

HUNTING IN FIRE PERIOD HELD LEGAL

Governor Not Authorized to Place Ban on Woods Junket in Fall is Supreme Court Decision—Menace Theory is Ridiculed.

SALEM, Ore., Jan. 5.—(AP)—The theory that deer hunters are a menace to Oregon forests during the fall fire hazard period is ridiculed, and the law authorizing the governor to block the opening of the hunting season as a precaution against fires is declared unconstitutional and branded as "arbitrary and unreasonable" in an opinion by the supreme court, written by Justice Bell and handed down Saturday. It is held void for the reason that it is class legislation, Chief Justice O'Connell and Justices Hand and Kelly concurred.

A proclamation issued under the act by Governor Patterson in the fall of 1929 is held void and ineffective for the reason that it did not state a date on which the ban should be lifted.

Forest Hunter.
This ruling frees George Burckhard of Tillamook county of the charge of hunting deer during the closed season. Burckhard was defendant in a case based on a grand jury indictment and won his case in the lower court which is affirmed by the supreme court.

Referring to the law in the case, the opinion says:
"It is observed that the sole purpose of the act, purporting to authorize the governor to postpone or suspend the law relative to open season for hunting deer, is for the protection of forests against fires, and not for the conservation of game. It designates hunters as a particular class which constitutes a menace to the forests."

Absurdity Seen.
"The hunter who pays his license fee and looks forward to his annual vacation, is thus prohibited from hunting. In such a case, the real object, namely, the use of firearms and the building of fires, it is difficult to conceive how a forest fire could be started by the use of firearms—especially those used to hunt deer."

"Can it be that the legislature had in mind that a rifle bullet striking a tree might set it on fire? If so, there should be additional legislation concerning target practice. Prohibiting the use of firearms by deer hunters is an account of danger to forests in * * * absurd and unreasonable."

"We next consider the other reason specified in the statute, namely, the building of fires. Of course, a campfire may constitute a real menace. But is it more so by reason of being started by a hunter?"

Hunters Love Forests.
"What about the 'fin-cinn' tourist or the neophyte from the bright lights of Broadway? It is the opinion of the writer that the average hunter loves the great outdoors and appreciates the necessity of exercising care to preserve our magnificent forests."

"It is not difficult to conceive of a statute which would afford ample protection to forests without thus striking at a particular class."

Bans on the hunt season by various governors, always at the behest of the state forestry office, invariably have brought bitter protests from hunters.

With Rod and Gun

By Ernest Rostel and Dick Green

With a neat little trick of applied psychology, game wardens can now shoot a bolt of deadly fear across a whole range of mountains and valleys in game law in the very act of snatching an illegal brook trout out of a secluded pool.

Captain Walter B. Sellmer of the California fish and game patrol discovered how to do it. His method peopled the forests of his districts with a whole army of ghostly "Game Warden Sellmers," always ready to step out from behind a tree and tap a pointer on the shoulder.

Captain Sellmer discovered long ago that a game warden ought to be in a hundred places at once to keep an eye on game-hogs who spoil outdoor sport for real sportsmen. So he invented signs which put an imaginary "Game Warden Sellmer" behind every rock and tree, and thereby multiplied himself and his effectiveness a hundred-fold.

Now the sport who sneaks far up a mountain brook and plans to catch a mess of illegal trout is likely to find a sign like this staring him across the pool:

"Game Warden Sellmer will be here today—He might be watching you right now."

And bang! goes the peace and contentment which made for happy fishing. Or the hunter who happens to sight the finest buck he ever saw, a few days after the deer season, finds his trigger finger shaking after a sign posted in his school has nudged him and asked:

"Is Game Warden Sellmer watching you now?"

The fact that Game Warden Sellmer may be 20 miles away, prosecuting a poacher, doesn't soothe the jumpy nerves of the game-hog who finds the woods and streams dotted with other signs which say:

"This stream is patrolled daily by Game Warden Sellmer," or "Game Warden Sellmer has a temporary camp 150 yards ahead."

The plan works, says Captain Sellmer, for the feeling that a thousand eyes are watching every violation of the game laws is not conducive to confidence. It pays to advertise, he thinks.

A treaty between Canada and the United States to safeguard the valuable sockeye salmon fisheries of the Fraser river district is before the United States senate for ratification. This treaty has been developed by officials representing the two countries and has been endorsed by the American Fisheries Society and the International Association of Game, Fish and Conservation Commissioners, the Inland Water League of America, and many other groups.

"Failure on the part of the United States senate to ratify this sockeye salmon treaty between the Dominion of Canada and the United States will mean the ruin of this \$40,000,000 fisheries industry, states a bulletin of the Federated Industries of Washington, with headquarters at Seattle, to its members.

This proposed treaty provides for a joint commission to administer its provisions, to maintain joint hatcheries, and to prescribe the size of mesh and the kind of gear to be used in fishing for sockeye salmon.

WOULD VACATE BOXING THRONE OF SCHMELING

N. B. A. Poll Indicates German Without Title in United States — Middleweight Also Vacant.

CHICAGO, Jan. 5.—(AP)—Early returns from the National Boxing association's mail vote on a proposal to oust Max Schmeling as heavyweight champion, indicate the German will be without a title as far as the N. B. A. is concerned.

Tommy Freeman, chairman of the championship committee, has made his recommendations for rankings in each class, and has picked W. L. (Young) Stribling of Macon, Ga., as the number one heavyweight contender. The other ratings in order are: Jack Sharkey, Jimmy Maloney, Primo Carnera, Tuffy Griffiths, George Godfrey, Johnny Rizzo, Paulino, Uzcudun, Ernie Schauf and Max Baer.

According to the ranking, the middleweight title is vacant, but Mickey Walker, generally recognized as champion, is made the first contender in the light heavyweight division, of which Maxie Rosenbloom is titleholder.

Other champions recognized are: Frankie Genaro, bantamweight, Al Brown, featherweight, Bat Battalino, junior lightweight, Benny Bass, lightweight, Tony Canzoneri, junior welterweight, Jackie (Kid) Berg, welterweight, Tommy Freeman.

VETERAN OF BASEBALL ROGER CONNOR PASSES
WATERBURY, Conn., Jan. 5.—(AP)—Roger Connor, first baseman on the New York Giants baseball club for 13 years, and a fence hunter long before the day of the "rabbit ball," is dead.

A stomach ailment claimed his life yesterday after a lingering illness, during which he spent his winters in Florida.

He was 74 years old. After his retirement from baseball, he was a school inspector here for seven years until ill health forced him to resign in 1926.

Final Dividend
SALEM, Ore., Jan. 5.—(AP)—A. A. Schraum, state superintendent of banks, has paid a final dividend of 12.1 per cent on all deposit claims held against the Farmers & Stockgrowers bank of Vale, which became insolvent December 3, 1927. The final dividend totaled \$15,048.85.

Oregon City—Chamber of Commerce striving to bring garment factory of Oregon City Woolen Mills to this city.

Britain's Best



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By Pap

FISHWICK

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MISS DIANA FISHWICK

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Toms, M. Ward 3 333 111
Murray, K. Typos 5 515 193
Barrick, M. W. 1 93 95

EDEN PRECINCT

EDEN PRECINCT, Ore., Jan. 5.—(Sp.)—Ed Hamlin is feeling better and his physician has hopes for his recovery.

Miss Irene Standley and Miss Edna Hildebrand returned Saturday from Los Angeles.

Mr. and Mrs. Lloyd Colver and Professor Whitman returned Sunday from San Francisco, where they spent the holidays and visited Miss Ruth Miller who returns this week to her school at Twin Bridges, Mont., where she will finish the term.

Mrs. John Hildebrand, who has been visiting Mrs. Donna Graffes of East Eden, left for her home at Stockton, Cal., New Year's day. She expected to reach home Friday evening.

Mrs. Donna Graffes gave a New Year's dinner at her home in East Eden. Guests were Mr. and Mrs. Roy Caster, Mr. and Mrs. Donald Anderson of Medford, Mr. and Mrs. S. P. Barneburg, Mrs. Edmonia Anderson and sons Carl and Norman, Mrs. Maggie Hildebrand and two children and Miland Mote.

Norman Anderson accompanied Mrs. John Hildebrand and her brother, Miland Mote, to their home at Stockton, Cal.

Five hundred cartons of road building equipment will be displayed.

Highway Builders of Many Nations Meet This Month

ST. LOUIS—(AP) Proposed highway development for 1931 costing hundreds of millions of dollars will be discussed when delegates gather here January 12 to 16 for the convention of the American Road Builders' association.

The attendance is expected to reach nearly 30,000.

Every Latin-American nation in addition to the states is expected to send representatives. Mexico will send two delegates and Argentina 20, Iowa, Missouri, Texas and California expect to have large representations.

One of the features of this year's convention is an exhibit showing a century's progress in transportation.

Classified advertising gets results

MEDFORD QUINT OREGON CAGERS MEETS G. PASS OPEN CAMPAIGN FRIDAY EVENING ON FAR COURTS

Game Marks Opening of Conference Title Quest—Locals Lost to Crescent City Saturday.

The Medford high school basketball squad was defeated, 21 to 15, following their victory over the Crescent City Saturday night, same team Friday night. A small ball and a slight touch of cockiness were given as causes of the defeat.

The game marked the end of the practice season, in which Medford won three games and lost two. Next Friday night they play Grants Pass at Grants Pass in a conference game—the first of the season. It is one of the contests that decides the winner of the district championship, and the right to attend the state tournament at Salem in March.

In its series with Crescent City, Grants Pass broke even, but by close scores. Medford, playing the same team, lost by close scores, and won by big margins.

Coch Burcher this week will devote his energies to injecting speed and drive into the local squad and cure them of a slight attack of the "struts." The "struts" consist of leaning when ahead, instead of going harder than ever when in the lead. It will be the effort of the coaching staff to remove all signs of cockiness and getting the squad to "break" for the basket instead of fiddling around waiting for something to happen.

Asland plays Klamath Falls this week, and in its first conference game.

A number of local basketball fans will journey to Grants Pass Friday night to root for victory.

OREGON PLAYS WASHINGTON AND OREGON STATE MEETS W. S. C. IN SEASON INAUGURAL TILTS.

Oregon Plays Washington and Oregon State Meets W. S. C. in Season Inaugural Tilts.

By the Associated Press.
Oregon and Oregon State will both open the Pacific coast basketball season this week away from home, Oregon playing the Washington university at Seattle and Oregon State playing Washington State at Pullman. The season opens Friday night, and the teams will remain for two successive games at each place. Idaho is the only one of the five teams in the northern division which will not see action the opening days.

Both Oregon schools have been victorious in most of their previous seasons, while the two Washington teams have fared equally well. Idaho alone appears to make a bid for collar position, according to advance dope. The contest for ton honors, which has gone to Washington in the past three years, this year bids to be close and interesting.

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NOW PLAYING
"Under Suspicion"

ST. MARYS MEETS PROSPECT CAGERS TUESDAY EVENING

St. Marys basketball team took a 24 to 20 defeat from the strong Sams Valley five December 29, on the Sams Valley floor. The score at the end of the first half stood 24 to 5 in favor of Sams Valley, due to the cleverness of Strause, Sams Valley's stellar forward, to shoot baskets from any angle on the floor. In the second half the St. Marys boys were able to stop his basket shooting and only allowed him 2 field goals. In the meantime St. Marys ran up 15 points on the Sams Valley five.

St. Marys have the next game scheduled here in Medford with the Sams Valley team, both boys and girls, January 30, in their first conference game.

Tuesday St. Marys will journey to Prospect to battle the Prospect H. five.

The Associated Oil team will accompany the St. Marys squad to battle the fast Prospect town team. The Associated Oilers have worked together their first team here in Medford this year and are out to win a few games from some of the championship town teams over the valley.

In prep for the St. Marys team with the George Smith and Dick Lewis forwards; Lawson, center; Bob Lewis and Dick Wilson, guards.

FIVE FOOTBALL FANS KILLED IN PERUVIAN RIOT

LIMA, Peru, Jan. 5.—(AP)—Bad feeling between Peru and Uruguay, growing out of incidents in the recent Peruvian revolution, had a serious repercussion Sunday on the football field here when five persons were killed after a match between teams from Uruguay and Argentina.

When the president of the football federation delivered a silver cup to the Uruguayans, who won, there was considerable cheering from stands occupied by Peruvian troops. One soldier attempted to cross the playing field. Five policemen stopped him with swords.

The other soldiers charged the field. The police met them with revolvers. Spectators joined in the melee, and stones were thrown with bullets. The fighting spread to adjoining streets. One traffic officer was killed.

GRANTS PASS PLAYS ROGUE RIVER TUESDAY

ROGUE RIVER, Ore., Jan. 5.—(Special.) The Grants Pass high school basketball team will play the Rogue River high school five Tuesday night at the Rogue River gym. A close game is expected as the two teams played a close game at the Pass recently.

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