar. I talked of nothing but business with him, and he testified falsely when he said that I told him the next time he saw me I would be in jail."

Finch closed his morning story by telling of an appointment with B. F. Hirsch, who works for Nicolai, at 4 p. m. that day, and another date for Sunday morning with a Sellwood policeman who had been fined by the police commissioners and for whom he was acting as attorney. Returning to his office, he said, someone told him that Fisher had called on the telephone and stated that he "wanted to see Finch." So he started for Fisher's office, and thought he met a young man named Floyd Matthews on the way.

Here, at the verge of the story of what took place in the Mohawk building, from which the witness was evidently fighting shy, court adjourned until afternoon.

Tells Story of His Life.

Giving the story of his life, Finch said he was born in De Witt, Iowa, and came to Oregon in August, 1889, settling at Creswell. He cut cord wood and made picket and wire fences, working for a Mr. Howe on a farm. Later he worked in the hop yards and drove stage from Grants to Rutledge. In the fall of 1894 he went to Albany and about this time began reading the codes. He entered the office of Wallace Nash to study law, but in the spring of 1895 took hold of the defunct newspaper plant of the Oregon Populist. At the behest of Dr. J. L. Hill, chairman of the People's party, he began publication of the Oregon Silver Imprint, taking an active part in the campaign of 1895 and 1896, the ticket he supported being elected in Lane county.

The witness referred to activity at the holdup session of 1897, the same year selling his newspaper plant to Johnson S. Smith. For a few months he ran another paper, then studied law in the office of D. R. Blackburn, later changing to office of J. D. Duncan. Then he entered the employment of the Albany Herald, continuing with it for six years. In the legislative session of 1903 he was printing expert of the house and senate joint committee and calendar clerk of the house in 1905.

"Thomas B. Kay of Salem was a candidate for speaker that year," said the witness. "He is a brother-in-law of Ralph B. Fisher, who met his unfortunate death on Saturday, November 28. I seemed to have received the blunt of blame from Kay for his defeat, for he has scarcely spoken to me since, although very friendly before."

In April, 1906, he said, he came to Portland and formed a law partnership with C. H. Piggott.

JAIL COMPANIONS TAKE STAND IN FINCH'S BEHALF

Attempting to prove that Finch had a bump on his head when he was taken to jail after being arrested on the afternoon of November 28, the defense yesterday afternoon put a procession of jailbirds on the stand to testify to this swelling. Some of them also testified to a damaged hat, which Finch had shown them, a break in the hat corresponding to the wound on his head, they declared.

All of this was to support the claim of Finch that he was assaulted by Ralph B. Fisher with a notary's seal and dazed by a blow on the right side of his head before he fired the fatal shots. Two of the prisoners also testified to a large bruise on Finch's leg when he was stripped for a bath. One was positive this bruise was on his right leg and the other was positive it was on the left.

Most amusing of all this testimony from the jail was that of W. B. Glenn, cellmate of Finch, who produced a diagram of Finch's hat. He said he made this diagram on Tuesday or Wednesday following the shoting. He drew it of his own volition, he said, remarking to Finch that it would be a good idea to have it to identify the hat. Asked what he wanted to identify the hat for, Glenn said that if the hat were lost he would be able to identify it. On his diagram he had carefully marked the color, numbers in the band, and other distinctive marks.

Deputy District Attorney Fitzgerald made a critical cross-examination of this witness, developing the fact that W. W. Holcomb, one of the attorneys for Finch, is also his attorney. The questions of the prosecutor in examining Glenn and other jail witnesses indicated that he will attempt to show that the prison associates of Finch have banded together to help him by testimony as to what he told them and the swelling said to have been on his head. The state is expected to come in strong on rebuttal to discredit this testimony.

Yesterday afternoon and last night the testimony was tediously drawn out by the attorneys for the defense, who spent much time in conference with each other and submitted a large number of documents bearing on the disbarment proceedings. Some of these were admitted in evidence without objection by the state, but the majority were rejected by the court as incompetent to prove any issue in the case. Attorney Lord was kept busy at times entering his formal exceptions on the record, so that his points may be saved for an appeal on technicalities if Finch is convicted.

Some time was consumed by the defense in getting under way at the afternoon session. After much conferring Attorney Lord made a formal motion for an instruction for acquittal, which was promptly overruled. C. J. Quinlan, clerk of the justice court, was the first witness called, and read the record of the court relating to his arrest for murder. Then the defense filed a demurrer to the indictment on two technical grounds, which was overruled after brief argument.

County Clerk Fields was called to identify the transcript filed in his office from the justice court. The defense said that this was wanted to contradict testimony of Miss Verna Burkhart by testimony given at the preliminary hearing. Judge Bronaugh held that the testimony at the preliminary could only be secured by calling the official reporter.

C. M. Kissinger, describing himself as an attorney and resident of Eugene, said he had known Finch by sight for many years. About 1:30 o'clock on the afternoon of November 28, he said, he stood with B. J. Watts on Morrison street, opposite the window of Fisher's office. He had been there since 11 a. m. watching for Attorney John Ditchburn, with whom he had business to transact. He saw Finch crossing the street, and remarked to Watts: "There goes Finch, the man Mr. Fisher up there disbarred." He and Watts then talked about different lawyers and the disbarment proceedings.

"When did you see him next?" asked Lord.

"Not until today," was the reply, which was evidently disappointing to the defense, and this was emphasized by the answer to the next question:

"Did you see him again that day?"

"No."

Then the witness said that about the time he saw Finch cross the street a man appeared at the window in Fisher's office for a moment, then disappeared, as though a man had backed up to the window. He could not recognize the man, nor say whether it was Finch or Fisher. He was not sure, but thought he saw the man's form after he heard a noise like pistol shots. He could see only the man's head and shoulders. Thought he was wearing a hat, but could not tell the position he was in.

On cross-examination Kissinger denied that he had a conversation with Lark Bilyeu, an attorney of Eugene, in which he stated that he saw the man's form through the window after the shots were fired, instead of before.

Thomas G. Greene, chairman of the grievance committee of the State Bar association, was called to the stand with papers which proved to be the record of the Finch disbarment proceedings. Greene was asked only a few questions, as he stated that Frank S. Grant was more familiar with the papers.

Horace G. McKinley, the noted land thief, was the first of a long chain of prisoners from the county jail that lasted all afternoon, and was continued at the night session. These witnesses all testified on the same line, that they had observed a lump or swelling on Finch's head. Some of them saw this mark four hours or so after Finch was brought to the jail. Others did not see it until the next day.

McKinley said he saw a lump the "size of two-bit piece" on Finch's head, observing it Sunday, the day after the shooting. Finch twice asked for a doctor, but the county physician could not be found. There was no abrasion or discoloration of the flesh.

W. E. Douglass, recently tried for embezzlement, noticed Finch putting his hand to his forehead as if in pain, about four hours after his incarceration; saw a swelling three-fourths of an inch high. Saturday afternoon Finch talked about being a disbarred attorney and cursed the newspapermen. This seemed about all he would talk about but on Monday he began to talk about a scuffle.

Dr. G. B. Whitney said when kangaroo court was held just after Finch was brought in the prisoner seemed to take no interest in what was going on. After supper he became calm, and later Finch showed him a swelling on the head and a cut in his hat. The witness admitted that he saw Finch bump his head when he entered his cell.

Ed Johnson, another of "Sheriff Stevens' boarders," as the defense insisted on referring to prisoners in the jail, did not notice Finch's damaged countenance until Sunday morning, when he was playing a game of cards with the defendant. Finch had also shown him the hat later on.

Edward H. Martin, convicted of manslaughter for the killing of Nathan Wolff, saw on Finch's head a small contusion, "more in the nature of a wart, tapering to a point," soon after Finch was brought in. He said he was judge of the kangaroo court that tried Fisher's slayer, assessed a fine against him, and ordered a bath. He had also placed a private mark in Finch's hat so he might identify it. He said that Finch told two different stories about the shooting, or added to his original story from time to time.

At the night session the witnesses, besides Glenn, were W. B. Price, a federal prisoner in the jail, who saw a big reddish spot on the inside of Finch's right knee when the prisoner took his first bath in jail, a liquor dealer named Snyder, and Frank S. Grant, the latter being called to identify documents that the defense wished to place in evidence regarding the disbarment proceedings.

Snyder was called to tell about two checks that Finch gave that were dishonored at the bank and afterward made good by the defendant when he was called on for funds to meet them. Attorney Lord said he wanted to show animus on the part of Fisher in following up this check transaction, but the court would not permit the evidence to go in. It was nearly 10 o'clock when court adjourned.

GAME WARDENS ON BLACK LIST

Justices Resent Slurs Cast on Their Court by the State Officials.

Justices Bell and Olson this morning notified the district attorney's offices that their court will issue no more warrants on complaints from the two deputy game wardens, J. L. Green and H. N. Shears, who yesterday were arrested for contempt of court for speaking of the tribunal in question as a "kangaroo court."

As the district attorney's office is already more or less at "outs" with the municipal court, either the differences existing between Judge Van Zante and Clerk Milner and District Attorney Cameron must be patched up or the game wardens' complaints will be taken to the already crowded departments of the circuit court.

The contempt proceedings against Green and Shears will be dropped, it is understood, although both were arrested by Deputy Constable Kiernan on the order of the justices.

Shears was the first offender. He visited the office of Clerk Quinlan to ask that the papers filed in the case against A. and A. Friedman, charged with violating the state game law in having wild ducks in their possession for sale, be withdrawn as he wished to begin new proceedings in another court. He expressed the opinion that "this is a kangaroo court, anyhow." Justice Olson, as told in yesterday's Journal, heard the remark of the deputy and ordered Kiernan to arrest Shears at once.

Green, who is considered the ranking warden in this vicinity, the headquarters of the state warden being at Forest Grove, soon afterward visited the justice court and found Shears in the constable's custody. He said that Shears had done right and that he agreed with him in what he said of the court. Green's arrest followed.

The trouble grew out of the fact that a jury composed of business men returned a verdict of not guilty against E. Richards, employed by the Friedmans, although a plea of guilty had at first been made.

The plea was changed as Justice Bell was pronouncing sentence. No case would have been brought against the Friedman brothers had Richards' plea of guilty not been suddenly changed, it is understood.

BABY RAILROAD GETS PRESENT

Hill Gives North Bank Line 200 New Boxcars for Christmas.

When the North Bank road, the youngest child in the Pacific coast railroad family, opens its Christmas stocking tomorrow morning it will find 200 new and shiny red boxcars as a present from its parents, the Great Northern and the Northern Pacific. It will be the signal from the parent roads that the North Bank is expected to get out and hustle some local freight business on its own hook, with the 200 new cars as an aid in the work.

With comparatively few cars of its own the North Bank has been getting along with freight cars borrowed from its parents ever since it first went into operation. The Christmas season and the New Year was agreed upon by the officials of the Great Northern and Northern Pacific as being a fitting time to make the Spokane, Portland & Seattle stand upon its own legs. Hence, the present of 200 new 40-ton boxcars. The cars are to bear the letters "S. P. & S." and are for the local freight traffic on the line between Portland and Pasco.

All through freight, as formerly, will be sent either in Great Northern or Northern Pacific cars, those lines having the longer part of the haul. The delivery of the Christmas presents will begin about January 1.

Christmas cards, New Year cards, art calendars, exclusive lines imported and domestic. The postal shop, 124 Fifth street, near Washington.

Olds, Wortman & King

wish their friends and patrons

A Merry Christmas

This store will be closed all day tomorrow, Christmas, and our immense force of employes will be more than glad of the rest, after the tremendous holiday business our friends have so generously accorded us. We sincerely thank the Portland shopping public for their liberal patronage and for their courtesy in carrying small parcels and helping us through the rush so well