BATTLES OF DEMPSEY AND CARPENTIER

No. 3.

After the disappointing eastern trip, Dempsey returned to his home in Salt Lake City and fought one or two inconsequental battles of which no notice was taken. He again was noticed, however, when Jim Flynn, one of the best of second-raters, among the heavyweights, knocked him out in one round at Salt Lake City.

Discouraged, Dempsey went to San Francisco to pick up what matches he could. Here it was that he met Jack Kearns, a good judge of boxers, who saw in Dempsey certain promise. It was under the guidance of Kearns that the future heavyweight champion fought several battles in and around San Francisco before the end of the year. He defeated Willy Meehan, Bob McAllister, Gunboat Smith and Carl Morris, all mediocre but crafty heavyweights, in four-round bouts. Meehan, in another engagement, held Dempsey to a draw at the same distance.

These results were satisfactory to Kearns, who sought only to give his charge the proper ring experience before introducing him to the east. Kearns is one of the shrewdest "promoters" in boxing and he prepared for invasion of the Dempsey was and the rest was comparatively easy. In the fourth and last fight Dempsey received a very [illegible] for the [illegible].

[illegible] Dempsey [illegible] well in his boxing skill in 1919 and 1920. Dempsey kept busy during 1919, and although he met no opponents of exceptional class he boxed capably all the time. Four knockouts, six victories in 10 bouts, two draws and two defeats, one by no-decision during that year. Tom Gibbons, Jack Skelly and Young Snowball were checked with victories over him.

By this time Dempsey was a finished lightweight and early in 1921 graduated into the heavyweight division. His first important battle in this class was with Frank Bombardier in Montreal on May 1, 1921. The contest was fought in Montreal as a preliminary to the Dixie Kid-Young Thomas lightweight contest.

Carpentier revised the decision over his first American opponent in 15 rounds of torrid boxing. The exhibition of Carpentier was one of the best on his early fighting [illegible]

BIG CLOSING-OUT SALE

Furniture and House Furnishings

The hot summer days are here, and the problem to have a warm meal quick without heating up the house, is before you.

Why Not Invest in an Oil Stove?

Best Quality Two-Burner Oil Stove

$15.00

Former Values Were $25.00

Worth & Gray Dept. Store

Successors to W. W. Moore

177 N. Liberty St. Phone 983

LAST DAY

"Reputation"

Added Special First Pictures

PORTLAND ROSE SHOW

NOW SHOWING

LIBERTY

DURDALL CASE HARD FOUGHT

Defense Moves Directed Verdict and Kelly Will Rule Early Today

STIFF QUESTIONS ARE UP

Legal Interpretations Cause Of Much Delay in Progress of Trial

Questions of legal interpretation yesterday delayed action in the case of C. Burton Durdall before department No. 1 of the circuit court and caused its adjournment until 9 o'clock this morning when Judge Percy R. Kelly will render a decision on the motion of the defense that the court instruct the jury to return a verdict of "not guilty" because of the alleged failure of the prosecution to conform to the laws of evidence relative to cases of misrepresentation.

C. Burton Durdall, until recently the owner and proprietor of the three Durdall stores in Salem, Silverton and Stayton, was indicted by the grand jury on June 4 charged with obtaining money from the United States National bank under false pretenses. The indictment alleges that Durdall misrepresented himself as being solvent, that he misrepresented himself as having $23,000 above his liabilities, and that he misrepresented the value of 880 acres of land in his possession as being worth $22,000.

Three Counts Named

The defense in making the motion for a directed verdict based its claim on three counts.

The prosecution, during the course of both its constructive testimony and its rebuttal had limited its attack upon the alleged misrepresentation made by Durdall relative to the value of the land tract and used witnesses only to prove the one contention. The prosecution had asked every witness to make an estimate as to the value of the land in question.

In the argument for the motion, Roy Shields, one of the attorneys for the defense, claimed that no matter how many people gave an estimate as to the value of the land, it was only a matter of their speculation and that personal opinion could not convict the defendant and that the prosecution should have, but failed, in its attempt to prove that there was criminal intent in Durdall's action. Until that had been done, he claimed, he could not be convicted on the count of that misrepresentation. He further claimed that the prosecution had completely ignored the other two allegations.

No Transfer, Is Claim

The second contention was that under the laws of Oregon a man cannot be convicted of false pretense unless there is an actual transfer of money. The indictment, he said, had alleged that Durdall had received felonously American gold coin, but that no where in the evidence was there anything to substantiate that contention. The $1500, it seems which Durdall borrowed was credited to his checking account and under a statute of Oregon such an act would constitute an act of transfer of credit which the bank would have access to at any time and which could not be given as an offence.

The last contention of the defense in favor of the motion was that the law pertaining to obtaining money under false pretense had gone into effect between the time of the commitment of the act and the trial. A keen discussion took place between Shields and District Attorney Carson over the application of a new statute involved.

Judge Rules Today.

Having heard the argument on both sides for the motion, Judge Kelly took the matter under advisement for half an hour and upon his return announced that he would continue to have it under advisement until 9 o'clock today. If he upholds the motion of the defense, the case will be concluded forthwith. If he refuses, the case will be decided by the jury on the basis of whether the action was committed with criminal intent.

The only clue as to the probable decision today comes upon a statement of Judge Kelly after he had asked Attorney Carson to show where in the record of the court a witness had testified that any actual coin had been given to Durdall.

"If you can show such testimony," he said, "it will have to go to the jury." Up until the time of adjournment this had not been furnished.

Land Estimate Low

Early in the morning the prosecution had summoned Hiram Warje assessor for Lincoln county, to the witness stand to testify as to the value of the land. Warje asserted, contrary to Durdall's estimate of $25 an acre, that it was not worth over $2.50 an acre. F. G. Chandler, a contractor of Toledo, testified that in his estimation the property was not worth over $5 an acre.

Speaking in his own behalf yesterday, Durdall said he had made his estimate of the value of the land from what the people living in the vicinity had told him and from what he had observed himself. The defense had attempted to show that all of the people holding property adjoining to his valued theirs at at least $25.

Affair Called Business Failure

According to evidence given the previous day, it was either shown or admitted that Durdall had opened his first store without a cent of money. He had returned from war and had been set up in business by Lang & company of Portland who had furnished him with the wherewithal, he said. According to the witness he had become a little overconfident at his success in his first enterprise and had opened two other stores but at a time when prices were just at their peak. He had then met with difficulty in his business and at the time when his business needed him worst, it was claimed. He became sick. His failure to pay the loan was accounted for merely as a business failure.

SILVERTON NEWS.

SILVERTON, Or., June 21. (Special to The Statesman.) H. Haaland will move his shoe repair shop to the empty lot back of the N. Dieruess store. He received the permit from the city council last night at a special meeting.

The city council has awarded the contract to improve Phelps street on Liberty hill to Joe Moser.

M. P. Larsen is very ill at his home on the East Hill. He has been confined to his home for several weeks. As he is 78 years old very little hope of his recovery is held out.

Mr. and Mrs. W. C. Larsen and six children arrived at Silverton from Leonardville, Kansas, Monday. The entire trip took but 15 days. Monday they made 247 miles. The trip was made by automobile. Mr. Larsen is a brother of Lawrence Larsen, and will make his home at Silverton for the present.

Portland Man First to Ask Airplane License

Lieut. Vern U. Ayers of Portland, president of the Ayers & Muller corporation of Portland, is the first to apply for an airplane license under the new aircraft license and registration law.

His application was received by the secretary of state yesterday.

Airplane Stabilizer to Made in Portland

Portland is to be the seat of a new corporation known as the Aeroplane Automatic Aeroplane Stabilizer company, capitalized at $[illegible]. The incorporators are R. E. Boadwent, E. G. Sanford and Neely Waugh. Articles were filed yesterday with the state corporation department.

Other articles were filed as follows:

Western Forest Products company, Portland, incorporators, O. R. Hartman, E. D. Rowley, Paul R. Chaney; capitalization, $25,000.

Mount Tabor club, Portland; incorporators, F. A. Doty, president, Alpha M. King, vice president, and others; property valuation, $10.

The Northwest Electric company, a Washington state concern which operates in Oregon, filed notification of an increase in its capitalization from $12,000,000 to $22,000,000.

Resolutions of dissolution were filed by the following:

Siletz Lumber & Logging company, Portland; Falls City Lumber & Logging company, Portland, and Portland Wood Pipe company, Portland.

Senator Eberhard is Reelected on Board

State Senator Colon R. Eberhard of Union county, and A. T. Hill, nonpolitics, were reelected directors of the La Grande school district Monday, over Mrs. Fred G. Schilke, the candidate of the group desiring women on the school board. The vote stood: Eberhard, 115; Hill, 110; Mrs. Schilke, 97. Senator Eberhard formerly lived in Salem.

If you can't go to the big fight July 2 Do the next best— See CARPENTIER and DEMPSEY Saturday and Sunday

GRAND

Ladies' and Girls'

Tams

Made of Heavy Suede-Like Duvetyne, colors are cardinal red, copenhagen, pheasant and grey

$1.98

Our Prices Always The Lowest

Gale & Co.

Commercial and Court Streets

THURSDAY

LIBERTY

Get In the Swim

Of these Greater Values

Now being offered in each department throughout the entire store, you will do well by shopping with us during these greater value days.

BATHING SUITS

Another big shipment of new all wool bathing suits, in a large variety of colors and new designs and color trimmings, these come in all sizes at sale prices. $4.00 values,

$2.49

$2.00 values

98c

Ladies' and Girls' Smocks

Linen Sport Smocks with pretty yarn embroidery, pockets and belt and cleverly trimmed. On sale at

98c

$1.25 Polly Prim Aprons

Another big shipment, of hand tailored "Polly Prim" aprons well made of the finest grade count percales and trimmed in the most adorable color effects. On sale at

69c

$3.50 White Voile Waists

A big lot of white Voile Waists included in this lot is many silk striped and other fancy voiles all go on sale at

$1.00

Men's Fine Durham Dress Hose

10c

Pair

The fine quality hose of a standard make in an assortment of colors, and all sizes in each color—buy your quantity at this price.

Ladies' 35c Stockings

19c

Pair

An exceptional selling at this price, fine quality guage stockings mostly black and brown, full fashioned, all sizes to select from.

Ladies' Wool Sweaters

98c

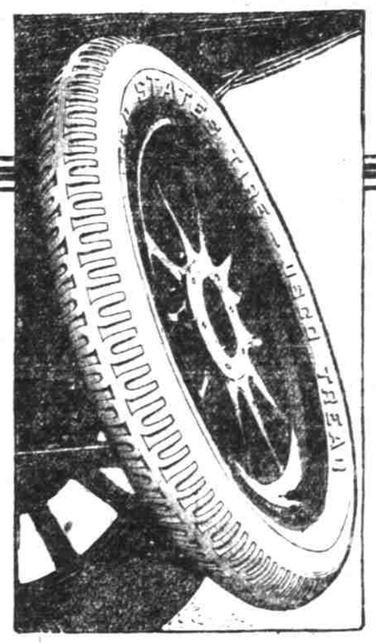
Each

A very fine article for sport wear, wool sweaters with sleeves and tuxedo rolled collar, a very good selection of desirable colors, on sale at the above price.

Did you investigate the Big **FREE** Picture offer—a $11 size 14x20 Photograph of yourself or any member positively free with the purchase of $1 or over. Bring in your picture.

Shop With The Crowds At Salem's Bargain Center

THE PEOPLE'S CASH STORE SALEM ORE.



THE U. S. USCO TREAD

Here is the U. S. Usco Tread, with a long-established standard of service among motorists who have an eye to value, as well as to price. While selling for less than the other tires in the U. S. Fabric line, the Usco has earned a reputation for quality and dependable economy which is not exceded by any tire in its class.

Which one of your neighbors gets the *best mileage out of his tires?*

EVERY once in a while you hear a motorist say as he kicks a rear tire with an admiring foot, "*there's* a lucky tire!" Give him a chance and he'll tell you all about it. And then you'll find that what he calls "luck" is simply his first experience with a *quality standard tire.*

* * *

It all comes to *this*—buy a U. S. Tire anywhere in this country and you get definite, predictable value for your money no matter *what* weight car you drive.

The man who has been guessing his way through "overstocks," "discontinued lines," "job lots" and the like, will find it refreshing to talk with the local U. S. Tire dealer who is *concentrating* on a full, completely sized line of U. S. Tires.

For the first time he will hear some straight *quality tire facts*—and get the difference between chance and certainty in tire buying.

"Fresh, live U. S. Tires come direct to the dealer from his neighboring Factory Branch."

The U. S. Tires he sees in stock are *fresh, live tires.* They come direct to the dealer from his neighboring Factory Branch.

There are 92 of these Branches established and maintained by the U. S. Tire makers.

Giving your dealer a continuous moving stock of new, fresh tires built on the certainty of *quality first* every time

"The best experience with U. S. quality standard Tires."

United States Tires

United States Rubber Company

Joseph Foley, Salem, Oregon
Gingrich Motor Co., Salem, Oregon
Marion Automobile Co., Salem, Oregon
Ira Jorgensen, Salem, Oregon
Salem Automobile Co., Salem, Oregon
Salem Vulcanizing Works, Salem, Oregon
D. Owings, Liberty, Oregon
Lilly Hardware Co., Stayton, Oregon
A. L. Bones, Turner, Oregon

and marked only the first of a long series of hot battles the French athlete was to have with American boxers.