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ROSEBURG

OREGON

ROSEBURG PLAINDEALER

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MONDAY, JULY 24, 1905.

TRIAL BY JURY

Secretary Taft made an address on "The Administration of Criminal Law" in this country, to the graduating class of the Yale Law School, at the closing exercises recently which overflowed with homely truths which should be taken into serious consideration by the American people, says the Chronicle.

He practically charged that trial by jury in the United States has degenerated into a farce, and that the administration of the criminal law in all the States in the Union (with perhaps two exceptions) is a disgrace to our civilization. This is a terrible arraignment, but it is borne out fully by the facts cited by the Secretary, which indicate a condition of affairs which must soon be remedied unless it is desired that the name America should become a byword and a reproach throughout the world.

Secretary Taft plainly indicates the chief cause which has contributed to the deplorable result he has pictured. He attributes it to the tendency of state legislatures to exalt the power of the jury and diminish that of the court in the hearing of criminal cases. "The counsel for the defense, relying on the diminished power of the court, creates by dramatic art and by harping on the importance of unimportant details a false atmosphere in the courtroom which the judge is powerless to dispel, and under the hypnotic influence of which the counsel is able to lead the jurors to vote as jurors for a verdict which, after all excitement of the trial has passed away, they are unable to support as men." That this is an absolutely truthful presentation of the matter is known to all observant men, who recognize the fact that good citizens, under the influences described, are constantly rendering verdicts which sin on the side of laxity and help to swell the awful list of crimes for which our disgraceful procedure is so largely responsible.

THE SCAPE-GOAT

The conviction of Senator Mitchell, aged, ill and broken-hearted, is hailed by the unthinking and the mob following as a victory for good government. But is it so? Was his crime of such magnitude that it affected our government to any extent? What was it? He took fees for appearing as an attorney before a department of the government when prohibited by law. It was a crime only because the law of congress made it so. The act was not malicious or wrong in itself. But he has been convicted and disgraced. Is the government purified by this alone? Within a few days two special attorneys of the government resign because the President refuses to let them prosecute an ex-member of the cabinet, Paul Morton, for a greater crime than Mitchell's was. Tom Platt still rules New York; the Senator from Standard Oil, Aldrich, still rules the rotten borough of Rhode Island, and Elkins retains his corrupt hold on West Virginia. And then, too, it was only the other day a naval vessel was laid up in the bone-yard as useless, upon which \$2,000,000 was expended to make a pleasure boat for the President and his family to ride up and down the Potomac but two years ago.

The President is greatly pleased at the conviction of Mitchell. Is he to be the scape-goat while greater rascals are uncaught and untried?—Grants Pass Herald.

The Oregonian utters another malicious falsehood when it says that G. O. Walker, the Lane county juror who with O. H. Flook of Douglas, stood solid for Williamson, is a timber cruiser. Mr. Walker a few years ago was operating a small sawmill in Pass Creek canyon, Douglas county, but since disposing of his mill interests more than a year ago has been engaged in farming and conducting a country store at his home at Walker Station, Lane county.

"Tall Timothy" Geer is being put forward by some people who ought to know better for the nomination for governor or U. S. senator, they don't care which. Better stay with the farm, T. T., you are sure there. Dame Nature don't use her little hatchet nearly so viciously as do the politicians.—Medford Mail.

Too much attention cannot be given by merchants of the town to the exterior of their business places. It is through the sense of sight we often get our first impression, and a neatly arranged store, with attractive signs, is likely to bring customers who would pass by unless attracted by the tidy appearance of the place.

One man of the jury cannot see as the other eleven do. That is what he is there for. It is the beauty and the glory of our incomparable jury system. The juror may protect his friend, or the friends of his friend.—Oregonian. Yes, or convict his enemy or his friends enemies.

There are a few people who "boast" that they "do not read ads." A few years ago these same people probably "boasted" that they "did not read newspapers." So, you see, they are improving—even if a little slowly.

When the railroads can pay a steamship company \$900,000 a year for the mere privilege of dictating the water rates it is a pretty fair indication of what those railroads are doing to their patrons.

It was a little hard on Taft to send him straight on to the Philippines and then groom Root for the presidential candidacy.

Apparently the Beef trust was really canning trouble when it thought it was canning beef and coining money.

That Bristow report is going to make the railroads do some more squirming—and they ought to.

Another drunken wife-beater in Portland got ten lashes on the bare back. Let the good work go on.

If it accomplishes nothing else, the advertising of a town indicates that it has some enterprising citizens.

DOUGLAS PEOPLE ARE IN COURT

Portland, July 20.—At the afternoon session of the Federal Court Albert Abraham appeared in behalf of Stephen W. Tornell, indicted with Frank E. Alley and others for conspiracy to defraud the government, and asked that he be allowed to argue a plea in abatement at that time. Mr. Abraham argued that his client had been taken before the grand jury as a witness without having been apprised as to his rights and had afterward been indicted, upon it was presumed, his own testimony.

Mr. Heney argued that he had warned the witness before admitting him into the jury room of his rights and that the witness had asked to be allowed to show his innocence of connection with any crime. At the examination, it was further contended by Mr. Heney, the witness had told a straight story and had not been connected with the indictment until afterward when an affidavit was turned in before Special Agent A. R. Green had connected him with the trouble and caused his indictment.

Judge De Haven would not allow the plea and took the demurrer under advisement.

STATEMENT OF JURORS IN WILLIAMSON CASE

Walker Denounces as False Statements of Oregonian—Jury Was Five for Acquittal

Statement of G. O. Walker
Portland, July 22.—G. O. Walker, one of the jurors in the Williamson-Gosner-Biggs case, makes the following statement:

"The report appearing in The Oregonian this morning is unjust. The statement that I told one of the jurors that 'you couldn't get enough evidence to convince me,' is not true. Neither myself nor Juror Flook made any such statement to the other jurors, and it probably originated from the fact that some of the jurors wanted to bring in all the evidence in the case during the deliberations, and this phase of the situation was discussed at considerable length—in fact, I was in favor of it myself—but Mr. Flook objected, saying that after we had gone over it carefully that he did not believe it would do any good for us to go over it again. Several other jurors agreed with him in this view.

"From the first I held that if the evidence warranted the conviction of any of them it undoubtedly did with all of them, from start to finish, and furthermore, on the first two ballots there were five for the acquittal of Williamson and three for the acquittal of all.

"The statement that I am a timber cruiser is also erroneous, as I am a farmer, and the only timber cruising I ever did was to pick out a claim for myself about four years ago in the Roseburg land district, and the Government never held up my claim as alleged.

"Your statement reads also, both Flook and Walker are constituents of Binger Hermann. I cannot speak for Mr. Flook, but so far as I am concerned, I never saw Mr. Hermann, nor did I vote for him or support him politically.

"My position was based entirely upon the merits of the evidence, taking into consideration the conduct of the witness. I never met Mr. Flook prior to being accepted as a juror, nor have I ever had any acquaintance with any of the defendants, either before or since the trial, except to shake hands with them when they came out of the courtroom."

Mr. Walker returned last night to his home at Walker Station, Lane County. He is a democrat.

Mr. Flook's Statement

A. H. Flook who arrived in Roseburg, Sunday morning on his return home, told about the same story as that related by Mr. Walker and fully concurred in Mr. Walker's emphatic denial of the Oregonian, Telegram, and Journal's fake stories and statements regarding the deliberations of the jury and the positions set forth to the other jurors by Messrs Walker and Flook. Mr. Flook is a well known farmer of this county, and never has been engaged in timber cruising as alleged by the Portland papers, neither has he ever taken up a timber claim. He says he never knew or met Mr. Walker until in the jury box at Portland and that he opposed the conviction of Williamson et al, simply from the fact that he did not think the evidence warranted conviction. He says that his jury room, located on doing all of the window jamming both in and out of the jury room and judging from the pace the fellow is going Mr. Flook's inference is not much overdrawn.

Mr. Flook relates a sensational experience while stopping at the Argyle boarding house in Portland, where the jurors were accommodated with board and lodging during the course of trial, being at all times carefully guarded by bailiffs. He says, "after the jury was discharged I remained at the Argyle with the intention of spending a few days looking over the Centennial, but was given a different room by the land lady. All went well until the new jury in the Williamson case was drawn and given quarters on the third floor of the Argyle, my room being on the second floor. Regardless of the fact that the jury was carefully guarded at all times as was the first, all members thereof being unknown to me, I was called aside by the land lady and informed in substance that she had been instructed to order me to leave the place or that the twelve jurors would be taken elsewhere, so I unceremoniously decamped, but was somewhat surprised at this remarkable action and impertinent, unusual and contemptible demand made upon the land lady, in all probability, by the prosecution in the land fraud cases. I know not how others may view the matter but this appears to me as rank persecution and petty meddling and infringing upon the personal rights of private American citizens, by the manner in which I was required to leave this public boarding and lodging house at Portland."

This, we think, is the most remarkable bit of procedure we have yet heard of in the land fraud trials and demonstrates again the impertinent and non-arbitrary methods employed in their prosecution.

Mr. Flook is receiving the hearty congratulations of his many friends upon the "manly maintenance" of his honest convictions. No amount of bluff could serve him from what he deemed his just duty.

TRAIN WRECK AT ALCA SPUR

Just as we go to press we learn that a helper engine crashed into a work train in Pass Creek canyon near Alca Spur this afternoon, derailing the engine and several cars and tearing up considerable track. Two or three men are reported quite severely injured in consequence of the collision the evening southbound local will not arrive until about midnight or later.

Mrs. M. F. Wright and baby went to Portland Saturday to join Mr. Wright and spend a few days at the fair.

OUR MAMMOTH JULY SALE

IS STILL ON

All the following
Seasonable, High-
Grade Merchandise
is still On Sale at the
Incredibly LOW
PRICES previously
advertised:



Shirtwaists,
Ribbons,
Wash Silks,
Embroideries,
Muslin Underwear,
Ladies' Oxfords,
Ladies' Summer Vests,
Summer Dress Goods,
Millinery.



Table Linen,
Toweling,
Infants' Shoes.

A rare chance to
secure new, season-
able merchandise at
a big saving.

Men's Clothing,
Boys' Clothing,
Men's Shoes,
Boys' Shoes,
Men's Golf Shirts,
Men's Straw Hats,
Boys' Straw Hats.



JOSEPHSON'S THE BIG STORE ESTABLISHED 1877

EASTERN PRESS CALLED DOWN

N. F. Throne Exposes the Ignorance of the East in Western Land Matters.

A typical eastern editorial appearing in Clinton, Pa., Democrat, exposing the ignorance of the effects east in Western public land matters and being decided by injurious to Western interests, N. F. Throne, of Roseburg, recently took occasion to call the editor of this, his home paper down in the following approved fashion:

Mr. Throne's Letter.
Roseburg, Ore., July 17, 1905.
Editor Clinton, Democrat,
Lock Haven, Pa.,

Dear Sir:—I came to Oregon from Clinton, County, Pa., in August 1903, and after spending nearly a year traveling over the state studying conditions and looking at the country, I accepted a position in the Douglas County Bank which I held until I took up the real estate business here recently.

I noted an editorial in your issue of July 10, which like the average written by eastern papers, does not state the truth, and thereby casts an unjust reflection on the land titles and conditions in this state.

In your article the following appears: "No man can get more than 160 acres without violating the law, yet plenty of men get vastly more. A thousand acres is not an uncommon farm in the west and such farms are in most cases obtained by fraud." In answer to this I will say: That in early days the land laws permitted a single man to take 320 acres, and a married man to take 640 acres and his wife 320 acres, and later the laws were changed permitting the husband and wife to each take 160 acres additional for his timber, and then by buying lien land scrip they could secure as much as they wanted; every section numbered 16 and 36 in every township was set aside for school purposes and this land was sold at \$1.25 per acre. So as a matter of fact there are lots of thousand acre farms that were not obtained by fraud, and the statement, "That one out of every ten acres was acquired by fraud or false pretenses," is a gross misrepresentation of the truth as applied to Oregon.

Outside of the land grants to Rail Roads and the rights given R. E. Co.'s to exchange worthless land in other states for the heavily timbered lands in Oregon, which were granted by acts of Congress, there has been very little land stolen in this state.

The granting by Congress of half the land on each side of the Rail Roads for 20 & 30 miles, for the building of the same, and the further privilege, through the "srip acts" of selecting the best of balance, in place of worthless lands in other states, is the great land fraud worked on Oregon, and it was done in Washington, D. C., and not by the settlers who faced all of the hardships and difficulties attending the settling up of a new and undeveloped country, as eastern papers would try to show.

You say, "That under the law, the public lands are given to actual settlers in section of 160 acres, no man can get more than that within the law." The present laws permit a man to homestead 160 acres and also to take up 160 acres more under the timber and stone act. In Eastern Oregon, he is permitted to take up 320 acres, and his wife is permitted to take 320 acres, under the desert acts, making 640 acres.

The titles to the farms of Oregon are just as good, and were taken up in just as good faith as those of Pa., and I am familiar with both, and individual farmers as a rule, did not secure in Oregon as large tracts as were secured by the settlers of Pa.

But the great land frauds were those that were worked through Congress. The strenuous investigation by the administration of the Representatives of Oregon, reminds one of the hunter who went over a hundred miles from his home to hunt, and after killing a poor old doe and a few coyotes, he returned only to find that a band of fat Elk had eaten up his garden, and a pack of wolves had killed his sheep. The moral is plain.

Last winter while Oregon was being over run with secret service men and special agents, Congress created a monopoly on the scrip owned by the Santa Fe R. R. Co., increasing its value nearly 100 percent.

Oregon is a great state, it has unsurpassed opportunities for the poor man as well as the capitalist. Its climate is the best in the U. S. Its crops never fail and are marvelous to behold. What is needed here is more people and capital, and editorialists like the above quoted from, tend to keep the people away.

I write the above, to put you right on this subject.

Yours very truly,
N. F. THRONE.

PARKER NARROWLY ESCAPES DROWNING

Piquette, N. Y., July 22.—Alton B. Parker and grandson, Alton Parker Hall, were rescued from drowning off Esopus Island, opposite the Parker home today, by Edward Fritz, a photographer, of this city. Young Hall was on Parker's back. The judge choked and was unable to swim in the swift current and called for help. Unable to breathe, in his struggles Parker threw the lad off and the latter sank, but was brought to the surface by Fritz and both were helped ashore. The boy was resuscitated.

Notice to Campers

I am now prepared to convey camping parties to and from the mountains or sea coast at reasonable prices. For particulars call on J. W. Dowell, Roseburg, Ore.

Several thousand trout fry of different species arrived at Cottage Grove Friday from government fisheries, to be planted in small streams on farms about that town.

ROSEBURG FURNITURE CO.

IF YOU WISH BARGAINS IN
FURNITURE, STOVES OR HOUSEHOLD GOODS



See the ROSEBURG FURNITURE COMPANY

before you buy elsewhere.

Our GUARANTEE is behind every article we sell, new or second-hand.

ONCE A PURCHASER, THEREAFTER A REGULAR CUSTOMER

WE BUY, SELL AND EXCHANGE THE NEW STORE

IN THE MARSTERS BLOCK JACKSON AND CASS STREETS

Town Lots For Sale

Choice building lots in Kinney's improved plat of Roseburg, near Main street, good title. Price \$50 per lot. Address, N. A. RICHARDS, Jr.

STRANGE ADVICE!



Dr. G. G. Green gives alert personal attention to his great humanitarian contract.

In our Almanac for many years past we have given unusual advice to those afflicted with coughs, colds, throat or lung troubles or consumption. We have told them if they did not receive any special benefit after the use of one 75-cent size bottle of German Syrup, to consult their doctor. We did not ask them or urge them to use a large number of bottles, as is the case in the advertising of many other remedies. Our confidence in German Syrup makes it possible for us to give such advice. We know by the experience of over 35 years that one 75-cent bottle of German Syrup will speedily relieve or cure the worst coughs, colds, bronchitis or lung troubles—and that, even in bad cases of consumption, one large bottle of German Syrup will work wonders. New trial bottles, 25c; regular size, 75c.

A. C. MARSTERS DRUG CO.

I. J. Norman & Co.

Cigars, Tobaccos,
Confections, Fruits

Bakery Goods

Always Fresh

SHERIDAN ST. NEAR DEPOT

When you want a pleasant laxative that is easy to take and certain to act, use Chamberlain's Stomach and Liver Tablets. For sale by A. C. Marsters & Co.

Indigestion

With its companions, heart burn, flatulence, torpidity of the liver, constipation, palpitation of the heart, poor blood, headache and other nervous symptoms, shallow skin, foul tongue, offensive breath and a legion of other ailments, is at once the most widespread and destructive malady among the American people. The Herbine treatment will cure all these troubles. 50c per bottle. For sale by A. C. Marsters & Co.

A Serious Offense

Some boys or other persons are going to get into serious trouble in West Roseburg if the pranks of Sunday are persisted in. We refer to the driving of sharp spikes through a short board and then burying it in the dusty road, points up, to catch the unwary bicyclist or perchance ruin the feet of horses. A motor cycle run into such a trap Sunday but only received a punctured tire. There is trouble ahead for some one if this thing continues.

County Treasurer's Notice

Notice is hereby given that all parties holding county warrants endorsed prior to, and including, July 3, 1905, are requested to present the same to the county treasurer as interest will cease thereon after the date of this notice.

Dated Roseburg, Ore., July 17, 1905.

G. W. DIMMICK,

RANGES

If in need of a Range, buy one our celebrated Toledo Ranges. We guarantee every range sold, and if it does not give entire satisfaction, it costs you nothing.

An elegant line of Furniture, carpets and rugs in stock all the time, also Wall Paper, Window Glass.

B. W. STRONG

THE FURNITURE MAN
ROSEBURG OREGON

"HIT THE TRAIL" TO KRUSE & NEWLAND'S FOR GOOD GROceries



Fresh Family GROCERIES

A complete stock of all the best brands of staple and fancy Groceries. New and fresh goods on which we have removed the tariff.

All kinds of early vegetables and fruits kept constantly on hand. Highest market price paid for all kinds of farm produce.

KRUSE & NEWLAND UP-TO-DATE GROCER

WANT ADVERTISEMENTS

Notices run under this head will be charged for at the rate of one cent a word for two lines. No advertisements taken for less than ten cents.

WANTED—To exchange a good bicycle for a driving horse. Apply to Mrs. E. L. Roseburg, Or.

Girl Wanted, for general house work by Mrs. J. W. Hamilton.

For Sale; House and lot on Pine street near depot. See J. A. Buchanan.

New wagon and harness for sale, also an incubator. Inquire of Geo. Goehner, Roseburg, R. F. D. No. 1. —J. J. 2.

Wanted—A fresh young healthy cow with calf, must be gentle for a woman to milk. State price. Address, A. B. Azalea, Oregon. —Jull 15p

Sound Advice to Parents

Do you want your children's teeth to grow crooked? Do you want your children's teeth to become diseased? If you do, don't read this. Dr. Chapman is making a specialty of the attention of teeth not only of children's but of grown people. Don't allow your children's teeth to grow crooked, there is no necessity of it; while they are growing their first or second teeth, bring them to Dr. Chapman who will examine them free of charge, and teach the mother what should be done to have their teeth grow up healthy and even. A mouth filled with crooked or diseased teeth spoils one's appearance; why allow it when it can be avoided in childhood. Consult with Dr. Chapman in the Abraham building and he will assist you, that your child may have white, even and clean teeth.

H. Little,

DENTIST.

Oakland, - - - Oregon.

G. J. BACHER, D. M. D

DENTIST

Abraham Building, ROSEBURG, OR.

Title Guarantee & Loan Co.

ROSEBURG, OREGON.

I. D. HAMILTON, President. D. C. HAMILTON, Secy. and Treas.

Office in the Court House. Have the only complete set of abstract books in Douglas County Abstract and Certificate of Title furnished for Douglas county land and mining claims. Have also a complete set of Tractings of all township plats in the Roseburg, Oregon, U. S. Land District. Will make blue print copies of any town ship.

MRS. H. EASTON

is prepared to wait upon old and new customers and friends with a full and complete stock of

GROCERIES

All fresh and of the very best quality. Teas and coffees are specialties. Your patronage solicited.

205 Jackson St., Roseburg

Stomach Trouble and Constipation

"Chamberlain's Stomach and Liver Tablets have done me a great deal of good," says C. Towns, of Rat Portage, Ontario, Canada. "Being a mild physician the after effects are not unpleasant, and I can recommend them to all who suffer from stomach disorder. For sale by A. C. Marsters & Co."

Best grade of family flour, "Bashford's" "Pride of Douglas" at only \$1.15 per sack, all grocers.