

### CLIMAX IN NEGRO CASE

(Continued from page 5.)

from the basement, which I took for Joe's, saying something which I could not understand. The door from Joe's room in the basement leads to the outside. He could leave and me not know it, provided there was a commotion. If everything was quiet I could detect it. I do not hear very well, but am susceptible to a jar. I saw Joe next morning; he was just the same as usual. I sent him after milk. There is another outside entrance on the east side, over which there is a trap door, which I think was locked. The wind was blowing very hard that night and it could have been possible for Joe to have gone out and I not have known it. Those present during the evening were my daughter, Mrs. Childs, Miss Jennie Sherwood, my daughter Dolly, a portion of the time, and the defendant. Mrs. Zuber's testimony in reference

to the clock being slow created a ripple of humor to go over the court room, when she stated the clock was always slow, as she had it to get up by.

Mrs. Laura Childs: Lived in La Grande for past 13 years; for past month have been living with my mother, Mrs. S. C. Zuber; was at home on evening of January 24; was present when there were a number present, including the defendant, who was there until 9:40, when I retired. Joe slept in the basement, the entrance to which is through a door which leads from the back porch. The trap door leading to the basement is always closed. I saw Joe when he went out into the kitchen; he had on a white shirt; do not know whether he had on a coat or not. I locked the door after him and found his hat in its accustomed place the next morning.

Miss Dottie Zuber: Live with my mother, Mrs. S. C. Zuber; was home all day Sunday, January 24, until 7 o'clock in the evening. Joe, the defendant never left the house during the day, but once at noon on an errand; I left home at 7 to attend the Pastime theater, after which I visited Mrs. Lloyd Scriber, and returned at 1:40 by our clock, which is slow; I

went to the pantry to get a lunch; was there possibly 10 or 15 minutes; then came into the dining room and started to play checkers when the fire bell rang; went outside and looked about; this was before the cart left the fire house; saw the cart pass the Sommer house, but seeing no fire I went into the house and told my mother; at this time Joe called me from the basement and asked me where the fire was. I told him I did not know; in my opinion Joe could not come out of the basement without the family knowing it, as the door to the basement is fastened to a window which is closed. Joe was dressed in the same clothes he now has; he had on a white shirt. He generally leaves his hat in the kitchen before retiring; when I left home he and Miss Jennie Sherwood were arranging to play checkers; Joe has a heavy long black overcoat. The next morning when Joe left for Scriber's after the milk, he asked me where the fire was and I told him I didn't know; he appeared just the same as usual.

#### The Defendant's Story.

Joe Williams: I am defendant in this case; for past year have been doing odd jobs and chores for Mrs. Zuber; on Sunday, January 24, was only absent from the house to get milk; during the afternoon I was reading books and papers, also during the evening until about 9 o'clock when Mrs. Zuber told me to go to bed and turn off the water; I remained some time until Mrs. Zuber once more told me to go. I stepped outside, turned off the water and came back to see if Mrs. Zuber had opened the faucets. I saw she had and then I went to the basement, went to bed and did not leave the house until the fire bell rang, when I first called to Dottie to know where the fire was. She replied she did not know; I soon heard people walking on the sidewalk and I got up to look around when Mr. King came along and asked me where the fire was; I told him I did not see any; he was the only man I saw on the street; the next morning after taking the ashes out of the stove, I built a fire and went after milk, to Scriber's, but they were not up and I then went to the creamery, upon reaching Fourth; this was the first time I knew where the fire was; I stopped and talked to Lot Snodgrass and others; later in the day, while working on O street, Chief Walden approached me and said he wanted to see me at his office; after reaching there he accused me of setting the fire and put me in jail, where I remained until in the afternoon, when I secured bail.

I never said to Mrs. Buehler that "I would get even if it took 100 years." During the last year I have worked for George Palmer, Vincent Palmer, Guy Byrkit, Dr. Mollitor. I have been working for Dr. Mollitor for the past five years, off and on. I took care of Dr. Mollitor's automobile, carried in his wood and coal, took care of his lawn and yard. The driveway leads from Fourth street to his barn, between his house and the Hills house, about four feet from his residence. When walking between the two houses I was not more than three feet from the Hills house. There is no foundation for the statements that I peeped into the windows, which are about nine feet above the ground. In Dr. Mollitor's barn I keep a trunk, yard tools, mowers, tree trimmers, clothes and other things. I cared for the Ivanhoe lawn, the Buehler lawn and the Mollitor yard.

I took up a carpet, washed the outside of the windows for Mrs. Buehler. Another time I helped Mrs. Buehler, bring out some clothes. She protested and I told her I was killing time because I did not want to clean out Dr. Mollitor's chicken yard. Mr. Buehler never told me to keep away from the premises. There is no feeling on my part against Mr. and Mrs. Buehler.

#### Williams' Cross-Examination.

A stringent cross-examination followed Williams' direct examination. He said he never was ordered by either Mr. nor Mrs. Buehler to keep away from the premises; never was chased away the night before. I was in that vicinity the night before the fire, about 6:50; saw Mr. Buehler that night, came down the steps and walked about the house; same night saw and talked with girl on Mollitor's porch; had no ill feeling against the Buehlers; never had any trouble. I told Mrs. Ivanhoe once that Buehler was trying to have Mollitor discharge me. Mrs. Buehler never told me she locked the door to keep me out. It had been one or two weeks before the fire I was at the Buehler home on friendly terms. Mrs. Buehler told me she was going to move and asked me how much I would charge to take up the carpets. I told her not after her.

ESTABLISHED 1888 3655

## REPORT OF THE CONDITION OF The La Grande National Bank

AT THE CLOSE OF BUSINESS FEB. 5, 1909

| RESOURCES                                  | LIABILITIES                      |
|--|----------------------------------|
| United States Bonds..... 172,000.00        | Capital Stock..... 100,000.00    |
| Real Estate, Furniture, etc..... 55,000.00 | Surplus..... 70,000.00           |
| Cash Assets:                               | Undivided Profits..... 4,121.28  |
| Due from Banks..... 165,504.37             | Circulation..... 59,800.00       |
| Due from U. S.....                         | Deposits:                        |
| Treasurer..... 887.50                      | Individual..... 766,823.38       |
| Cash on hand..... 69,447.91-255859.73      | U. S. Government..... 49,991.98  |
|  | Banks..... 19,726.18-856,541.54  |
| <b>Total..... \$1,070,462.82</b>           | <b>Total..... \$1,070,462.82</b> |

OFFICERS AND DIRECTORS

GEORGE PALMER, PRESIDENT. F. J. HOLMES, VICE PRESIDENT.  
 F. L. MEYERS, CASHIER. W. L. BRENHOLTS, ASSISTANT CASHIER.  
 SHERWOOD WILLIAMS, 2nd Assistant Cashier.

J. M. BERRY J. D. MATHESON, F. J. HOLMES, F. M. BYRKIT, C. C. PENINGTON, F. L. MEYERS  
 GEO. L. CLEAVER, W. L. BRENHOLTS, GEORGE PALMER

With ample capital, large experience, and unsurpassed facilities, we offer you absolute security for your deposits; and solicit your banking business, promising you courteous treatment, and every liberality consistent with conservative banking.

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NO. 9814

## REPORT OF THE CONDITION OF The United States National Bank Of La Grande

CAPITAL STOCK \$100,000.00

AT THE CLOSE OF BUSINESS FEB. 5, 1909

| RESOURCES  | LIABILITIES                       |
|--|-----------------------------------|
| Loans and Discounts..... \$ 82,522.77                | Capital stock..... \$100,000.00   |
| Overdrafts..... 183.95                               | Due other National banks 4,399.73 |
| U. S. bonds to secure circulation..... 25,000.00     | Due to Trust companies and        |
| Premium on U. S. bonds..... 804.69                   | Savings banks..... 29,589.01      |
| Bonds and securities..... 9,232.25                   | Deposits..... 76,121.34           |
| Banking house, furniture and fixtures..... 26,763.80 |                                   |
| Due from banks and banks..... 41,204.99              |                                   |
| Cash in bank..... 24,458.53                          |                                   |
| <b>Total..... \$210,110.98</b>                       | <b>Total..... \$210,110.98</b>    |

### Commence Business January 11, 1909

OFFICERS AND DIRECTORS

N. K. West, Pres. Wm. Miller, V. Pres. T. Scroggin, Cash. E. Coolidge, Asst. Cash  
 N. K. West, E. P. Staples, G. T. Bacon, Wm. Miller H. E. Coolidge  
 T. J. Scroggin, J. L. Gavines, Frank Conley, A. T. Hill

## All Next Week

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AT The Steward Opera House

IN Standard Comedies and Dramas

## 18 People 18

Our Own Band and Orchestra PRICES: 10c; 20c and 30c. No Higher

NOTICE FOR PUBLICATION.  
 U. S. Land Office at La Grande, Or., Department of the Interior,  
 December 28, 1908.  
 Notice is hereby given that

MARCUS S. YATES,  
 of Pendleton, Oregon, who, on January 12, 1907, made timber and stone sworn statement No. 4848, serial No. 62841, for SE 1/4 SE 1/4, section 21, W 1/2 SW 1/4, NE 1/4 SW 1/4, section 22, township 3 south, range 35 E. W. M., has filed

notice of intention to make final timber and stone proof, to establish claim to the land above described, before the county clerk of Umatilla county, Oregon at Pendleton, Oregon, on the 10th day of March, 1909.

Claimant names as witnesses: Gott-hard A. Ellstrom, Laura L. Yates, George Light, Thomas M. Lowe, all of Pendleton, Oregon.  
 F. C. BRAMWELL, Register.

On the night of the fire I was no further west from the Zuber home than the west corner of the house. Did not circulate the story that Buehler owed me \$200. I did, in response to a question from Mrs. Mollitor, state that Mr. Buehler owed me in the neighborhood of \$200. All the witnesses who swore they saw me on the streets the night of the fire are mistaken as to it being me they saw. Buehler owed me \$200. Nobody was present when he signed that note; signed the note between the section house and Second street, in 1907. I had advanced him money from time to time; lived here nearly 10 years; wore a heavy overcoat (black) on night of fire; I did not circulate a report that I furnished money to Mrs. Buehler to purchase a coat and bracelet. Never told anyone that I furnished any money to Mrs. Buehler.

Never slept at Mollitor's barn; only business had on Mollitor premises the night before the fire, was to use a toilet while en route to the postoffice. I saw Buehler standing in front of the house as I went to the postoffice. Was not on the Buehler property on Friday night. Do not think by standing on a can one could see into the windows.

At the time of going to press the cross-examination is still on.

From 60c to 28c.  
 On Saturday only, at 28c we have a pound of our chocolates, all flavors nut candies and bon-bons, for 28c a pound. One pound only to each person. Every one should get candy Saturday at this price.  
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