

Circumstantial Evidence

By DAVID WALTER CHURCH

A stagecoach lumbered along through the Rocky mountains in the region of a newly discovered mining district. In it were three women and four men. One of the men had a young face, but was prematurely gray. He kept his fellow passengers from becoming dull by telling stories and otherwise amusing them. When the coach reached a relay he left it and those he had entertained were sorry to part with him.

The coach had not gone far on the next relay before the passengers heard pistol shots, and the body of the driver came tumbling down from the box. Immediately a man with white hair and whose face was concealed by a mask rode to the side of the coach where the passengers could see him and ordered them to step out, line up and disgorge. The order was obeyed by all except one man, who, watching his opportunity, struck the robber a blow on the cheek; the strings which tied on his mask were broken and it fell to the ground, revealing a face that excited the astonishment of all.

In the robber they recognized their fellow traveler who had but recently parted from them.

He shot the man who had attacked him, collected the valuables of the passengers and rode away. One of the men mounted to the box and drove to the next relay.

The robbery was reported and a description of the robber given. A posse was organized and scoured the country round about. But they did not have to go far to find their man. He was found on the porch of a tavern smoking a cigar. After looking at him a moment the sheriff arrested him.

"What do you want with me?" he asked in real or pretended astonishment.

"You're wanted for the robbery of the coach that was held up and the murder of two persons. What's your name?"

"Edward Livermore."

"Well, Livermore, if that's your name, we're going to take you to the county seat to be tried. Come along."

Livermore assured the men that they were making a mistake, but they paid no attention to what he said and took him to jail. He begged to have a speedy trial since he was looking for mining property and the mistake that had been made was delaying him. His request was granted partly because the evidence of the other passengers of the coach in which he had traveled was required and they were anxious to go about their business.

At the trial every one of them swore that Livermore was the robber and murderer. Another thing against him was that he had come to the tavern on a horse the same color as the robber had ridden when the coach was attacked. Livermore explained this by saying that he had hired the horse near the relay where he had left the coach.

Not a person in the courtroom but believed the prisoner and the robber were the same person. He had but little evidence to give in his behalf, and when it was in the public prosecutor rested the case. The judge instructed the jury, which retired and in half an hour returned with a verdict of guilty.

The judge was about to pass sentence when a man, who said he was a barber, entered the courtroom and asked to be heard. He said that the day before the robbery a man, who resembled the accused, had entered his shop to be shaved. During the shaving he had talked with the barber, who told him that he had recently come from the east with a remnant of a stock, including some wigs. The customer had purchased a white one.

This testimony made an impression on all in court except the judge. He considered it for a few minutes, then announced that he had decided not to regard it. Six fellow passengers of the prisoner had sworn that he was the murderer. The story of the barber was on his face a cheap device on the part of some friend to save him. It would not accord with the laws of evidence to regard it, conflicting as it did with the testimony of so many disinterested witnesses of good character.

Livermore simply declared his innocence, saying that the real robber had bought the white wig for a disguise to help conceal his identity. The witnesses had been deceived by the similarity in the appearance of the two men.

Having listened to this statement, the judge passed the sentence, condemning the convicted man to be hanged on a certain date. He died protesting his innocence and protesting that some day the real murderer would turn up.

The murder and execution were followed by other robberies, apparently by different persons, for no two were dressed alike or looked alike, though being always masked, their faces were never seen. Finally one of them was arrested and convicted. The evening before he was swung off he confessed that he had committed all these crimes in different disguises, the first being the murder for which Livermore had been executed. His resemblance to Livermore was very strong. When a white wig was put on his head several of those who had testified against Livermore saw their error and felt they had sent an innocent man to the scaffold. The man who had committed the crime was executed, but it was not possible to bring Livermore back to life.

Seizing an Opportunity.
"Why did they arrest that man?"
"It was discovered that he was supporting two families—keeping up two establishments."
"Oh, are they arresting people for that? I'll have to tell my wife to chase her father out in search of a job."
—Chicago Record-Herald.

He Made Them Read It.
Daughter—Have you found out yet what it was that papa cut out of the paper? Mother—Yes, I bought a copy. I've read it all through, but to save my life I can't see anything wrong in it. It's an article on the vulgarity and silliness of buying gowns that are beyond one's means.

The Clock and the Watch.
"What pleased me most," said the man who had been abroad, "was the wonderful clock at Strasburg."
"Oh, how I should like to see it!" replied the ignorant youth. "And did you see the watch on the Rhine too?"
—Exchange.

Called the Bluff.
Mrs. X.—Yes, I tried to make my husband economize in smoking, so I told him if he ever smoked I would never speak to him again. Mrs. Y.—What was the result? Mrs. X.—His cigar bill was doubled the next month.
—Exchange.

Light Diet.
A Spanish proverb declares that "a papalotto in paper cigars, a glass of clear water and a kiss from a pretty girl will sustain a man for a whole day."
It is well to moor your bark with two anchors—Publius Syrus.

Notice of City Marshal's Sale of Property for Delinquent Special Benefit Assessments

PUBLIC NOTICE IS HEREBY GIVEN that by virtue of and pursuant to the command of that certain warrant of date August 22nd, A. D. 1913, issued by the City Recorder of the City of Jacksonville, Jackson County, State of Oregon, under his official signature and under the seal of the City of Jacksonville aforesaid, and which warrant was issued pursuant to the order of the City Council of the aforesaid City at a regular session of said Council held on the 1st day of July, A. D. 1913, and wherein I am commanded to forthwith levy upon each lot or part thereof or parcel of land therein and hereinafter described upon which the assessment levied by Ordinance No. 178 of said City is unpaid and delinquent and has not been bonded as provided by law, and sell the same in the manner provided by law for the satisfaction of said respective assessments, with interest and costs to date upon each lot or part of lot or parcel of land, I, the undersigned City Marshal of said City, as such officer and for the purpose of executing the aforesaid warrant have levied upon the aforesaid property and on the 29th day of September, A. D. 1913, at the front door of the City Hall in aforesaid City, some being the building in which the Council holds its sessions, at 9 o'clock A. M. of said day, will sell at public auction to the highest bidder for cash in hand, the following described lot or parts of lot or parcel of land situated in the City of Jacksonville, Jackson County, State of Oregon, to-wit:

Assessment No. 13, Page 61, Volume 1, City Lien Docket, W. Hawker, owner or reputed owner. Lot 5 in Block 1 of Lundgren's Subdivision of Holman's Addition to the City of Jacksonville. Amount \$43.25, interest \$5.32, costs \$6.30, total \$54.87.

Assessment No. 61, Page 72, Volume 1, City Lien Docket, Orilla Sinder, owner or reputed owner. Lot 8 in Block 1 of Lundgren's Subdivision of Holman's Addition to the City of Jacksonville. Amount \$43.25, interest \$5.32, costs \$6.30, total \$54.87.

Assessment No. 62, Page 72, Volume 1, City Lien Docket, A. Armstrong, owner or reputed owner. Lot 5 in Block 2 of Lundgren's Subdivision of Holman's Addition to the City of Jacksonville. Amount \$47.58, interest \$5.72, costs \$6.30, total \$59.60.

Assessment No. 92, Page 78, Volume 1, City Lien Docket, Main and Winchester, owners or reputed owners. The west half of Lot 4 in Block 8. Amount \$18.88, interest \$1.34, costs \$6.30, total \$26.52.

Assessment No. 99, Page 79, Volume 1, City Lien Docket, A. E. Reames, owner or reputed owner. Lots 1 and 2 in Block 15. Amount \$75.52, interest \$9.32, costs \$6.30, total \$91.14.

Assessment No. 134, Page 83, Volume 1, City Lien Docket, Marsh Baldwin, owner or reputed owner. Lot 7 in Block 3, of Lewis' Subdivision. Amount \$57.36, interest \$7.12, costs \$6.30, total \$70.78.

Assessment No. 141, Page 87, Volume 1, City Lien Docket, Belle Nickell, owner or reputed owner. Part of Lots 2 and 6 in Block 2, fronting 12 feet 6 inches on the north side of California street, and described in Volume 50, Page 626, Deed Records of Jackson County, Oregon. Amount \$10.71, interest \$0.77, costs \$6.30, total \$17.78.

Assessment No. 151, Page 89, Volume 1, City Lien Docket, Adam Schindling or J. R. Neil, owners, or reputed owners. Lots 1 and 5 and the west part of Lots 2 and 6 in Block 3, fronting 64 feet on the north side of California street, 64 feet on the south side of "C" street, and 200 feet on the east side of Third street. Amount \$96.67, interest \$6.80, costs \$6.30, total \$109.77.

Assessment No. 168, Page 92, Volume 1, City Lien Docket, Mrs. R. L. Parker, owner or reputed owner. All of Block 64. Amount \$302.08, interest \$21.14, costs \$6.30, total \$329.52.

Assessment No. 187, Page 96, Volume 1, City Lien Docket, T. B. Kent, owner or reputed owner. Lots 7 and 8 in Block 15. Amount \$75.52, interest \$9.32, costs \$6.30, total \$91.14.

Assessment No. 190, Page 97, Volume 1, City Lien Docket, Claude Emme, owner or reputed owner. Lots 1 and 2 in Block 21. Amount \$75.52, interest \$9.32, costs \$6.30, total \$91.14.

Assessment No. 191, Page 97, Volume 1, City Lien Docket, Owner Unknown, South half of Lots 3 and 4 in Block "21". Amount \$37.76, interest \$2.66, costs \$6.30, total \$46.72.

Assessment No. 192, Page 97, Volume 1, City Lien Docket, Solomon Humphrey, owner or reputed owner. North half of Lots 3 and 4 in Block 21. Amount \$37.76, interest \$2.66, costs \$6.30, total \$46.72.

Assessment No. 207, Page 100, Volume 1, City Lien Docket, C. C. Beckman, owner or reputed owner. Lot 3 in Block 68. Amount \$37.76, interest \$2.66, costs \$6.30, total \$46.72.

Assessment No. 209, Page 100, Volume 1, City Lien Docket, C. C. Beckman, owner or reputed owner. Lots 1, 2, 3 and 4 in Block 69. Amount \$151.04, interest \$10.64, costs \$6.30, total \$167.98.

Assessment No. 228, Page 104, Volume 1, City Lien Docket, A. E. Reames, owner or reputed owner. A triangular tract abutting on the north side of the Rogue River Valley Railway Company's right-of-way, described as follows: Beginning at a point on the south line of "D" street 100 feet eastwardly from the east line of Sixth street, and running thence eastwardly along said south line of "D" street about 135 feet to the right-of-way of the Rogue River Valley Railway Company; thence west along said right-of-way of the Rogue River Valley Railway Company to the east line of the M. F. Wilson lot; thence along the east line of the M. F. Wilson lot to the point of beginning. Amount \$52.87, interest \$3.71, costs \$6.30, total \$62.88.

Assessment No. 230, Page 105, Volume 1, City Lien Docket, A. E. Reames, owner or reputed owner. The east 100 feet of tract fronting on the west side of Valley road or Fifth street, described in Volume 49, Page 342, Deed Records of Jackson County, Oregon. Amount \$209.94, interest \$14.65, costs \$6.30, total \$230.89.

Assessment No. 232, Page 105, Volume 1, City Lien Docket, Peter N. Fick, owner or reputed owner. Tract described as follows: Beginning at a point on the north line of Valley road or Fifth street at the intersection of said north line of Valley road with a line running northwesterly through the center of Blocks 75 and 77, and running thence northwesterly and at right angles to the north line of said Valley road 100 feet; thence southwesterly and parallel with said north line of Valley road 220 feet; thence south to the north line of Valley road; thence northeasterly along the north line of Valley road 300 feet to the point of beginning. Amount \$130.65, interest \$9.10, costs \$6.30, total \$146.05.

Herein above and set opposite to the description of each respective lot or part of lot or parcel of land is the name of the owner or reputed owner of said respective property, or the words "Owner Unknown" as the same appears on the Docket of City Liens, the amount of assessment unpaid thereon, the interest and cost to date of sale including cost of advertising due upon each respective property.

Each of said respective lots or parts of lots or parcels of land will be sold separately to satisfy the assessment, interest and costs due upon each.

Dated at Jacksonville, Jackson County, Oregon, this 25th day of August, 1913.

(Signed) M. D. JONES,
City Marshal of the City of Jacksonville, Oregon.

Notice of Sheriff's Sale Under Execution.

By virtue of an execution and order of sale duly issued by the Clerk of the Circuit Court of the County of Jackson, State of Oregon, dated the 29th day of August, 1913, in a certain action in the Circuit Court for said County and State, wherein Al Walters as plaintiff, recovered judgment against R. A. Rowley for the sum of Two Hundred Eleven and 40/100 Dollars (\$211.40) and the further sum of Thirty-three and 40/100 Dollars (\$33.40) damages and costs.

Public notice is hereby given that I will on MONDAY, SEPTEMBER 29th, 1913 at the front door of the Court House in Jacksonville, in said county and state, at the hour of 10:00 o'clock A. M. offer for sale at public auction to the highest bidder for cash in hand all the right, title and interest of the said defendant, R. A. Rowley in and to the following described property to-wit:

A certain placer claim situated on Star Gulch, Applegate mining district owned by me and known as the Big Star placer claim. This claim lies west of placer claim owned by Bert Johnson and known as Big Star, also joins the claim held by R. A. Rowley, on the west end. Including all ditch and water rights.

All that certain placer mining claim described as follows, the north half of the northeast quarter of the northeast quarter of Section 29, Township 39 South of Range 3 West of the Willamette Meridian, Jackson County, Oregon. This claim being known as the White Star. The claim being recorded in the Mining Records of Jackson County in Volume 17 at Page 118.

Commencing at this notice the exterior boundaries of this location are distinctly marked by referring to the following monuments and natural objects: And running 100 feet easterly, and 100 feet westerly from notice, said claim is one-fourth mile west of Applegate River on west side on Section 2, Township 40 South of Range 4, West.

Commencing at this notice the exterior boundaries of this location are distinctly marked by referring to the following monuments and natural objects: And running 150 feet westerly and 50 feet in an easterly direction to east end and west end of center-stake, said claim is one-fourth mile west of Applegate River, on west side of said river and joins the Old Timer mining claim on west end.

S. 1/2 of N. 1/2 of N. 1/2 of Section 25, Township 39 South of Range 3 West of W. M. E. 1/2 of S. E. 1/4 of N. W. 1/4 of Section 25, Township 39 South of Range 4 West of W. M. S. 1/2 of S. W. 1/4 of S. E. 1/4 of Section 19, Township 39 South of Range 4 West of W. M. S. 1/2 of N. 1/2 of the N. E. 1/4 of the N. E. 1/4 of Sec. 23, Twp. 39, S. R. 3 West of W. M. Comprising 10 acres. Also the N. 1/2 of the S. E. 1/4 of N. E. 1/4 of N. E. 1/4 of Section 25, Twp. 39, S. R. 3 West, containing 19 acres of placer mining ground.

Three thousand miners' inches of water situated on Lightning Gulch, Jackson County, Oregon. As of record in Volume 17 of Mining Records at Page 61.

Mining claim known as Lode Star No. 1, situated in the Applegate mining district. As of record in Volume 17 at Page 62, described as follows, lies north and south on both sides of stream, 80 rods wide and 80 rods long, this claim lies south of and on Star Gulch, Jackson County, Oregon, and joins placer claim called Big Four, owned by M. Clemens, lying west of said claim.

Taken and levied upon as the property of said R. A. Rowley or so much thereof as may be necessary to satisfy the judgment contained in said decree in favor of the said Al Walters and against the said R. A. Rowley, together with the costs and disbursements that have or may be incurred.

Dated at Jacksonville, Oregon, on this 25th day of August, 1913.

W. H. SINGLER,
Sheriff of Jackson County, Oregon.
By E. W. WILSON, Deputy.

Administrators' Final Notice.

IN THE COUNTY COURT OF OREGON FOR JACKSON COUNTY.

In the Matter of the Estate of Cornelius W. Esmond, Deceased.

Notice is hereby given that the undersigned administrator with the will annexed, of the estate of Cornelius W. Esmond, deceased, has filed in the above entitled Court his duly verified final account and said Court has fixed Monday, the 22nd day of September, 1913 at 10 o'clock A. M. of said day at the Court room of said Court, in the County Court House, in the Town of Jacksonville, Jackson County, Oregon, as the time and place for the hearing of said final account. All persons are hereby notified to make or file their objections to said Final Account if any they have, with the said Court on or before said time.

GUS NEWBURY,
Administrator with the will annexed of the Estate of Cornelius W. Esmond, deceased.

Sunmons.

IN THE CIRCUIT COURT OF THE STATE OF OREGON, FOR JACKSON COUNTY.

C. V. Koch, Plaintiff,
vs.
H. C. Koch, Defendant.

In the Name of the State of Oregon; you are hereby summoned and required to appear and answer the complaint filed against you in the above entitled court and cause on or before ten days from the date of service up on you if served within Jackson County, Oregon, or if served within any other county within the State of Oregon, then within twenty days from date of service thereof, or if served by publication then on or before the expiration of six weeks from the date of the first publication thereof, which date of first publication is August 23rd, 1913, and the last date of publication is October 4th, 1913, which is the last date for your appearance, and you are hereby notified that if you fail to appear and answer the complaint within the time aforesaid, the plaintiff will apply to the court for the relief prayed for in the complaint, viz:

For a decree forever dissolving the bonds of matrimony now existing between the plaintiff and defendant, and a decree changing plaintiff's name from C. V. Koch to H. C. Koch.

Citation.

IN THE COUNTY COURT OF THE STATE OF OREGON, FOR JACKSON COUNTY.

In the Matter of the Adoption of Robert Peterson, a Minor Child.

The People of the State of Oregon: To A. Peterson and Mrs. A. Peterson, his wife. By order of this Court, you, the said A. Peterson and Mrs. A. Peterson, are hereby cited to appear before the County Court of Jackson County, Oregon, at the court room or office of the above entitled Court, at Jacksonville, Oregon, on the 20th day of October, 1913, at 10 o'clock A. M. of said day, to show cause, if any you have, why said minor child, Robert Peterson should not be legally adopted by R. N. Foster and Mrs. R. A. Foster, his wife, and to further show cause, if any you have, why the name of said minor child should not be changed to Robert Foster, as prayed for in the petition of said Foster and wife, filed in the above entitled Court on the 16th day of August, 1913.

In testimony whereof, I, G. A. Gardner, clerk of the above entitled Court, have hereunto set my hand and affixed the seal of said Court, this 20th day of August, 1913.

G. A. GARDNER, Clerk.
MULKEY & CHERRY,
Attorneys for Petitioners.

NOTICE OF SALE OF STATE LAND.

Notice is hereby given that the State Land Board of the State of Oregon will receive sealed bids until 10:00 o'clock A. M., October 7, 1913, for the following described lands to-wit:

The S. 1/2 of S. W. 1/4, S. W. 1/4 of S. E. 1/4 and S. W. 1/4 of N. E. 1/4 of Section 36, T. 22 S., R. 12 W.

The N. W. 1/4 of Section 16, T. 28 S., R. 3 W.

The N. 1/2, N. 1/2 of S. W. 1/4, S. W. 1/4 of S. W. 1/4, and N. E. 1/4 of S. E. 1/4 of Section 36, T. 30 S., Range 11 W.

The S. 1/2, S. 1/2 of N. E. 1/4 of Section 36, T. 38 S., R. 2 W.

All bids must be accompanied by a regularly executed application to purchase and check or draft for at least one-fifth of the amount of the bid.

The right to reject any and all bids is reserved.

Applications and bids should be addressed to G. G. Brown, Clerk State Land Board, Salem, Oregon, and marked "Application and bid to purchase state lands."

G. G. BROWN,
Clerk State Land Board.
Dated August 1, 1913.

Change in Southern Pacific Time Table.

Effective January 1st, 1913.

NORTH BOUND TRAINS.

20 Portland Passenger.....7:30 A.M.
24 Grants Pass Motor.....10:31 A.M.
32 Grants Pass Motor.....4:11 P.M.
14 Oregon Express.....5:47 P.M.
16 Oregon Express.....5:20 P.M.

12 Shasta Limited (Mail only) 2:44 A.M. Extra fare train.
SOUTH BOUND TRAINS.

23 Ashland Motor.....8:45 A.M.
13 California Express.....10:52 A.M.
31 Ashland Motor.....2:24 P.M.
15 San Francisco Express...3:30 P.M.
11 Shasta Limited (Mail only) 5:22 A.M. Extra fare train.
19 Ashland Local.....11:45 P.M.

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