

TRIAL; GAME WARDENS LOSE

Chief Steps Impending Fight Over Case—Attorney Wants Ducks Clients Lost.

Three game wardens, two attorneys and two duck hunters, the latter being the game wardens' prisoners, all served to make things interesting for a while Monday afternoon.

The case might be summed up as to do with warrants already served in the case of each of the duck hunters—threats by both sides to serve more warrants, the absolute failure of the warrants that had already been served to hold in court and, finally, a free-for-all argument on what had become of three ducks, alleged by the attorneys for the defense to have been taken by the game wardens. Everything else had been given back to the hunters excepting the ducks, the attorneys declared.

However, a summary of the action in the case falls to do justice to the proceedings. As the real beginning of the affair in Rock Island, two hunters, one being J. P. Brown of Davenport and the other Ralph Ney of Princeton, were brought to the police station as prisoners of the game wardens. Three officials gave their names to an Argus reporter as C. J. McPherson, district game warden, and S. W. Cohenour and George Wilson, deputy game wardens.

Defended By Attorneys. The two duck hunters were not placed in cells by the police, but were allowed the freedom of the city. Several hours elapsed before they were brought to trial, first having retained Attorney Harry M. McCaskrin and Attorney William Schroeder to defend them.

The duck hunters had had time to tell their story of arrest. They said that they were holders of Iowa state hunting licenses and were hunting in the Mississippi river on the Iowa side near Princeton. They were in a row boat, which they claimed their license permitted them to use. They also had out a number of wooden decoys. After killing three ducks they claimed that they were called by a man on a point of land from the Illinois side who demanded that the decoys be taken out of the water. They refused and declared that a boat came toward them and a game warden showed a revolver at them, took over their property and placed them under arrest.

Claims Highway Robbery. When the case came up before

Magistrate Cleveland's court, demanded of the game wardens that they return the property of the hunters. They were told that before night warrants would be sworn out in Iowa for their arrest on charges of highway robbery. The game wardens promised to return the property, which they brought to the police station from the Campbell & Wochner garage, a half block away.

The participants in the trial then walked to the court of Justice Bowman. The warrants read that the hunters had been guilty of violation of section 15, paragraph H, relative to hunting ducks from a sneak boat, and of violation of section 39, relative to hunting without a hunting license.

The attorneys for the defense immediately made a motion for dismissal of the case on the grounds that the charges did not name the law of any state violated nor where the offense had occurred. They claimed that as the warrants stood there was no legal charge against the men, as the sections cited could easily be those of any state.

Hunters Get Across Bridge. Justice Bowman upheld the contention of the attorneys and dismissed both defendants. The wardens were without warrants to take

seized to do. The game wardens gathered around the attorney and the attorney seemed to gather around the game wardens—giving forth statements of his views that were expressed in no uncertain terms. For a time it seemed that blows would be struck, but Chief Cox interferred. A few parting remarks and the affair ended with the game wardens driving away in their car. The two attorneys went to the police station, loaded up the property of their clients and also drove away. They claimed they had everything but the ducks.

The attorneys hurried to the Campbell and Wochner garage, where the game wardens had an automobile parked. The wardens were asked to produce three dead ducks. Heated remarks were passed back and forth. On statement of one of the game wardens that all confiscated property had been returned the attorneys went back to the police station and returned with Police Chief Tom Cox to bear them out in the contention that only wooden ducks were left at the station. The game wardens were preparing to leave in their automobile but at the time the attorneys returned with Chief Cox.

Battle Wages Warm. "No you don't get away," yelled Attorney McCaskrin, and made a grab for a suitcase that was being placed in the automobile. The game wardens refused to let the attorney take a look in the suitcase, but announced willingness to let Chief Cox inspect its contents, which he

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