

LARK EVANS IS ACQUITTED ON HOLD UP CH'GE

Jury, After 15 Minutes Deliberation, Returns Verdict of Not Guilty—Defendant's Mother Hysterical With Joy—History of Case.

A jury in the circuit court Friday afternoon acquitted Lark Evans, charged with assault and robbery upon W. G. White on Saturday, September 13, 1919, in two ballots, after fifteen minutes deliberation.

The defendant, convicted at the first trial, and sentenced to from one to 15 years in the state prison, smiled when the court read the verdict, but his mother, when she heard the news of months of strain and worry were over, screamed in joy at the words that freed her boy, and was only quieted by women spectators, and Lark Evans, who rushed to her side. The court released Evans from all further detention, and abolished his bonds.

W. G. White, the complaining witness, District Attorney Rawlin Moore, and Attorney Gus Newbury, chief counsel for the defense, were not in court when the verdict was read.

According to one of the jurors, two ballots, the first one standing ten to two for acquittal, and the next one, taken immediately afterwards was unanimous for acquittal.

Hard Fought Case.

The case attracted more than usual attention, and was hard fought from start to finish. After conviction, through his attorney, Gus Newbury, an appeal was taken to the supreme court, upon the grounds of new evidence and a new trial granted. Convinced of the innocence of his client, Attorney Newbury secured new evidence, and it was this which resulted in the acquittal of Evans, who from the day of his arrest stoutly maintained his innocence.

The state witness for the defense was Sam Sandry, driver of the Blue Ledge auto, who testified that on September 13, 1919, the day of the crime, Evans while employed at the Hines and Snider garage in this city, had placed a vacuum tank on his car, and was corroborated by the testimony of Charles P. Talent, and W. R. Coleman, and the records of Hines and Snider garage and the A. W. Walker Auto company. All efforts of the state to shake this testimony on cross examination were futile. Another strong witness was Gene Thomas, a 16-year-old boy, who testified positively that he had seen Evans and his wife at their home in this city at practically the same time that the complaining witness testified he was staging the hold up.

The chief witness for the state was W. G. White, who was robbed and "hog-tied" in the hills back of Jacksonville, and positively identified Evans as the man who had committed the crime. Conflicting identifications of Ford as his own, coupled with his positive identification of Evans were points at variance in his testimony. A woman known as Evans' wife, who testified at the first trial, but not at this one, was particularly strong in White's mind.

Moore Shows Ability.

The defense called a mass of testimony in support of its alibi, and not a loophole was left open, and against this District Attorney Rawlin Moore, handling his first important case, battled ably, his considerate handling of the cross examination of the defendant bringing forth favorable comment from all sides. Prosecutor Moore, in his closing argument, made no able plea. He was assisted by Deputy District Attorney George Godding. The defense assistant was Attorney Herbert K. Hanna. The plea of Attorney Gus Newbury for the defense was called by many courthouse attendants the best of his long legal career in this county.

Just before the case went to the jury, and when the defense testimony commenced to pile up, the feeling among the spectators became intense, but with no outbreaks. There was no applause when the verdict was read.

The net proceeds of the crime with which Evans was charged was \$27.15 and a "two-bladed jackknife, as described in the indictment, and the cost of the two trials in Jackson county is estimated at close to \$7500.

MRS. MYRTLE BLAKELY TRIAL STARTS MONDAY

The first of the criminal actions in the Bank of Jacksonville failure will be called Monday afternoon or Tuesday morning in the circuit court. And the first defendant will be Mrs. Myrtle Blakely, former county treasurer, indicted on two counts for "malfeasance in office," and "for knowingly making a false statement to a bank examiner. Judge D. V. Kuyendall of Klamath Falls, will occupy the bench during the trial, and will probably be called in the other bank cases.

LAST HONORS FOR CHAMP CLARK

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officials was the only touch of color in the front row of seats.

The diplomatic corps sat just behind the space reserved for the bereaved family and when the senate members had been seated, the room was filled with men in dark clothing, with only the light dress of a child here and there seated on her father's knee relieving the picture.

ASHLAND TOSSERS BEATEN, MEDFORD HOPES REVIVED

A 22 to 10 wallop was administered the Ashland quintet by the Medford High tossers on the Natatorium floor last night before a crowd of several hundred basketball fans. The local men had the visitors outclassed and outplayed in every phase of the game and although handicapped by the loss of Baughman at center, who was injured early in the scrimmage, they showed what they could do with improved basket shooting coupled with their usual fast and clever team work and nifty passing.

Ashland opened the game with a rush, running up a four-point lead in the first four minutes, but when the local hoopers warmed up they literally ran the Ashlanders off their feet. In the second half the Ashland squad made no field baskets, which speaks well for Medford's defense. The home men were playing an aggressive game from the initial whistle to the closing gun, scoring ten field baskets to Ashland's three. Medford, through her superior team work, handled the ball most of the time and had seventy-three attempts at the Ashland basket, while the visitors tried but nineteen times to ring the home hoop.

No individuals on the home five deserve credit for exceptional playing—all the men pulled together and the entire team as a whole is to be congratulated on its performance. For Ashland, Atkins at guard and Herr at forward played a good brand of ball.

Although Ashland claims the southern Oregon hoop title, the Medford team may enter the Salem tournament as a contender for the Oregon championship. Local supporters are confident that the home contingent is superior to the Ashland lineup, when in form, and if the Medford boys could show the same fight and display the same class at Salem as they did last night, they should come out strong for the tournament honors. The lineup last night was:

Ashland—Coleman, Herr, Watson, Guthrie, Baughman, Ramsey, Sherwood, Atkins, Young.

Substitutions—Medford, Singler for Coleman, Coleman for Baughman, Prescott for Sherwood. Referee, "Shy" Huntington.

The Medford girls turned the tables on the Ashland sextet last night by defeating the visitors 31 to 19 in one of the fastest girls games of the season. The home girls outplayed the Ired and White aggregation practically throughout the game, especially in the second period when they piled up their big advantage. Medford's victory last night was the most decisive of the Medford-Ashland girls series this season.

NEW ADMINISTRATION ACTIVE

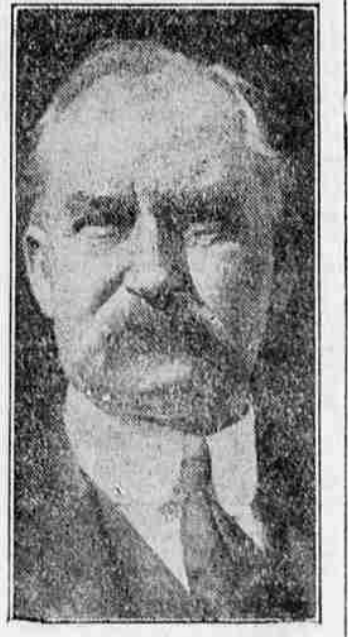
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ing the ceremony were Secretary Baker, General Pershing, Major General March, chief of staff, and other members of the general staff and bureau officials.

After the oath was administered Secretary Baker presented to the new Secretary and Mrs. Weeks the new office and bureau chiefs. There were about a thousand of them who passed along the line shaking hands with Secretary and Mrs. Weeks.

WASHINGTON, Mar. 5.—The reappointment of E. D. Ball of Iowa to be assistant secretary of agriculture was announced today at the White House.

Albert B. Fall



Secretary of Interior.

His nomination will be sent to the senate Monday by President Harding.

Fall Gives Talk

Former Senator Fall of New Mexico, the new secretary of the interior, was the third of the cabinet officers to be sworn in during the day. The oath was administered to him at the interior department at 10:25 a. m. by W. B.

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Coming to the Rialto Sunday



MADGE KENNEDY in "The Truth" GOLDWYN

Acker, assistant chief clerk, in the presence of the retiring secretary, John Barton Payne and officials of the department.

Before taking the oath Mr. Fall delivered a short address to the bureau chiefs expressing the pleasure he had in joining them in "the work here."

Secretary Fall announced the following appointments:

Charles R. Safford of New Mexico, former secretary of the senate committee on the Pacific islands and Porto Rico, to be the secretary's assistant.

Charles W. Nestler of Ohio, to continue as assistant to the secretary and Jeldor Shaffer of Boston to be private secretary.

Gompers Swears in Davis

James J. Davis of Pittsburg, was sworn in as secretary of labor at 11 a. m., the oath being administered by Samuel Gompers, Jr., chief clerk, in the presence of the retiring secretary, William H. Wilson, and officers of the department and a few invited guests.

"The only thing I want to say for the present," Mr. Davis said immediately after taking the oath, "is that I intend to administer this office for the good of all the people."

On his arrival at the department Mr. Davis was greeted by Canton, Ohio, and Philadelphia delegations of the Loyal Order of Moose, of which he is the organizer and head.

At the same time that his chief was sworn in Edward J. Henning of San Diego, Cal., took the oath as assistant secretary of labor.

Andrew J. Mellon, of Pittsburg, who took the oath yesterday as secretary of the treasury, arrived at the treasury department at 11 a. m. and immediately went into conference with David W. Houston, retiring secretary.

Wallace Sworn In

Henry C. Wallace of Iowa was the sixth cabinet officer to take the oath. It was administered at the department of agriculture at 11:17 a. m. by Robert M. Seese, chief clerk of the department in the presence of bureau chiefs and invited guests and the retiring secretary, Edwin T. Meredith.

Mr. Wallace said he did not intend to make any immediate changes in the personnel of the department.

Elmer Dover, of Oregon, formerly secretary of the republican national committee and mentioned for republican national chairman to succeed Will H. Hays, also conferred with President Harding during the day. The subject matter of their talk was not disclosed, but it was understood that they discussed at some length the coming reorganization of the national committee. The president lunched at 12:30 with Mrs. Harding and members of their families who are guests at the White House, allowing himself an hour

has established a high place in the minds of the people," he said. "It is not a department with regulatory powers but is solely a service to the nation."

Mr. Hoover said his department "does not need to meet any anxiety on the part of office seekers." He said that 98 per cent of the department was

CANADAY ELECTED PRESIDENT OF THE LOCAL Y. M. C. A.

The newly appointed Medford board of directors of the Y. M. C. A. met for lunch at the Hotel Holland Thursday. Several members of the County Y. M. C. A. met with them. A constitution was adopted and officers elected as follows: President, H. A. Canaday; vice president, B. W. Paul; secretary, S. S. Smith; treasurer, O. R. Campbell. Other members of the board are, R. W. Stearns, Geo. R. Lindley, W. H. Gore.

This board will have charge of the Y. M. C. A. activities in Medford. Some of the plans under discussion were the Hi Y club and junior boys' groups, and especially a twilight athletic league of baseball and other sports. This will be pushed at once in order to be ready for the opening of baseball season.

The board will meet every Monday for lunch. Next week at the Hotel Medford.

ELKS' MINSTRELS AGAIN, TUESDAY

Hoover Promises Service

Harry C. Clunn of New Mexico will be in Secretary Fall's office, but his duties have not yet been announced. Herbert Hoover was sworn in as secretary of commerce at 2:35 p. m. The oath was administered by E. W. Libbey, chief clerk of the department.

Just before taking the oath Mr. Hoover and the retiring secretary, Joshua W. Alexander, received the bureau chiefs for a two minute conference.

Mr. Hoover said he felt a great responsibility in taking over the work of the department of commerce because it had come to have a tradition of its own.

"It is a department of service and

INAUGURAL SERVICE AT FIRST METHODIST

Using the verse of Scripture with which President Harding was inaugurated as the text for the Sunday evening sermon Rev. J. Randolph Sasmeth will speak on "The Nation's Anchor," at the First Methodist church.

The patriotic "motif" will characterize the service throughout. National hymns will be used for the congregational singing. A special invitation is extended to members of the Lincoln club. Rev. Sasmeth says, "Come on out, all you political 'war-horses' and patriotic citizens."

under the civil service and that many of the bureau chiefs, especially the technical men, had been there for years, some of them having been appointed under President Roosevelt.

T. R. Jr. on Hand

Harry M. Daugherty was sworn in as attorney general by Associate Justice Day. Those attending included the retiring attorney general, A. Mitchell Palmer, Governor Harry L. Davis of Ohio, and Dr. C. E. Sawyer, President Harding's physician, and Mrs. Sawyer. Edwin Denby was sworn in as secretary of the navy after an informal reception during which he and the new assistant secretary of the navy, Lieutenant Colonel Theodore Roosevelt, were presented to the ranking officers of the navy and marine corps stationed in this city and a large number of civilians.

PRESIDENT HARDING GETS AIREDALE PUP

WASHINGTON, Mar. 5.—President Harding was presented today

with an Airedale dog "Caswell Laddie Boy," who because of the fondness of the new chief executive for dogs, is expected to become the most popular of the White House pets. The presentation was made by Charles W. Quetsche of Toledo, Ohio, who said the father of Laddie Boy was Tin Tern Tip Top, champion Airedale of the United States.



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