



Jacksonville Post



VOL. IV.

JACKSONVILLE, JACKSON COUNTY, OREGON, DECEMBER 24, 1910

NO. 34

TRIAL OF MOCK.

Closes Monday--Verdict of Jury Murder in Second Degree.

The trial of Julian A. Mock, for the killing of Jesse Smith at Medford, last September, which was begun in the circuit court Thursday of last week ended Monday evening when the jury returned a verdict of "Murder in the second degree."

As the Medford daily papers have given a detailed account (?) of the trial we will not attempt to detail the evidence given, etc. but will simply say that taken as a whole the evidence seemed to show a plain case of killing without sufficient provocation to justify the act.

The trial throughout was conducted in a fair and impartial manner the benefit of every doubt (when one arose) being given the accused.

At the close of the testimony, Mr. Johnston, assistant to the prosecuting attorney, delivered a short address to the jury, reciting briefly the incidents leading up to the tragedy, the evidence of the killing as told by the eye-witnesses, the post-mortem examination by the physicians, etc. and closed with the request that a verdict be given in accordance with the facts and the law.

Judge Kelly, attorney for the accused, followed with an eloquent address, presenting the matter from the view-point of the defendant, making use of every circumstance and incident at his command to mitigate or lessen the verdict.

District Attorney Mulkey made the closing argument for the state in his usual forcible manner, reciting portions of the evidence tending to premeditation and picking to pieces the attempt of counsel for the defence to show that Mock had acted in self defence in the killing of Smith.

Judge Calkins delivered a long and able charge to the jury, explaining at length, the different degrees of homicide, the law of self defense, what constitutes a reasonable doubt, the duty in regard to conflicting evidence, the rules for determining the credibility of witnesses, etc. The charge was fair and impartial, delivered in an impressive manner and was listened to with attention by jury and spectators.

The jury retired at 12:45 and returned at 5:15 Monday evening with the verdict of murder in the second degree. The jury was polled, the

verdict ordered entered and the prisoner remanded to the sheriff with directions to appear for sentence at nine o'clock Thursday morning.

MOCK SENTENCED

To State Penitentiary for Life

Julian A. Mock, was convicted of murder in the second degree, was brought before Judge Calkins for sentence Thursday morning.

In imposing the sentence the judge said:

"This is the most painful and difficult duty that a court must perform and the most serious and trying hour that you have to face. The court fully feels the gravity and significance of the occasion, but the court has no discretion in regard to the sentence. Mr. Mock, you may stand. (The prisoner rose to his feet.) It is the judgment of the court that you be imprisoned in the state penitentiary of the state of Oregon for the period of your natural life, and that the state have judgment against you for costs. And you are now remanded to the custody of the sheriff."

Try it, Try it

Try Dr. Bell's Antiseptic Salve for all skin troubles. It is as pleasant as sweet cream and guaranteed to give satisfaction in worst cases. 25c a box. Sold by City Drug Store.

Buncom Reports.

Correspondence to the Post.

We wish you a Merry Christmas.

Reines Combust made a trip to the city Tuesday.

Bill Caton of Ruch was up to the mill last week.

Ed Saltmarsh helped to take a drove of cattle to the valley Monday.

Magnes Hall and family were visiting near Buncom Sunday and Monday.

Mrs. R. J. Jennings was visiting down the river last Sunday the guest of Mrs. W. H. Venable.

Joe Daly, Frank Cameron and wife spent several hours at Mr. and Mrs. J. Goldsby's last Saturday night.

Mr. and Mrs. Alexander Loomus of Medford have returned to Buncom to spend Christmas with home folks.

Charley Garrett spend Monday night in Jacksonville.

Charley Pursel was in town Wednesday.

EARLY DAYS

In Southern Oregon, by James H. Twogood.

A Chapter Overlooked.

(Continued from last week)

It was in the summer of 1850 that James A. Pinney, in company with his father, left Iowa and crossed the plains to California. (Later Mr. Pinney drifted up into southern Oregon, Jacksonville, just as the Rogue River country began to settle up. He ran a pack train to Crescent City, on the coast, for some time.)

In the summer of 1854 he joined a volunteer company in Jacksonville, consisting of 90 men and 50 packs under command of Captain Jesse Walker, B. F. Dowell and others, to go out on the plains to escort in emigrants. They started out east via Klamath and Goose lakes and through the Modoc country, were out all summer and helped many people who were short on rations, and saved many a family from massacre by the treacherous redskins. Jackson sent out a second train with provisions, the most humane expedition ever got up by the good people of southern Oregon. For his summer work Mr. Pinney received the magnificent sum of \$50 from the territory.

In the early spring of 1863 J. A. Pinney. Uncle Dick Tregaskus and Ruf Johnson left Jackson for the north with three pack trains of 20 mules each--60 mules and a bell horse. As this was the biggest train ever on the road, it created quite an excitement through the Umpqua and Willamette valleys. Arriving at Portland, they all shipped on the steamer for the upper country. At Umatilla they loaded with general merchandise for the basin country. Mr. Pinney stopped at Idaho City, started building stores, of which he built three, and sent his back after more goods.

Uncle Dick settled in Silver City, Owyhee county. It will be remembered by the old-timers that he was elected a member of the Idaho parliament in the early seventies. That winter Dick had time of his life. I well remember Dick was stylishly dressed and wore a plug hat. His wife, a society woman, was well gowned, and they were the guests of Banker Moore. Poor Dick, he seemed to strike a streak of hard luck and he, too, has joined the silent majority.

Mr. Pinney was in the mercantile business, doing well up to 1867, when that great disastrous fire came and nearly wiped Idaho City off the face of the earth. He was appointed post-

master at Idaho City in 1864, and resigned in 1872. He came down to Boise in 1869, bought out the Ben Lamkin book store and placed his then partner, Charley Blake, in charge. The postoffice was then in the store, and that and the Overland hotel, kept by Captain Griffin, were the two most prominent places in Boise during the seventies.

Thomas E. Logan was postmaster for many years, but when John Hailey was made delegate to congress, I think in 1872, he had John A. Post made postmaster, and he made the best we ever had. Mr. Pinney closed out in Idaho City and came to Boise to live permanently in 1870. He was elected mayor four or five times, and made one of the best Boise ever had. It was while Mr. Pinney was mayor that he purchased an 80-acre tract of land with a perpetual water right for \$2000 for the home and resting place of our dear departed city of the dead. He called it the Morris Hill cemetery, and it will ever stand and be the lasting monument to one of the most noble, generous, kind-hearted men that ever came to the territory of Idaho.

Mr. Pinney built a theater in Idaho City, where many of the old-timers played in the sixties, J. B. Robinson, Julia Dean Hayne, Fred and Sue Getzler and many others that I saw in Chicago in 1848. This playhouse was wiped out by fire.

Mr. Pinney ran the largest book and music store in Idaho for many years. In 1868 Good Templar hall (size of a sluice box) was the biggest and best for assemblies in Boise. Many good theatrical attractions were booked there, including the territorial legislature.

The legislators those days were the good old rugged pioneers, imbued with a little solid horse sense. That is more than can be said of our Ninth session that enacted that beautiful Sunday rest law. This is the bitterest pill that a free American people was ever forced to swallow. The idea that one can't buy a loaf of bread, peach, plum or pear on Sunday is carrying the joke a little too far. There will come a reaction some day. It looks on the face of it as though this law was gotten up by a lot of fanatics to force the people to go to church. They seemed to lose sight of the old saw that says "You may lead a horse to water, but you can't force him to drink." Church and state were badly mixed up in Rome and Spain, and in France they are reaping the benefit. It certainly never should be tolerated by a free American people.

It was in the year 1887 that Boise had outgrown the wooden buildings, and Peter Sanna put up our first brick opera house, on the corner of Ninth and Main streets. Mr. Pinney was manager for several years, but the population increased soon and got too large for a small house, and in 1892 Mr. Pinney built the Columbia on his home block, Eighth and Jefferson. This theater cost \$35,000, and was one of the most substantial, well put up and convenient little playhouses west of the Rockies. The acoustics were perfect; none better except the Mormon temple at Salt Lake, commonly called the Beehive. This, I am told, is the best in the world.

The Columbia had a seating capacity of 850. The new house was opened by Julia Marlowe, December 11, 1892. The gross receipts were \$1113. Many people stayed away because they thought the building was not safe. Since then on Decoration day of the Grand Army Mr. Pinney always gave them the free use as long as the building lasted. There was every year a full house. In the aisles every foot of standing room would be utilized and we would have as many as 1200 people in the house and it did not fall down.

The theater staff at that time was James A. Pinney, owner and manager; W. S. Walker, treasurer; M. L. Twogood, stage carpenter; Oden Athey, seating director; Robert Stringer, janitor and bill poster, and J. H. Twogood, doorkeeper and correspondent of the New York Dramatic Mirror. Of the old stock, Pinney, Stringer and the subscriber are all there are left.

Alex McPherson built the Columbia. It was one of the best constructed buildings in Boise. He also built the city hall the same year, 1892, under Mayor Pinney's administration. And the city hall is one of the best built buildings in Boise today. McPherson built better than he figured on, went broke, locked his tool chest, and another good mechanic was out of the ring. In the spring of 1908 Mr. Pinney sold his home block of twelve 50-foot lots to a hotel syndicate, moved across the street and put up a most magnificent playhouse, with a seating capacity of 1400, the best house on the road, and called it the Pinney.

J. H. TWOGOOD.

Oregon Sidelights.

All settlements in Lincoln county are growing.

New Methodist church is building at Lakeview.

Gas field is likely to be developed in Malheur county.

Only seven voters attended the Medford school meeting.

New grange has been organized at Summit, Benton county.

Summit, Benton county, district will build a 4 room schoolhouse.

Albany man says land near that city will produce the best apples in the world.

A Eugene man manufactures imitation marble that is nearly as good as the real thing.

A get-together meeting of the Albany Commercial club discussed the advantage of factories.

A tree near Independence still contains fully 20 bushels of apples, and it bears evidence of fall rather than mid-winter.

A man and his daughter were married the same day at Drain, the former, a local story says, to a widow worth \$25,000.

A great deal of development work is going on in the Ogie mountain district, says the Scio News. One man is opening up a group of 10 claims. Some ore recently brought out shows native gold.

At the recent city election in Toledo 131 votes were cast, indicating a population of 651. Newport cast a vote of 205 at the election on the same day giving that town (using the same multiple) a population of 1025.

Six miles of street grading and five miles of new sidewalk built in Ontario since last March is the record of this town for the year 1910, and according to present indications, next year will eclipse the present along these lines, says the Optimist.

The bank statement of the 12 banks in Yamhill county shows a total of \$2,260,142.76 deposits. The population of the county as shown by the census report is 18,285. Thus the bank deposits represent an average of a little over \$124 for every man, woman and child in the county.

That Central Point and the rich fruit growing section immediately surrounding it comprises one of the most rapidly growing communities in Oregon is shown by the latest statement of the Central Point State bank, which when compared with the statement of the same institution 12 months ago shows the wonderful increase in business in that time of 72 per cent, says the Herald.

The Dallas Itemizer doubts if three saloons in that town will find the business a paying one. Habit controls us all to a great extent, and we believe that so many of our inhabitants having for over two years now been in the habit of drinking and keeping their liquor at home, they will continue to do so, saloons or no saloons. There are other reasons that will also tend to make the business much less remunerative than in the past.

McMinnville News-Reporter: Word comes of the great sensation Yamhill walnuts are causing in the east as a result of the recent exhibition at Chicago. The five or six other displays of the English walnuts grown in this county previously mentioned in these columns are now going forward to do their missionary work in widely separated districts of the nation, and it is impossible to over estimate the good these may do, both to the region which has raised them and the people who see them and ultimately come to this locality to make their homes.—Journal.

For that Dull Feeling after Eating

I have used Chamberlain's Stomach and Liver Tablets for some time, and can testify that they have done me more good than any tablets I have ever used. My trouble was a heavy dull feeling after eating.—DAVID FREEMAN, Kempt, Nova Scotia. These tablets strengthen the stomach and improve the digestion. They also regulate the liver and bowels. They are far superior to pills but cost no more. Get a free sample at all dealers and see what a splendid medicine it is.

Home Rule.

Grants Pass is one of the first places to try the new "Home Rule" law adopted at the recent election.

A special election has been called for Dec. 31, when the question of "wet or dry" will be passed upon by the voters at the polls.

RAILROAD WORK

Will Begin Next Spring at Crescent City.

"Construction work on a railroad from the proposed harbor of Lake St. George, extending eastward toward some point on the Southern Pacific, presumably Medford, Ore., will begin early in the coming spring, so we are informed by a man on the inside of affairs, whose name we are not at liberty to mention. Such was the information given out to the editor of the News the latter part of last week.

H. S. Wooley and others, who are promoting the creation of a new and commodious harbor by dredging Lake St. George and connecting it with the ocean by a canal, will be builders of railroad. Plans for the road, the exact site for a terminal and the route to be followed across the mountains, are now under consideration.

Arrangements are being made by Mr. Wooley and associates for active on the canal as soon as the plans outlined can be carried to a conclusion and the necessary machinery purchased. This will require some time, as the proposition is a stupendous one and necessarily requires much engineering work and preliminary arrangement.

The railroad will begin at St. George and run in an easterly direction and will be extended as rapidly as possible to the mountainous region between this city and Southern Oregon, where rock for the jetties outside the harbor and for bulkheads and other protective work along the canal will be obtained.

By pushing construction work on the railroad as rapidly as ties and rails can be laid it will be possible to have the new harbor connected by rail with the outside world by the time the channel from the ocean to the lake is completed and the latter put in condition for ships to enter and receive cargoes."

Eczema

Is considered hard to cure. Try Dr. Bell's Antiseptic Salve and you will change your mind. You will see an improvement from the first application. Sold by City Drug Store.

Basket Ball Game

The Basket Ball games last Wednesday evening were not an overhelming success. The games were poorly attended and the hall was not crowded by any means. The boys had arranged to seat two hundred people and about twenty were seated comfortably.

This plainly shows how much the people of Jacksonville are interested in the welfare of the young men's club in this town.

Say you people that always stay at home missed it last Wednesday evening, on a musical treat.

That Club Orchestra certainly furnished some of the best high class orchestra music ever heard in Jacksonville.

You will be afforded one more opportunity this year to hear this orchestra play, and that will be at the show Saturday evening. Everybody come out and hear something good.

THE ONLY WAY

Many Jacksonville Citizens Have Discovered It.

Just what to do when the kidneys are affected, is a question that concerns both young and old. Weak kidneys neglected in childhood lead to life-long suffering. People of advanced years, with less vitality, suffer doubly. In youth or age, languor, backache, urinary irregularity, dizziness and nervousness make life a burden.

There is one remedy that acts directly on the kidneys and cures these troubles. Doan's Kidney Pills owe their world-wide fame to the fact that they cure sick kidneys and cure them permanently. Follow the example of this Jacksonville citizen and you will be convinced that this is so.

John Kremer, farmer, Jacksonville, Ore., says: "For years I suffered from kidney trouble and although I used one remedy after another, I was unsuccessful in finding relief until I commenced taking Doan's Kidney Pills. They proved so beneficial that I am only too pleased to give them my endorsement."

For sale by all dealers. Price 70 cents. Foster-Milburn Co., Buffalo, New York, sole agents for the United States.

Remember the name—Doan's—and take no other.

We wish you all a

MERRY XMAS

Just one more day to do your shopping, so you will have to hurry. We have a very nice assortment of everything left but things are going awfully fast.

Don't forget to call Xmas Eve and see our

Xmas Tree

We have a present for every member of the family so everybody come.

ULRICH BROTHERS

Leading Merchants