

CHARGE EIFERT WITH UNFAIRNESS IN MILLAR TRIAL

Charging point blank that Mayor Eifert is manifestly unfair and prejudiced in his rulings on the admissibility of evidence in the case of the city vs. George H. Millar, for immoral conduct, Attorney Gus Newberry for the defense at this morning's session of the court served notice of motions asking change of venue. He asked time to prepare such a motion which was promptly denied by the mayor. He then stated that he would do so at his earliest opportunity.

Newberry's charge that the court was manifestly unfair and prejudiced followed the overruling of a motion offered by Newberry to strike out all of the evidence submitted by City Attorney Boggs as to Millar's method of conducting the Manhattan cafe, on the ground that it was in no way connected with the Royal Rooming house or with any immoral conduct on the part of Millar. Newberry cited supreme court decisions as to such evidence, stating that it would not, in any court of law be admitted.

Court's Ruling.

"This court is not the circuit court nor the supreme court," declared the mayor, "and this evidence will be admitted."

"Then," thundered Newberry, "if this court is so all powerful that it can set aside the circuit court, the supreme court and all of the law since the time of Blackstone, we offer a motion that the court is prejudiced and unfair. The evidence of the situation demand that we do this."

"You can appeal," answered City Attorney Boggs.

"You bet we can," retorted Newberry, "and what is more, it looks as if we'll have to. Further than that I'll bet you \$50 that you will never get the evidence you have submitted here admitted before a real court of law."

Mayor Refuses Change.

Mayor Eifert then refused Newberry time to submit a motion for a change of venue telling him to proceed with the case. Newberry stated that he would prepare and submit the motion anyway.

Mayor Eifert opened the morning's session of the trial with a brief reiteration of his statement Tuesday afternoon that he intended to be entirely fair to the defendant. Newberry immediately followed with his motion to eliminate the evidence concerning the sale of liquor in the Manhattan cafe.

"If the mayor really means what he says, and it is not a mere platitudes to tickle the ear of the public, let him suit his act to this word and try this defendant upon the crime charged in the complaint. What has his method of conducting his cafe got to do with an 'immoral act' at the Royal Rooming house as alleged? If this evidence is admitted why not bring in the fact that he probably stole a watermelon when a boy. Let's try him for what the crime charged."

Boggs argued that the evidence was admissible inasmuch as it tended to show Millar's desire to commit immoral and unlawful acts. Mayor Eifert then ruled, precipitating the charge by Newberry.

Says Witnesses Were Drunk.

Mrs. Julia Jackson, who conducts the Royal Rooming house was the first witness called Wednesday morning. She testified that she had never seen Millar at the Royal Rooming house except on business connected with his cafe. She said she had never seen or known of his committing an immoral act. She testified further that Ling and Elwood, who testified Tuesday afternoon, were drunk when they visited the Royal the night they saw Millar leave without a tray, and that Millar had never brought liquor to the Royal.

Overrules All Objections.

The taking of the testimony was punctuated throughout with objections by Attorney Newberry. In each case he asked a ruling of the court and in each instance Eifert's ruling was the same: "I'll admit the evidence."

The city rested shortly before noon and Millar took the stand in his own defense. He testified that he was in the habit of visiting the Royal Rooming house to solicit orders for meals, and then delivering them. Sometimes he tarried until the meals were eaten and paid for. He also testified that his orders at the Manhattan were strict in regard to the sale of liquor. At 12:15 the court took a short recess for luncheon.

Piece of Change Promised?

That Menlo Davis, the boy whose evidence has been used as the backbone of the testimony against Coun-

cilman Millar on the charge of selling liquor to minors, had told them that he was to receive a "piece of change" from Mayor Eifert for his testimony, is the declaration made on the witness stand in the Millar trial this afternoon by Shine Edwards and Harry Campbell.

The witness declared that Davis volunteered the information to them that he was getting a piece of change and that he named Mayor Eifert as the one who was to pay it.

That the only liquor he had ever been offered in Medford was given to him by Mayor Eifert in the mayor's house, was the testimony of George Gates, a 16 year old boy. Mayor Eifert questioned the lad closely and remarked that he was surprised the boy would "lie in such a case."

Offered to Withdraw.

The trial of Millar was resumed Tuesday afternoon before a crowded house. On calling his court to order Mayor Eifert made a short statement in which he stated that rumors had spread around the city to the effect that he could not give Millar a fair trial. He suggested the name of Glenn O. Taylor, justice of the peace, as the trial judge, the council having power to so appoint, but Mr. Taylor declined to serve. Other names were suggested but finally Mayor Eifert continued, the defense expressing itself satisfied.

Harvey Ling was the first witness to be called. He testified that on the night of January 25 he and "Ike" Elwood left the Natatorium where they had been drilling with the national guard and went directly to the Royal rooming house. There they remained for two hours. On leaving they testified that they saw Millar leaving the Royal and with a tray of dishes. Following Ling, Elwood was called, who told practically the same story. They were also asked concerning the Manhattan cafe but gave little testimony as to its conduct.

Probing Manhattan.

Paul Schuler and Norman Merrill were called by the city and asked concerning the conduct of the Manhattan. Although Millar is being tried for immorality much testimony was taken regarding the Manhattan and the sale of liquor. This evidence was taken over the objections of Attorney Newberry for the defense who declared that Millar was not being tried for selling liquor to minors but for immorality. Schuler and Merrill knew little of the Royal rooming house and had never seen Millar in that vicinity.

Al Hermiston, teamster, was called, and testified as to the Manhattan Cafe as did Robert Fryrear, a former dishwasher, employed by Millar, and Everett McArthur, a high school boy, aged 18, who said he purchased a glass of beer at the Manhattan a year or so ago.

Officer Cingade and Chief Hittson testified as to the character of the Royal rooming house and as to the conduct of the Manhattan Cafe. Neither knew of any carousals at the latter place.

CHILDREN HATE CASTOR OIL, UGH!

Delicious "Syrup of Figs" Cleanses Their Little Clogged Bowels.

Look back at your childhood days. Remember the physic that mother insisted on—castor oil, calomel, cathartics. How you hated them, how you fought against taking them.

With our children it's different. The day of harsh physic is over. We don't force the liver and 30 feet of bowels now; we coax them. We have no dreaded after effects. Mothers who cling to the old form of physic simply don't realize what they do. The children's revolt is well founded. Their little stomachs and tender bowels are injured by them.

If your child is fretful, peevish, half sick, stomach sour, breath feverish and its little system full of cold; has diarrhoea, sore throat, stomach ache; doesn't eat or rest well—remember—look at the tongue, if coated, give a teaspoonful of Syrup of Figs, then don't worry, because you surely will have a well, smiling child in a few hours.

Syrup of Figs being composed entirely of luscious figs, senna and aromatics simply cannot be harmful. It sweetens the stomach, makes the liver active and thoroughly cleanses the little one's waste clogged bowels. In a few hours all sour bile, undigested fermenting food and constipated waste matter gently moves on and out of the system without griping or nausea.

Directions for children of all ages, also for grown-ups, plainly printed on the package.

By all means get the genuine. Ask your druggist for the full name "Syrup of Figs and Elixir of Senna" prepared by the California Fig Syrup Co. Accept nothing else.

JOHN BASSETT MOORE GETS NEW POSITION



John Bassett Moore, professor of international law at Columbia University and a recognized authority on that subject, is to be appointed counselor to the Department of State. Professor Moore was appointed recently by Mr. Taft as a representative at the Hague Tribunal.

HUGE FACTORY PLANTS IN OHIO COLLAPSE

HAMILTON, Ohio, March 26.—The plant of the Beckett Paper company, valued at \$500,000, collapsed into the flood waters this morning. At midnight the mills of the Colum-

bia Carriage company and the Duemer Pattern works also collapsed, entailing an additional loss of \$60,000.

Last night the Champion Coated mills, the second largest in the world and incorporated for \$7,500,000, and the Bender Brothers planing and lumber mills, valued at \$200,000, were destroyed by fire.

With Medford trade is Medford made.

SIXTY LOSE LIFE IN FLOOD WATERS OF WABASH RIVER

PERU, Ind., March 26.—Sixty persons are reported to have met death here. The flood waters of the Wabash river have inundated Peru. The water on level streets runs from five to twenty-five feet deep.

Some estimates place the number of dead as high as one hundred. Hundreds are marooned on buildings which are likely to crumble. It is bitterly cold and the residents face a famine.

PORTLAND'S MAYOR OFFERS ASSISTANCE

PORTLAND, Ore., March 26.—Mayor Rushlight of Portland, acting in conjunction with the Chamber of Commerce, the Commercial club and other civic organizations, today sent the following message to Governor Cox of Ohio, and Governor Halden of Indiana:

"The citizens of Portland are appalled at the news of misfortune which has befallen your state. We extend deepest sympathy. We stand ready to render any assistance that you deem necessary and advisable. The resources of our people are at your command."

The mayor is awaiting word from the two stricken states before taking definite action toward collecting funds.

Legal blanks for sale at the Mail Tribune office.

DEAD TOTAL 139 INJURED 322 IN CITY OF OMAHA

SAN FRANCISCO, Cal., March 26.—In response to its offer to aid the tornado sufferers in Omaha, the San Francisco Chamber of Commerce received today the following message from the Commercial club of that city:

"Your expression of sympathy and offer of assistance is appreciated by the Commercial club and the city relief committee. The property loss will amount to \$5,000,000. We believe Omaha will take care of the situation, at least for the present. If necessary we will let you hear from us further."

"The tornado passed through only the residence portion of the city and has not interfered with or affected business in any way. The deaths number 139 and the injured 322. The houses damaged number 1669, of which 640 were totally destroyed, making 3179 homeless, but all are being taken care of."

The message was signed by J. M. Guild, commissioner of the Commercial club.

COMMERCIAL CLUB MEETING WEDNESDAY

President J. A. Perry has issued a call for the regular monthly meeting of the Commercial Club for Wednesday evening, March 26, at the City Hall. Important business will come before the club.

Fried Potatoes "Cottolene" style

Did you ever eat French Fried Potatoes made with Cottolene? If not, you've never eaten French Fried Potatoes at their best.

Cottolene makes them rich and crisp and appetizing, but never greasy.

If you have been frying and shortening your food with butter, try Cottolene. It is every bit as good, at less than one-third the price.

If you are using lard for shortening and frying, we would simply suggest that Cottolene is recognized and recommended by leading physicians, domestic science authorities, and culinary experts generally, as being more wholesome, digestible and producing a better food.

Cottolene is a vegetable product—pure in source and making—and is bound to be better and safer than lard.



THE N. K. FAIRBANK COMPANY

HOTEL HOLLAND

TABLE D'HOTE DINNER

Every Evening 5:30 to 7:30
40c.

Consomme	Cream of Tomato
Combination Salad	
Boiled White Fish	Cardinal Sauce
Pommes Hongrois	
Boiled Beef Tongue With Spinach	
Veal Grenadine en Casserole	
Prime Ribs of Beef au Jus	
Roast Chicken	Oyster Dressing
Mashed Potatoes	Baked Potatoes
Green Peas	
English Plum Pudding	
Hard and Brandy Sauce	
Ice cream	Cafe noir

Merchants Lunch at Noon 35c

Not the cheapest but the best.

Draperies

We carry a very complete line of draperies, lace curtains, fixtures, etc., and do all classes of upholstering. A special man to look after this work exclusively and will give as good service as is possible to get in even the largest cities.

Weeks & McGowan Co.

E. D. Weston

Official Photographer of the Medford Commercial Club

Amateur Finishing

Post Cards

Panoramic Work

Portraits

Interior and exterior views
Flash lights

Negatives made any time and any place by appointment.

208 E. Main Phone 1471

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GENERAL STORAGE

Oregon's Most up-to-date Fire-proof Warehouse with Burglar-proof Vault.

For rates apply

MEDFORD REALTY & IMPROVEMENT CO.

Managers

Last Week of MANN'S Discount Sale

20% Off
on Everything

\$40,000 worth of Clean Up-to-date
Merchandise on sale till Monday Mch. 31
at 20% Off regular prices

20% Off
on Everything



JUST RECEIVED

A new shipment of "La Vogue" Coats, made of coverts, diagonals, serges and ratines, in the new shapes, most of them 3-4 lengths beautifully trimmed, and well made all go in this sale at

20 per cent
Off
the regular price
Be Sure You See This Line
Before Buying

The Biggest Gingham Sale in Town

2000 yards best washing Gingham made. Why pay 12½¢? On sale Thursday, a yard	2000 yards fine grade zephyr Gingham, 20c values, a yard	2000 yards fine Scotch Gingham, 32 inches wide, 25c values, a yard
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8c

12c

20c

Save 20 per cent on Dress Goods
This sensational discount given on all our new stock of Spring Dress Goods.

Save 20 per cent on NOTIONS

Colgate's Best Talcum Powder, a can	Clark's O. N. T. Spool Cotton	Good Dress Shields, this sale a pair
10c	7 for 25c	12c

JUST RECEIVED

Our new line of Muslin Underwear, consisting of the latest ideas in Corset Covers, Combination Suits, Drawers, Princess Slips, Chemise, Skirts and Gowns made of beautiful materials nicely trimmed with lace and embroideries, every garment guaranteed. These we will put on sale tomorrow at

20 per cent Off
regular price
Buy Your Summer Outfit Now

WAISTS at less than cost

200 Waists, well made and nicely trimmed up to \$2 values each	200 tailored and lingerie Waists, up to \$2.50 values each	200 beautiful silk and net Waists, up to \$5 values, sale price, each
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69c

98c

\$2.39

Save 20 per cent on SILKS

This liberal discount we give on all our beautiful line of Spring Silks, just received.

Save 20 per cent on DOMESTICS

Best quality Dress Prints a yard	Best quality Oil Cloth a yard	Good Bleached Sheets 60c values each
4c	16c	39c

SAVE 20% ON EVERYTHING AT MANN'S