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VERDICT IS "GUILTY"

Jury in Thompson Murder Case Returns Verdict.

NOTICE OF APPEAL FILED

Attorneys for Defense Will Fight Client's Case to the End.

Joseph B. Thompson, who fatally stabbed Alec Goericke, the cook at Thompson & Small's railroad grading camp, near Clem, last December, was found guilty of murder in the second degree last Saturday evening and Monday morning was sentenced by Judge Bradshaw to imprisonment for life. His attorneys had filed a motion for a new trial which was overruled. They then gave notice of an appeal to the supreme court and were granted a stay of 72 days during which time Thompson will remain in the Gilliam county jail.

The trial commenced Thursday morning and for the three days it lasted the circuit court room was the center of attraction in Condon. At no time during the trial was there a vacant seat in the court room and most of the time standing room was at a premium. Not in years, if ever before, has been seen so many ladies in a Condon courtroom. Early they came and late they stayed and many brought the babies with them.

Bowerman & Snover, of this city and H. S. Wilson of The Dalles, were in charge of the case for the defense and District attorney Menefee, of The Dalles, with his assistant, John A. Collier, of Fossil, represented the state. As a legal battle the trial was not marked by any large amount of acrimony, bluff or bluster but both sides went carefully over every inch of the ground and if a point was overlooked by either it was not readily apparent to the layman.

The fight began with the drawing of a jury. The regular panel was soon exhausted and two special venirees were called before the box was filled with a jury acceptable to both sides. Of 40 jurors examined 28 were excused for various reasons. The jury as finally selected was as follows: H. C. Strickland, Will Davenport, H. F. Shanks, Len Butcher, G. S. Smith, F. H. Louey, John Berthold, E. D. Huber, E. J. Clough, A. B. Stanley, Jeff Hayes and J. J. Wasson.

Frank Smith, assistant cook at the camp, was the first and principal witness for the state. His story of the affair, given on the witness stand, was substantially as follows: Smith and Goericke were preparing for the second table at dinner time when Thompson entered the tent and demanded to know of Smith why he had not put barrels under the eaves of the tent to catch rain water. Smith did not answer him and he then turned to Goericke, the cook with the same question. The cook replied that they did not have time to attend to it. Thompson replied, "It is such as you would bust this outfit." The cook, who was carrying meat at the time, turned, with the knife in his hand, and replied, "Me Mr. Thompson?" "Yes, you, you Dutch s— of a b—," replied Thompson. Smith swore that at about this time the cook laid his knife down and at about the same time Thompson picked up another butcher knife and attacked the cook who offered no resistance but

begged Thompson to let him alone and once cried, "Somebody come here." Thompson made several feints with the knife stopping his hand at his hip but finally let his hand go further and the blade entered Goericke's body. Smith had testified at the coroner's inquest last Winter his testimony being reduced to writing at that time but his evidence at the circuit court could not be shaken by the most rigid cross examination. Other witnesses for the state were Snider, who claimed to have looked into the tent just as the fatal blow was struck, McLennan, the camp foreman, Dr. Wood, who was called to attend the wounded man and who conducted the autopsy and Justice of the Peace Neale, who issued the warrant for Thompson's arrest.

For the defence, Mr. Small, the defendant's partner, took the stand. He swore that he entered the tent just as the trouble commenced; that he saw the cook turn with a knife in his hand and when Thompson grasped a knife witness left the tent because he knew there would be trouble. Thompson then took the stand in his own behalf. His version of the affair was about the same as that of Smith up to the point where Smith says the cook laid down his knife but from that point the stories differed widely. Thompson claimed self defense. He swore that the cook started for him and that he grasped the knife he used with which to defend himself; that after sparring at each other for a time the cook lunged forward in an effort to reach Thompson and his body came in contact with the knife held by Thompson, thereby inflicting the fatal wound.

The testimony of Smith and Thompson seemed to cover all the vital points in the case the evidence of the other witnesses being of less importance.

J. A. Collier opened the argument for the state at 10 a. m. Saturday. He addressed the jury for an one and one-half hours and made an able argument. He was followed by J. W. Snover and H. S. Wilson, both of whom are recognized as able and eloquent pleaders. District Attorney Menefee closed for the state in one of the strongest efforts of his life and the case went to the jury at 5:00 p. m.

It was freely predicted during the trial that the jury would fail to agree but only for a misunderstanding of a portion of the judge's instructions it is said they could have returned a verdict without delay. At 10 a. m. they asked for further instructions and shortly after returned a verdict of guilty.

Throughout the trial Thompson's nerve never failed him and Monday morning when called upon to stand up to receive his sentence he did so without a tremor.

One of the most important real estate deals made in this county for some time was closed a few days ago by the firm of Bowerman & Snover for the sale of the W. A. Townsend & Son ranch in Mayville precinct. The place contains 3200 acres and the price was \$36,000. A lot of live stock, farming implements etc. were also sold at the same time and to the same party to the amount of \$9,000 making the entire transaction amount to \$45,000. The purchaser is A. A. Hopper, of Spokane. Messrs. Bowerman & Snover advertise their list of farm lands in Spokane and eastern papers and seem to have no difficulty in finding buyers.

A marriage license was issued Saturday to Mr. Joseph P. Rudolph and Miss Nina Gager, two well known young people of Mayville precinct.

CITY DADS CHOSEN

Monday's Election Was a Spirited Contest.

TROUBLE FOLLOWS VOTE

Claim Made that Mayor and Recorder Elect Cannot Qualify.

The annual election of city officers was held at the city hall last Monday and although the battle of ballots was warmly waged the day passed off quietly with neither riot nor bloodshed.

The contest was warmest around the heads of the candidates for mayor and recorder there being two candidates for these offices while for treasurer but one name had been placed on the ticket. Another candidate announced himself in the morning just to complete the ticket and make the general contest more interesting all around. Ten names appeared on the ballot for councilmen with six to elect so the voter had considerable material to choose from. Following is the list of candidates with the vote received by each, the names first appearing being those of the candidates elected:

Mayor—J. W. Snover, 70; J. F. Reischer, 41.

Recorder—L. H. Horner, 69; W. A. Goodwin, 40.

Treasurer—Arthur Schilling, 72; J. H. Downing, 17. (Mr. Downing's name was not printed on the ballot.)

Councilmen—Edward Dunn, 93; S. A. Pattison, 88; N. Farnsworth, 80; C. O. Portwood, 74; John Jackson, 70; S. B. Barker, 66; Tom Price, 60; A. S. Hollen, 52; Geo. Berry, 42; James Ramsay, 23. S. M. Campbell and Frank Kargi each received one vote, their names not being on the ballot.

The vote on bonding the city for \$30,000 for the improvement of the municipal water system carried by a vote of 85 to 11.

There was more excitement and feeling over the election Tuesday morning than the day before, it having been discovered that a provision of the new city charter requires a residence of two years in the city to render a man eligible to the office of mayor and it was charged that Mr. Snover's actual residence here came a little within that period. It was also charged that Mr. Horner, who was elected recorder was not eligible not having enjoyed a residence of one year within the city limits, it being said that he had in the past been afflicted with the homestead habit in some outlying precinct. Considerable feeling was worked up over the matter and the end is not yet. Truly a big, bustling, business town like Condon, has troubles of its own about election time.

Street Services.

Condon witnessed a new departure in religious work this week when a number of church people, headed by Rev. Richard Brown, appeared on Main street at 7:30 Monday evening, and held a short devotional service. The evening was clear and in spite of the chilly air a crowd soon gathered and listened with respectful attention to what the evangelists had to say. A song or two were sung, a word of prayer offered and then in a short address Rev. Brown presented the simple gospel story to his auditors. He is a pleasing and forceful speaker and the respectful hearing accorded him by the crowd of men, many of whom had not, perhaps, listened to a sermon in months or even years, was, perhaps, a higher tribute than any commendation he might receive from a cultured congregation of professed christians. Mr. Eads, a young man who resides and works in this city, followed him with a few words of testimony for his savior and after another song and a short prayer the meeting adjourned. A similar service was held Tuesday evening and another is announced for tomorrow evening.

A. P. Rose and A. E. Adams, representing the Western Historical Publishing Co., of Spokane, are here gathering historical data for the new History of Central Oregon which will soon be published by that firm. The gentlemen expect to remain in Condon for several weeks.

Kelly & Johnson, the house painters, have just finished a job painting on T. J. Johnson's residence.

THE QUALITY STORE LORD & COMPANY

WHEN WE TALK
IT IS SHORT AND TO THE POINT

We need all our time to wait on our trade and keep it supplied with the newest and best that is to be had in Spring Dress Goods, Muslin, Underwear, Hosiery etc.

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Ask, Phone or Write for what
you need

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