

THE CIRCUIT COURT

Damage case Finished Monday. Trial of Loris Martin Indicted for Murder of A. S. Hubbard.

The circuit court convened Monday morning, the first matter attended to being the case of Russell Graham vs Dr. R. W. Clancy, the trial of which was begun last week. The case was submitted to the jury about 10:30 Monday forenoon, the jury returning in the afternoon with a verdict for plaintiff in the sum of \$400. The amount of damages asked for was \$10,000.

The selecting of a jury in the case of The State of Oregon vs Loris Martin, indicted for the murder of A. S. Hubbard, a deputy game warden, last December, was commenced after the close of the Graham case and continued until Wednesday afternoon at two o'clock when the jury having been selected the trial began. During the two days spent in filling the box, many prospective jurors were examined and underwent a severe grilling touching their qualifications to serve on this case, owing to the great publicity given the case at the time of the tragedy and since by the newspapers of the county and the various sportsmen's organizations and which tended to bias the minds of some, so as to unfit them to try the case.

The first witness for the State was A. L. Irwin of Asland, the only eyewitness of the killing, except the defendant Martin. The testimony of this witness seemed pretty straight upon his first direct examination by Mr. Kelly, but when cross-examined by Mr. Reames for the defense and confronted by his former testimony given at the coroner's inquest he became hopelessly entangled and did not seem to know where he was at. His answers to the questions, which were impeaching in character, were very conflicting to say the least.

At the closing hours Wednesday evening, Judge Calkins in instructing the jury as to their conduct during the recess until morning directed that they should refrain from reading any of the local papers during the continuance of this trial, nor should they read any article or comment upon this case which may be published in any state paper during the trial. At first glance this prohibition seemed rather severe, but later events, to-wit: the inaccurate and misleading accounts of the trial, with comments on same, published in the Medford papers Thursday and Friday have proved the justice and wisdom of restriction.

Following the conclusion of Mr. Irwin's testimony the State introduced a number of witnesses: Warden Finley, to show the appointment of Mr. Hubbard as a deputy game warden; Messrs Kellogg and Peri to show the removal of the body and disposition of the clothing, effects etc. Some of the clothing worn by the deceased, the pistol found near bush and the holster found under the coat of the deceased, were exhibited and identified by the various witnesses. The strap or elastic band which witnesses claimed passed around the body of deceased and was used to hold the holster in place, was missing and an attempt to locate the exact position of the holster when in use was a failure one witness even stating that it was carried under the armpit and up against the underside of the arm.

The testimony of several witnesses was introduced in an attempt to show that Martin had threatened Mr. Hubbard, but in most instances the cross examination revealed the fact that the witness was more or less prejudiced against Martin on account of some personal grievance, real or imaginary. In this connection the testimony of the members of one family: the father, mother and daughter is worthy of note. The father testified that he with his wife and daughter were present on a certain day in July at a place named and heard Mr. Martin make serious threats against Mr. Hubbard the subject being introduced by showing Martin a post card with a fishing scene printed upon it. The mother testified to hearing the same threat at the same time and place brought on by exhibiting the same card but she stated positively that her husband was not present but was miles away in another county. She also stated that the same card was exhibited to Mr. Martin upon two other occasions and that he

made the same threats upon each occasion. The daughter however testified to the exhibition of the card, the conversation and the threat, upon the day in July at their home at Drew, but denies that the card was shown to Martin at any other time or place. The counsel for defendant attempted to show by cross examination that personal animosity existed in the minds of these people towards Martin and in our opinion succeeded very well.

Justice Taylor of Medford testified to the issuance of a search warrant and exhibited the affidavit of Mr. Hubbard from which he claimed jurisdiction to issue the warrant. Mr. Reames objected to the introduction of these papers upon the ground that both were void neither being in proper form or substance the location of the building searched being six miles from the place given in the papers. The affidavit was void also upon the failure to show probable cause for the search. The warrant was drawn so as to authorize search of the person of Martin instead of his house. The court agreed that the papers were void but ruled that they "go in at this time."

Counsel for the State rested Friday forenoon and Mr. Reames for the defense introduced witnesses for his client. C. E. Terrill, a farmer of Butte creek, Mr. Harnish a liveryman of Eagle Point, and Walter Woods, a stockman each testified that Hubbard had made threats against Martin, one being that "I'll tear into him, I'll make him look like a licked cur," another one being in these words: "The only gun man in the woods is Martin, and if there is any shooting to be done I'll get in on it too."

Dave Pence testified that he had been asked to warn Martin of Hubbard's threats against him and that he had done so. Cross examination of this witness by Mr. Kelly brought out some facts regarding Hubbard's methods which tended to create sympathy for the defendant and at one stage caused a demonstration by the audience which caused the court to threaten to have the room cleared.

As we go to press this (Saturday) morning the defense is still introducing testimony which will likely be continued all day. The case will not be finished until some time next week. (Further proceedings given next week)

Chestnuts Old--But Good

James, haled before the bench, was charged with poaching. It was a mistake on the part of the police, and James was indignant. Quivering with rage, he denied that he had ever, on this or any other occasion, shot a bird out a season or belonging to someone else.

"Oh, I say now," protested the magistrate; "do you mean to tell me you have never in your whole life poached a bird?"

"Yes, I do, sir!" answered James, with conviction. "Never in my life have I shot a bird that I hadn't a right to--except once, and that was a rabbit what I clumped over the head with a stick."--Pittsburgh Chronicle-Telegraph.

A girl, reading in a paper that fish was excellent brain food, wrote to the editor: "Dear Sir--Seeing as you say how fish is good for the brain, what kind of fish shall I eat?" To this the editor replied: "Dear Miss--Judging from the composition of your letter, I should advise you to eat a whale."--San Francisco Argonaut.

Some time ago the keeper of a museum was engaged in placing some new curios that had just arrived from Egypt, when he noticed the perplexed look of his attendant.

"What's the matter, Smith?" he queried, going to the assistant. "Is there anything you don't understand?"

"Yes," answered Smith. "Here is a papyrus on which the ear of ears are so badly traced that they are undistinguishable. How shall I class it?"

"Let me see," returned the keeper, examining the curios. "Just call it a doctor's prescription in the time of Pharaoh."--New York Globe.

At The Churches

Sunday School every Sunday at 10 o'clock W. G. Candler Supt. Public worship at 11 a. m. each Sunday and church Sunday of the month and at 7:30 every Sunday evening. Class meeting every first and third Sunday at 11 a. m. H. C. Gallup leader. Prayer meeting Thursday evening at 7:30. The public is invited to attend these services. A. Coslet Pastor

Floating Docks.

A floating dock may be likened to a box with neither ends nor lid. It is built of steel throughout, the largest type having a length of 650 feet and a width of 154 feet, while the walls are 63 feet in height. The dock is first submerged by admitting water into the ballast tanks or pontoons forming the base of the structure. When it has been sunk to a sufficient depth to receive the vessel the latter is warped into its correct position on the keel blocks of the dock and is then made fast. Powerful pumps are set to work to eject water from the pontoons, causing the structure to rise gradually with its burden. To lift a battleship of the largest size 40,000 tons of water has to be pumped out of the pontoons. So perfectly, however, are these floating docks constructed that one man can control every movement from what is known as the valve house.--London Tit-Bits.

Spiral Nebulae.

It is now an established fact that the majority of the nebulae known to astronomers are spiral nebulae. Their study is very important, and in particular a knowledge of their spectra is capable of furnishing valuable information. The study of the spectra of nebulae is rendered very difficult by the small intrinsic brightness they possess. Nevertheless, some careful experiments made by Silpher on the nebula in Andromeda render it probable that the nebula has a radial velocity of about 186 miles a second, a result which is distinctly greater than the figures formerly obtained for other nebulae. If this nebula in Andromeda approaches the solar system with this velocity--11,160 miles a minute--it suggests that the new star which appeared near its nucleus in 1885 had been a dark star which was encountered.--Cincinnati Commercial Tribune.

If Caesar Had a Phone.

Julius Caesar missed a great deal in not knowing the telephone or at least in not using it if he knew it. One can see the telephone engineer attached to the Roman postoffice endeavoring, but without avail, to get an instrument stalled at the capitol and at the palace. "I am intrusted by the emperor to say that he does not desire these barbarian novelties, and so Thomas Alva Edison's need not entangle with his magician's apparatus." A signal blunder! We can imagine what would have happened. "Hello, 1287 Tibur!" Is it thou, Artemidorus? I understand thou rangest me up this morning. What! Details of a plot? Go not to the senate today? Beware of Brutus? Go not near Casca? Right, and I thank thee, Artemidorus. I will have an extra guard put on instantly and the conspirators arrested." And so, although Artemidorus was unable to give his warning in the street, he gave it over the telephone, and Caesar's valuable life and with it the fortune of Rome was saved.--From "If They Had Thought of It" in Strand Magazine.

Their Division.

"I see where a criminal lawyer has taken his daughter into partnership with him. How do they divide the cases?"

"He takes the fellow-shes, and she the mis-demeanors."--Baltimore American.

Settleful.

WHILE WHILE WHO'S a "Settleful" you'll pay! Pore WHILE It's the fellow who borrows money of you and then tells you about it whenever you meet Porek.

An Exception.

Six--No man ever succeeded in business who kept watching the clock. Dix (th. I don't know. There's the train dispatcher. Brooklyn Eagle.

Weather Report.

Following is the report of U. S. Volunteer Cooperative Observer, E. Britt, Jacksonville, for month of January, Latitude 42 deg. 18. min. north; longitude 123 deg. 5 min. west.

Table with 4 columns: Date, Maximum, Minimum, Precipitation. Rows for days 1 through 31.

Temperature--mean max. 45.9; mean min. 31.4; mean 38.75. Max. 59 on 28, minimum, 22, on 27st. Greatest daily range, 22. Total precipitation 3.10 inches. Greatest in 24 hours, 1.35 on 8th. Number of days with .01 inch or more precipitation, 12, clear, 8; partly cloudy, 9; cloudy, 14. E. BRITT, Cooperative Observer.

The Meadow Lark and the Robin are singing

"Spring Sweet Spring, Seed Time, Seed Time" and "The World is Growing Better"

1915 Promises to be the Banner Year For the Farmer Prepare to Reap Your Share of the Profits by Having Your Ground in Good Condition and Planting only Clean Seed of High Germination We Have a Large Variety of Field and Garden Seed and are Sole Agents For

Luther Burbank's Products

New Spring Merchandise Arriving Daily

Good Goods, Square Dealings,

Right Prices

AT

Taylor - Williams Co.

The People's Store

Jacksonville,

Oregon

PHONE 142

Funeral Souvenirs.

Weird funeral souvenirs of Dutch origin were called "koffiekoeken," or "dead cake." With a small bottle of wine and a pair of gloves two of these were sent by way of invitation to relatives and friends whom one wanted to attend the funeral. The original recipe for these cakes, which is said to be authentic, called for fourteen pounds of flour, six pounds of sugar, five pounds of butter, one quart of water, two teaspoonsful of pearl ash, two teaspoonsful of salt and one ounce of curaway seed. These were baked in four inch squares, then frosted and marked with the initials of the "departed friend." Sometimes they were eaten at the funeral dinner, but usually they were taken away, like wedding cakes, as souvenirs. Many bakers made a specialty of "funeral cookery," one baker in Philadelphia advertising the specialty as recently as 1748. --New York Tribune.

Real Joy of Farm Owning.

I am still a gentleman farmer with a great estate over which I ride once in a while and leave all the real work to my underlings. I cannot think there would be great fun in this. No, I like to take hold with my Portuguese man and plant and spray and trim and prune. To be sure, he does more than his share of the rough work, and much of the year I must be cultivating other kinds of fields than those that grow cabbage and turnips, but the fun of farming comes from being a real farmer while you are one, getting close to the soil, becoming familiar with every living thing whether it be a plant or animal, seeing your tomato vines and raspberry bushes taking a real pride in your peaches and your Brussels sprouts, whether you get a price for them at the county fair or not. Rev. Dr. Francis R. Clark in Countryside Magazine and Suburban Life.

A Recipe For Chorts.

It is generally understood that "chortling" is the result of indigestion. The following notes may be useful to anxious persons to investigate psychopathological phenomena.

Lobster salad eaten after midnight is an ordinary cause with chorts.

Two Welsh rabbits and a mince pie one mysterious gray body emitting green.

Cold roast pork mixed pickles and strong tea taken immediately before retiring a genuine family specter currying his head under his arm.

A number of cake rolls of dunch (or's) first seen at cooking school a troop of fear-some blood stained foot-guards with bare fists shooing out of angry eye sockets. New York Journal.

Cleaning a Watch Chain.

Gold or silver watch chains can be cleaned with a very excellent result, no matter whether they be matt or polished by laying them for a few seconds in pure aqua ammonia. They should then be rinsed in alcohol and finally shaken in clean sawdust, free from sand. Instantly gold and plated chains should be cleaned in benzine then rinsed in alcohol and afterward shaken in dry sawdust. St. Louis Republic.

Deafness Cannot Be Cured

by local applications, as they cannot reach the diseased portion of the ear. There is only one way to cure deafness, and that is by constitutional remediation. Deafness is caused by an inflamed condition of the mucous lining of the Eustachian Tube. When this tube is inflamed you have a rumbling sound or impaired hearing, and when it is entirely closed, deafness is the result, and unless the tube is restored to its normal condition, hearing will be destroyed forever; this case out of ten are caused by Catarrh, which is nothing but an inflamed condition of the mucous surfaces. We will give the HUNTER'S EARS FREE case of Deafness cured by our special treatment secured by Hall's Catarrh Cure. Send for circulars, free. F. J. CHENEY, & CO., Toledo, Ohio. Sold by Druggists, etc. Take Hall's Family Pills for constipation.

Polish Peasant Girls.

Polish women have been known to fight on the battlefield and die in the cause of their country. And what seemed harder to some they have given up all their worldly goods in the same cause. Many have been extolled, but never has there been a murmur heard from these brave women who are capable of any sacrifice. The Polish women have ever been noted for their physical charms, their hands and feet being, from an artistic point of view, absolutely perfect. In the field of harvest time for many women are to be seen then men, and the effect of their different colored dress makes an attractive picture. The skirts of their dresses are generally pinned up, leaving bright petticoats exposed to view. London Express.

Train Times.

A passenger recently entered a rail road depot to take the 2:15 p. m. train. The clock in the waiting room was several minutes faster than the one in the office, and the passenger asked the porter which clock was correct. After scanning the clocks carefully the porter, with much satisfaction to himself, replied:

"It don't make any difference which is right. The train goes at 2:15 any how." Everybody's.

One Consolation.

"Beauty has vanished from earth," mourned Cholly Lifebrance. "The girl I love has refused my hand and made me miserable."

"Well, you ought to think of some body other than yourself," replied his unsympathetic friend. "The girl probably has made herself happy." Richmond Times Dispatch.

Rubbing It In.

He--I don't think much of the way you practice economy. She--Well, you have nothing on me. I don't think much of the way you don't make any money and force me to attempt some thing when I have no chance of success. Richmond Times Dispatch.

Tell Him No Fine Yarns.

"Men never brag to me about how much money they have."

"They don't. Who are you?"

"I'm a bill collector." Detroit Free Press.

Filling the Bill.

"I want to give a swell luncheon. What would you suggest as the first article on the menu?"

"Dried apples." Baltimore American.

What cometh every man is not whether he fail or succeed, but that he do his duty.--Ian MacLaren.

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