

L. EVANS CASE NOW IN HANDS OF THE JURY

State and Defense Make Closing Arguments in Taxi Mystery Case—Moore Skillful in Summing Up—Newbury Vigorous in His Attack.

Opening arguments by state and defense, in the trial of Lark Evans charged with assault and robbery in the circuit court were begun this morning and the fate of the defendant will be in the hands of the jury by three o'clock this afternoon. With the verdict will end one of the hardest fought and sensational cases in the history of Jackson county. In the first trial the defendant was found guilty and sentenced from one to 15 years in the state prison, but was granted a retrial by the supreme court upon the grounds of new evidence.

District Attorney Rawles Moore in his opening remarks to the jury, attacked the reliability of the memory of the state's witnesses of the defense in a calm manner, stressing the certainty of the state's witnesses from Grants Pass, that they had seen the defendant at the depot in Grants Pass on the afternoon of the day of the crime, September 13, 1919.

U. D. Hines, the very first witness for the defense, said the district attorney, "is typical. On the witness stand he testified positively that the test out of the Sandry car was made on Saturday, when every other witness testified it was Sunday, the day following."

The testimony of Gene Thomas, the 16-year-old boy, who testified that he talked to Mr. and Mrs. Evans on the evening of the crime about 5:30 o'clock was "good evidence for the state," Mr. Moore said, and asked why the defense had not called the parents of the boy, who rode with him according to his testimony.

Testimony Guess Work. You will remember in the testimony of C. P. Krabe, the Medford grocer, that he walked home with Evans on the evening of September 13, 1919, and that he wore an overcoat," said Moore. "Yet when Evans was on the stand he testified that it was a bright sunny afternoon. It is not probable that it was nearer 9:30 o'clock at night, that he left the store with Evans, which is about the time of the arrival of the Ford car, as testified by Jacksonville citizens."

Mr. Krabe is an honest witness, but is it plausible that he would put on no overcoat on a sunny September afternoon?

Evidence by employees of the Hines and Snider garage in Medford that Evans had worked in the garage on the afternoon of the crime, was branded as "guess work."

Referring to the evidence of Sam Sandry, W. R. Coleman and Charles P. Talent, regarding the installation and purchase and return by Evans of a vacuum tank on the afternoon of the crime, the district attorney thought it strange that the details of a trivial transaction for \$10 should be remembered so perfectly months afterward. The testimony of Charles P. Talent by deposition from a sick bed that he recalled the time of the return of the vacuum tank as three o'clock, was also scouted.

Newbury Sum's Up. After a short recess Attorney Gus Newbury for the defense began his first argument.

Reviewing the testimony as it was presented, (except) declared that no stronger evidence could be produced than documentary evidence, and "that the records of firms was more reliable and certain than the hazy, atmospheric recollections of Grants Pass transients and police officials." He declared that by figures and facts the defense had proven that on the afternoon of the crime the defendant was employed in Medford, and that the chief witnesses for the state had been mistaken in their dates, and that they saw him in Grants Pass. Attorney Newbury showed the jury the register of the Hotel Holland for September 9, 1919 showing that Evans and his wife had registered upon that date.

"I am glad that the counsel for the state has admitted in his remarks to you that Evans was in this city on the morning of the day of the crime, for we have proven to you that he was in this city on the afternoon of the same day," said Attorney Newbury. "Counsel scuffs the testimony of young Gene Thomas, the 16-year-old boy, who testified that he saw Evans on September 13, 1919 about the time that the complaining witness says that he was being held up. For half an hour," said Mr. Newbury, "counsel for the state with all his astuteness tried to shake his testimony, and I want to say that I never saw a district attorney so completely put up in a tree, and kept there, as by young Thomas."

With a withering sarcasm, Attorney Newbury evoked the state's case and "the vigilance and diligence of the sheriff's office of Jackson county in looking for a victim for the robbery of old man White."

In the closing minutes of the Thursday afternoon session, the state put W. R. Garrett on the stand in rebuttal, but upon motion of the defense his testimony was disallowed.

A full courtroom, including the parents of the defendant, and many women from Medford heard the entirety of the morning session with keen interest.

The deposition of Charles P. Talent, who is sick at his home, was read to the jury at the opening of the trial of Lark Evans Thursday afternoon. Talent deposed that Evans, the defendant, bought and returned

a vacuum tank on September 13, 1919, during the time state witnesses testified Evans was around the S. P. depot at Grants Pass. The deposition also corroborated the testimony offered for the defense by Sam Sandry and W. R. Coleman, and from sale slips dated September 13, 1919. Evans was taken to the bedside of Mr. Talent and identified him as the men who bought the vacuum tank and with whom he argued when the accessory was returned in a marred condition.

Evans On Stand

Lark Evans went on the stand in his own behalf Thursday afternoon, and told of his movements in Grants Pass, his boyhood home before coming to Medford, and registering at the Hotel Holland. At this juncture, counsel for the defense introduced the register sheet of the Hotel Holland showing that "L. I. Evans and wife" had registered at the hotel September 9, 1919. Evans then told of securing a job at the Hines and Snider garage. The witness identified time slips he filed for work performed, and was questioned in regard to the repair of a Ford truck belonging to a Mr. Green of Sams Valley.

Evans read the note he wrote while held in jail at Klamath Falls to his wife. The line: "They have a strong case on me," he said was made after officers had told him of evidence they had collected, and added: "It looked like they would hang me." He testified the officers said a brakeman would testify he was in Grants Pass on September 13, 1919, the day of the crime.

Makes Good Witness

On cross examination Evans answered all questions promptly and did not become confused when replying to queries relative to his time slips. Most of the time he faced the jury while a hushed crowd of spectators, listened intently. Several times the defendant volunteered responses. He was a cool, calm and collected witness, and told a clear and concise story.

Personal

Included among guests at the Medford are Mr. and Mrs. F. E. Ream and Mr. and Mrs. George H. Ellis, tourists from Akron, Ohio. Doug Hoster of Chicago, J. M. Dickard and J. S. Cardon of New York, J. E. Howell of Spokane, Mr. and Mrs. O. W. Berger of Seattle, J. Dunn of Los Angeles, and B. H. Williams, F. T. Lydiard, F. M. Moriarty, L. J. Strauss and L. W. Ellis of San Francisco.

When overhauling your old bus put new life in it by demanding genuine American hammered piston rings, factory equipment on the best cars. The Busy Corner Motor Co.

Mr. and Mrs. A. S. Kelley and H. H. Kelley of Los Angeles, and Frank Bennett of Seattle are among the guests at the Nash.

First class dry oak and fir wood \$4.50 and \$5.00 per tier. W. F. Long-will's Yard.

Indications are for a very large attendance at the hard time inaugural ball of the Elks lodge tonight, and lots of fun.

Dance at Savage Creek hall, Saturday evening, March 5, 1921. Music by Nielson's orchestra. Bill, including supper, \$2.00 per couple. 1/2 mile from pavement. Good traveled road. 295

T. E. Daniels met train 13 this morning to greet an old friend, J. F. Murphy, who was enroute from Portland to Klamath Falls.

Potatoes, Netted Gem, fancy stock, \$1.75 per 100 lbs delivered in town. Hutchison & Lumsden.

Under the new law the fishing for trout under 15 inches in length will not be legal till April 15th. Notwithstanding this, many trout are still being caught, and have been all winter, that are illegally taken. There has been absolutely no enforcement of fish and game laws in the district for the past two years.—Grants Pass Courier.

After all is said and done—you will still continue to save at the Groceria.

Start your summer sweater now. Beautiful yarns at the Handicraft Shop

Arsenate of Lead Pool

The pool for a carload or more of Orchard Brand arsenate of lead will be closed Saturday night, March 5. Any fruitgrower who wishes to place his order in this pool may do so by signing for the amount wanted and depositing his check. The price will be \$22.50 per 100 for dry and \$11.25 for paste, a saving of 50 per pound over the regular retail price. Call at Farm Bureau Co-operative Exchange and sign.

HARRY ROSENBERG, BEN MOLLER, DAVE WOOD, Committee.

SCIENCE REVEALS

that foods that abound in the vitamins best promote healthful growth.

Scott's Emulsion

as an aid to growth and strength should have a place in the diet of most children.

Scott & Bowne, Bloomfield, N. J.

ALSO MAKERS OF

KI-MOIDS

(Tablets or Granules)

FOR INDIGESTION

MANN'S

The Best Goods for the Price—No Matter What the Price

MANN'S

THE SEASONS NEWEST

Lovely Dresses



Here come the new spring dresses—each one more enchanting than the last. Slim, dainty dresses of clinging fabrics with flying panels and sashes and the more practical ones of taffeta or woolen fabrics. They are all here.

"Peggy Paige" Dresses

Are the most beautiful dresses made. You should see them. Priced from \$35 to \$75

\$25 Dresses \$15

Our New York buyer sent us some wonderful all wool Serge and Trio-tine Dresses, which sell regular at \$25.00. We place them on sale Saturday at, \$15

\$45 Dresses \$25

Another lot our buyer sent us consists of some beautiful all wool Trio-tine Dresses that sold regular up to \$45.00. On sale Saturday each \$25

Agents for "Sassy Jane" House Dresses



Millinery Modes That Sparkle with Springtime

Colors in some instances are gay, while in others the more delicate tones predominate. Here and there you will see a quaint little turban or toque with the brim turned up abruptly from the face, or drooping gracefully over the eyes.

In every instance, though, there is some little touch of individuality which sets each model apart from the common-place kind. Among the newest to arrive are these:

Women's Trimmed Hats in a great variety of styles \$6.00 to \$25.00

Women's Sailor Hats \$5.00 to \$18.00

Children's Spring Hats \$1.50 to \$7.50

Agents for the celebrated "Madge Evans" Hats for children. Priced from \$5 up

It Will Pay You to Visit This Dept. Tomorrow

Stylish Spring Coats

ATTRACTIVELY PRICED



Each one is an unusual value. Fabrics are all wool, styles the newest Spring modes and each garment is splendidly made.

Jersey Coats at \$12.50 25 new Jersey Sport Coats. Tuxedo front. Comes in plain colors and Heather mixtures. Sold up to \$20.00. On sale Saturday, each \$12.50

New "Korrek" Skirts

Beautiful new styles in plain, all wool serges and plaids. Priced from \$6.50 to \$25.00

New "Fitrite" Petticoats

in Jersey, Silk and Satin. Every one Guaranteed to Wear

New Silk Petticoats with Taffetta Flounce. Special \$2.75

All Silk Jersey Petticoats \$5.48 up

All Silk Taffetta Petticoats \$5.48 up

New "Goodie" Middies

in a great variety of styles and colors. The niftiest Middy made, \$1.98 to \$10 each

See Our Hand Made White Waists \$5.00 to \$15.00

The Smartest Suits

TO BE FOUND

Can be had here in a broad range of colors, fabrics and combinations. Their attractiveness is greatly enhanced by the extremely low price asked "Miss Manhattan" Jersey Suits in a great variety of colors. Good styles. These suits sold regular at \$35.00. On sale Sat. \$19.98 each

Miss Manhattan Suits

"Miss Manhattan" Suits for Misses and Young Women in some wonderful new styles \$35.00 to \$75.00 each

"La Vogue" Suits. Just in. New styles \$40.00 to \$75.00 each

10 Navy Blue Serge Suits. Just in. Very special each \$30.00

10 Navy Blue Tricotine Suits. Just in. Special each \$40.00

New Silk Blouses

New Silk Blouses in a great variety of styles in all the new shades. Priced from \$4.50 to \$25.00

New Neckwear on Sale Saturday

We know you will be pleased with our new line of neckwear. Just received today. Some nifty new collars at 98c. \$1.25. \$1.75 and \$2.25 each

New Vestings in some new patterns. Comes in white and ecru. Reasonably priced. See them.

20 Per Cent Off on All Silk and Muslin Underwear

New Wraps



The loose, straight model with set-in sleeve is given slight preference, though capes and cape effects are very good.

It matters not what your choice may be, you are sure to find in this collection the garment that will meet every requirement, at the price you want to pay.

"Miss Manhattan" wrap-py coats. Very new styles \$25 to \$50

"La Vogue" wrap-py coats. Just in. Priced from \$35.00 to \$75

\$25 Coat Sale

About 25 beautiful new coats in this lot. Made of all wool materials in Sport and Wrappy styles. All good colors, in all sizes. These coats are worth a great deal more. On sale Saturday at, each \$25

Agents for "Tweed o' Wool" Coats. See Them



Agents for Gossard and Warner Corsets

RIBBON SALE

100 pieces wide Hair Bow Ribbon in plain and morie. All colors. Cheap today at 75c. On sale Saturday yard 48c

Mann's Department Store

THE STORE FOR EVERYBODY Entrances on E. Main and N. Central MEDFORD, OREGON

Mail Orders Promptly Filled—Postage Prepaid—Agents for Pictorial Review Patterns

New Gingham, yard 25c
New Percales, yard 25c
New Challies, yard 25c
New Dress Voiles, yard 39c
New Frolic Cloth, yard 25c