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STATEMENT OF DYING MAN IS BARRED IN TRIAL

JACKSONVILLE, Or., Nov. 11.—Chief developments in the trial of Raleigh Matthews Wednesday afternoon and yesterday morning were the rulings of the court excluding the dying statement of Jacks, and holding that the letters, alleged to have been written by Matthews to Mrs. Dolly Jacks were inadmissible. These two points were the keystone of the state's web of evidence around the defendant, and the defense scored heavily when they were barred from the jury.

The court, in a concise and clear review of the law on the subject, held that the letters would compel the jury to make deductions from "inference upon inference"; that no name was mentioned in the letters to indicate to whom, or by whom they had been written, and that no date was affixed to the documents. Numerous similar cases were cited by the court to uphold its ruling.

The letters, the contents of which were not made public, were found by Deputy Sheriff Fornbrook, on a beam under the old Eagle Point flour mill, and, it was inferred that their hiding place was revealed by Jacks on his deathbed. The defense charged, in the opening statement,

that they were "part of a frame-up of the deceased to secure a divorce." The arguments of the admissibility of the letters were made Wednesday afternoon by the counsel for both sides, after the public had been barred.

After minor testimony, relative to the shots had been given by Mrs. Jack Florey, Judd Edsall and John Nichols, the state rested its case.

The first witness called by the defense was Mrs. Lottie VanScoy, telephone exchange manager and assistant postmaster at Eagle Point, near whose home the tragedy occurred. Mrs. VanScoy saw most of the shooting, being attracted by loud talking and swearing. She went to the front of her home and saw Jacks afoot, and Matthews on horseback.

Under protest that she did not like to repeat Jacks' words upon the occasion, the witness was instructed to do so, and continued her story.

"I heard Jacks say: 'You black —, you stole my wife,'" as the two men jockeyed up and down the street, the witness testified, and that she also heard Jacks say, "I chased you eight miles yesterday, and I'll get you yet."

"Go Ahead and Shoot"
 Mrs. VanScoy also testified that she heard Matthews say, after Jacks had said, "Go ahead and shoot, you're too big a coward." "Get away from in front of that house and I'll show you whether I'm a coward or not."

Mrs. VanScoy further testified that she heard the click of a pistol, louder than the rest. During the shooting she turned her face towards the wall of her home, and when she looked around again Jacks was over the fence and lying in John Nichol's yard. She also testified that Jacks' reputation was bad, and Matthews' good as a law abiding citizen.

Under cross examination by the state, District Attorney Moore endeavored to show that Matthews had opportunities to escape.
 The defense will call forty witnesses, most of them being character witnesses, and to refute the testimony of Harry Lewis, one of the star witnesses for the state.

WORLD DESTINY RESTS ON ARMS CONFERE—GERARD
 (Continued from Page 1)

has called "the great illusion—an illustration that war profits the conquerer."

The back of the world of conquerer and conquered breaks under the burden of taxation to prepare for new war—offensive or defensive—it matters not. Few realize that of all the money we pay in taxes, at least 90 per cent goes for war preparations, or for the results of war. That great sum, spent wisely would reclaim deserts, stamp out sickness, reduce the workman's hour of toil and give to the life of everyone a share of well-being, of amusement, and hope not impossible but improbable today.

So at a most opportune moment, President Harding has called the nations into conference to consider the limitation of armament and, closely related thereto, questions which in the Pacific and Far East bear within themselves the restless germs of future wars.

The congress of Vienna met in the capital city of despotism, at a time when the poorer people were slaves, compelled to follow their fathers' calling; when the Jews were persecuted, their marriage to Christians made a crime, trades in which they could engage limited and their bodies shut at sundown within the bounds of the poisonous ghettos of Central Europe. The czar of Russia, whose people were not to be freed from slavery until 1866, dominated this congress which resulted in the "Holy Alliance" of despots to crush democracy wherever it should lift its head.

The Congress of Versailles met where hatred, perhaps a just hatred, but hatred nevertheless, ruled. In

the distance would be seen, dominating Paris, the Arch of Triumph, erected to celebrate the conquest of Europe by France, that arch which then had witnessed the backward swing of the pendulum of war and revenge, when in 1870, the armies of Germany marched through it into the conquered city of Paris. In the palace rooms Louis XIV had planned the campaigns which had devastated the Palatinate and added Alsace to France. The political chief of the country in which the congress was held was Clemenceau—a tiger—who, like a tiger aroused, had most ably and patriotically defended his fatherland, but who wrote the treaty of peace with a tiger's claw.

The congress called by President Harding meets in a place far removed from the theatre of the hatreds of Europe, for we do not hate in this country as they do in Europe. On one occasion Marcel Prevost, the French novelist and analyst of character, and Ferrero, the renowned historian of ancient Rome, both told me that the thing which struck them most in America was the absence of hatred so often encountered in Europe, both in public and private life.

Only the weak conceal weakness behind a mask of surliness and contempt—a strong man can allow his heart to show. The most distinguished characteristic of President Harding is his kindly strength. He, of course, desires to realize great ideals—to go down in history's

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pages as one who has accomplished great things for all mankind. He is like all of us in America, an idealist, but an idealist with his feet on the ground.

First among his advisers stands his secretary of state, Charles Evans Hughes.

We of the bar of New York know him and respect his great talents, his power to obtain results. Contact with life has mellowed the original stern puritanism of his character and given him the diplomatic touch. In all the broad continent of America there is no man better fitted for his great task.

But the man whose drive created this congress is not a member—Borah of Idaho, far-seeing and forceful apostle of peace. He will, however, lend the power of his name, the force of his eloquence to bring a solution of the difficulties which

now harass the nations of the earth.

We hope that under our sunny skies, in our soft Indian summer, the delegates of the world powers will forget their old hatreds. Especially is it fitting that the congress meets in the city named for the man who gave up power at its height and voluntarily retired to honored private life; an example rare indeed in Europe.

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 As with nations, so with men: success comes through ability to recognize and plan for the best in life.
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