



TILLAMOOK COUNTY FAIR & CARNIVAL, AUG. 23, 24, 25.

TILLAMOOK JOTTINGS.

House wanted at once. See Ralph Ackley.

J. F. Shorey and wife, of Portland, are in the city.

Harrison Booth and wife were in the city on Monday.

Mrs. Sheldon came in on Tuesday for a vacation and to visit friends.

Claude Hunt, of Portland, came in on Wednesday to visit relatives.

We are sorry to hear that Mrs. C. W. Talmage is quite seriously sick.

Mrs. W. C. Trombley and child came in to visit her parents on Tuesday.

Mrs. Kate Franklin and C. Plank came in on Tuesday to visit their parents.

Died, on Monday, on Elmore's ranch, at the home of his brother, Paul Thorall.

Attorney C. Haberlach and wife and Miss Annie Tinnerstet left Friday to visit friends.

It is more than probable that Senator C. W. Fulton will be a visitor to Tillamook during the fair.

If your horses are afraid of the automobiles tie them in Harris' tie shed. It will only cost you 10 cts.

H. L. McCann, formerly publisher of the Telephone-Register at McMinnville, was looking over the county.

Died, on Saturday, in this city, the infant child of Mr. and Mrs. Conover, the cause of death being an attack of croup.

There will be no more exemption from taxation, the supreme court has decided that the \$300 exemption is unconstitutional.

J. C. Bewley will help you buy or sell horses, cattle, town property, hotels, farms, water power, timber lands, tide lands and sawmills. Houses to rent.

At a special meeting of the county court on Wednesday, the bond of P. W. Todd, as county treasurer, was approved, and Carl Haberlach turned over the office.

Dr. and Mrs. Brown, the latter a sister of the editor of our esteemed contemporary, are visiting Bro. Rollie W. Watson in this city, and they come from Cottonwood Falls, Kan.

From all appearance the entire hay crop which is an exceedingly large one, will be harvested this year in good shape and without any rain. Some of the farmer's barns are not large enough to hold their hay.

Rev. B. E. Emerick, of Portland, editor of The Pacific Searchlight, will speak at the Methodist Church, Sunday, 11 a.m. Subject: "The New Emphasis in the Great Reform." All are cordially invited to attend.

Your friends and neighbors are using the bank and laying up their money for a special purpose. Why not you? We offer every convenience possible, and will assist you in any way we can.

Tillamook County Bank.

The remains of Mrs. Hembree and her daughter, Ora Ellen Hembree, which were buried in a cranberry box, and was only about half full, were exhumed and brought to the city, and on Wednesday Drs. C. H. Upton and I. M. Smith examined them so as to prove that they were human bones.

The Tillamook County Woman's Suffrage Association was organized July 17th. The following officers were elected: President, Mrs. Emma Harrison; Vice-President, Mrs. Amanda Edmunds; Secretary, Dora E. Seyverance; Treasurer, Mrs. Jennie King; Auditor, Mrs. Eliza Evans.

The steamer Sue H. Elmore came in on Tuesday, her passengers being Mr. Emerick, J. S. Penn and wife, Miss R. Walling, Mrs. Franklin, Mr. Kendrick, Mrs. Kirkpatrick and daughter, Mr. Gitzall, Mr. Russ, A. Page, Mrs. Case, P. D. Lamar and wife, Mrs. Trombley, Mr. Dingman, Mr. and Miss Foster, Mr. Robins, Clark Hadley, C. Plank, J. B. McCowell and wife and M. F. Leach.

A delegation waited upon the county court on Wednesday to cancel the contract to build the bridge near Cloverdale and build a bridge instead across Trask river at Johnson's ford. Commissioner Bodyfelt was opposed to making any change and Commissioner Lerpapel wanted to see for himself how the road was to be built to the bridge in the south part of the county.

Engineer Geo. L. D. V. of the Lytle road, and C. M. Thomas, came in from the Nehalem country, where they had been endeavoring to find a suitable grade for their road, on Tuesday and left again the next day. We understand they went through some rough country to build a railroad in, but they seemed to think that a steam or electric road would be built down the Wilson river.

General Manager G. W. Talbot and Construction Engineer J. McGuire, of the Astoria & Columbia River Railroad, were in the city on Sunday, coming in by way of Seaside, and after spending part of the next day on the bay, left Monday evening by the stage. It has been reported that Hill has bought the Astoria & Columbia River Railroad, who will take possession of it this fall, and as soon as possible, or as soon as the work lets up on the North bank, Hill will build into Tillamook from Seaside. Whether the visit of the officials of the Astoria road had anything to do with this we do not know, but the impression appears to be gaining ground that when this county gets a railroad it will come in from the north.

Closing Out Sale.

I am selling out my entire stock of second hand goods; also my house and lot, with all my household goods and store building, and also my small building next to Sarchet's tailor shop. I expect to start for California by the 1st of August. So call early if you want to buy goods and property cheap, or call on Fred Beals for prices on my property. W. E. PAGE.

Vote on Queen of the Carnival.

Miss Kitty Mills 1,748
Miss Flora Perkins 1,316
Miss Ester Munson 483
Miss Dot Stephens 232
Miss Hazel McNair 110
Miss Veronica Melchoir 106
Miss Annie Edie 32
Miss Carrie Hathaway 14

Death of Grandpa Butts.

William Butts, son, was born in Kentucky on the 16th May, 1819, where he resided until manhood. He removed to Indiana when about 26 years of age, and there married Miss Charity A. Wiley. From Indiana he went to Illinois. He went through the Border Roughian War of Kansas in 1856, and endured great hardships during that time. In 1871 he came to California, and in the fall of the same year came to Oregon, and came to Tillamook in 1871, where he has resided since with the exception of a few years when he was preaching. He was a minister of the M. E. church for 40 years. He had seven children, viz: Elam Butts and Mrs. Mary Bodyfelt, of Tillamook; William Blith, of California; Mrs. Minnie Graves, of Skagway; Mrs. Emma Rhoades, of Guayerville, Cal.; Mrs. Sarah Knifong and Joseph Butts, who are dead. The deceased took up a claim in this county which is known as the Wicklund place. He has been an invalid for the past three years, and made his home with his daughter, Mrs. G. W. Bodyfelt. His wife, who is very feeble and over 84 years of age, survive him. Deceased died 14th July, and was last of a family of eleven children. The remains were buried at the Oddfellows' cemetery on the Ne-stu-oca on Sunday, the religious service being conducted by Rev. C. H. Wayne. Deceased was a man who was well liked and much respected.

TILLAMOOK'S NEW STORE.

The Eilers Piano House of Portland

Have placed the largest and most beautiful stock of high grade Pianos on exhibition in their new sales room here than has ever been the opportunity of discriminating public of this community to investigate, and at a saving in price, made possible by a combination of circumstances caused by the San Francisco earthquake. This is part of the stock which was bought for their big house on Market street which was completely destroyed, but luckily they saved a few car loads of these elegant Pianos, which were in their warehouses, just outside of the ruined district, and consequently they are offering a number of well known and famous old makes, such as Kimball, Marshall & Wendall, Cook, Baily, etc., at an enormous saving in price, and absolutely no risk on the part of the buyer, for the Eilers method gives you a guarantee as sound and secure as the Rock of Gibraltar, an absolute money back warranty if the instrument after delivery is not found exactly as represented.

You are cordially invited to come in and inspect the stock and hear the wonderful pianola recitals twice a day. A.M. and P.M.

Bargains have to be seen to be appreciated, and you can practically make your own terms.

EILERS PIANO HOUSE,
Across from the Allen House,
TILLAMOOK, OREGON.

HEMBREE ON TRIAL.

Prosecution Says Crime was Committed—Defence Claims Death was Accidental.

2½ DAYS TO GET A JURY. Evidence of Finding Skull Bones in a Stove.

The most sensational case ever tried in this county came up for trial on Tuesday at an adjourned term of the circuit court, which was presided over by Judge T. A. McBride. Of all the criminal cases in Tillamook this is the most revolting, if the case against A. J. Hembree can be proven.

At the last term of the circuit court Hembree filed a petition for a change of venue, claiming that he could not get a fair trial in Tillamook, and after hearing arguments on both sides, Judge Galloway would not allow the change, so set the date of trial for last Tuesday, and it was at the request of Judge Galloway that Judge T. A. McBride tried the case, and presided at the first trial in the new court house.

On Judge McBride taking his seat on the bench on Tuesday, he asked whether the attorneys were ready to proceed with the case, and being informed that they were, he ordered the sheriff to bring the prisoner into court, which he did. Hembree cast a nervous look at the audience as he took a seat between his attorneys. Then commenced the task of selecting a jury. What jurymen remained of the April term venire were called, and five jurymen were agreed upon, viz., John Foster, J. F. Jenkins, A. D. Miller, M. Curl and P. B. C. Lucas. As a special venire of 50 names had been ordered, the court adjourned until the next day, the judge cautioning the jurymen not to talk about the case nor allow others to talk to them.

On the court reassembling Wednesday, no progress was made in getting more jurors during the morning, but in the afternoon D. W. Rhoades, T. R. Elliott, Wm. Maxwell and H. V. Alley were added, making nine jurors, when the court adjourned.

Thursday morning, Juror P. B. C. Lucas was excused, which left four more jurymen to be selected from 12 persons whose names were in the box, which exhausted the special venire of 50 names. Out of that number J. W. Thompson and H. H. Tubbsing were selected. Judge McBride ordered Sheriff Crenshaw to call the names of those in the court room who were eligible for jury service, and the first two called, B. C. Hadley and I. Quick, were accepted, which completed the number. Before adjourning, Judge McBride said he would allow the jurymen their freedom and would not lock them up, but cautioned them not to allow anyone to talk to them about the case and told them not to talk to anyone themselves. As it was a most serious case he did not want to see the jury influenced, and should anyone attempt to do so they should arrest the person themselves or inform the sheriff. It was contempt of court to talk to jurors about a case and he would fine anyone who did.

After exhausting two and one half days securing a jury, the last juror was chosen just before noon on Thursday, the names of 69 persons having been called. Owing to the Headlight having published the particulars of the affair at the time and as all the persons summoned, with the exception of one, had read the articles, caused quite a trouble in the selection of a jury, as nearly all of them had made up their minds as to the guilt or innocence of the accused.

The state is represented by District Attorney J. H. McNary and Deputy District Attorney W. H. Cooper. Attorneys M. L. Pipes, of Portland; James McCain and W. T. Vinton, of McMinnville, and C. W. Talmage, of this city, are defending the case.

District Attorney McNary, in making his opening statement, said that the defendant, A. J. Hembree, was charged with murder in the first degree, the exact particulars of which were unknown to the grand jury, and known only to the defendant. He would produce evidence to show that a crime had been committed, and then stated that Hembree had killed his daughter, Ora Hembree, a young woman 17 years of age, on the morning of December 29th, at Sandlake. He related to the jury the burning of the house, the finding of the charred bones after the fire, the finding of the skull bones in the stove, the manner in which Hembree acted, the scratch and bruise on his face, and other particulars.

Attorney J. McCain, told the jury that they would produce evidence to show

that the death of Ora Hembree was purely accidental. He said Hembree and his wife and daughter had gone to bed, and that the defendant was awakened by smoke in the room and he told his wife and daughter to get up. When they came down stairs there was a fierce fire under the stairs, and they could not put it out with water, whereupon they commenced saving things by throwing them out. Hembree went round to the back of the house and it is supposed that while trying to save the girl's trunk that they were accidentally burned. Mr. McCain's statement to the jury covered the account of the affair given by Hembree himself after the fire, and which was published in the Headlight at the time.

The first witness to be put on the stand was Thos. Coates, who had taken some photographs of the premises after the fire, and when he was acting as deputy sheriff. The defence objected to these photographs being put in as evidence, so the prosecution withdrew them, after which a plat of the house was submitted which had been prepared by County Surveyor Sappington, which, after an agreement that certain alterations should be made, was put in as evidence.

The most important witness of the day was James Thompson, who resides with his sister, Mrs. L. A. Hoyt, at Sandlake and about one mile from where Hembree lived. He had known defendant for 16 years. He was in bed on the morning of December 29th, and at a quarter to three o'clock he heard someone hollering outside the house. Hembree came in, who was out of breath, and said his house was burned. Thompson hollered to the folks up stairs to get up, when Hembree asked if he could stay there until morning. Thompson told him he did not mind if Mrs. Hoyt had no objections. Hembree asked Thompson to go and look for his wife and daughter, which he did as soon as he had secured a lantern. He went to the fire and found the house burned down, in the center of which was a big heap of fire. He went all round the burning building and could find no trace of the women. He went towards the south and then went north, but failed to find any foot prints. All that he saw was Hembree's tracks. When he returned to Mrs. Hoyt's about eight o'clock Hembree was at breakfast, when he said to him "Well, I couldn't find them," to which Hembree replied, "Well, I expected you wouldn't." Hembree asked him for some tobacco and Thompson gave him some chewing tobacco. When Thompson and Edwards were ready to go back to the fire Hembree said "Hold on, when I've had my smoke I'll go along." When they arrived at the fire they found the remains of the women. Hembree made no effort to find the remains, but remained back talking to Mr. Hoyt. He acted like he was in a study and appeared nervous about something. When asked what clothes Hembree had on, witness said he had drawers and a sack about his shoulders and a pair of old shoes. He had seen Hembree hauling about half a cord of vine maple to the house on the 22nd of December. This was objected to by the defence, but Judge McBride overruled the objection. Witness then described a bruise that Hembree had under his left eye, which was a bright red, and also a scratch about an inch long, which looked as if it had been recently done. The defence also objected to this evidence, which was also overruled. On January 8th, he found bones in an old iron stove. Here again the defence objected to the evidence, which was immediately overruled by the judge. It was a stove in three sections. Inside were ashes, which were white. The stove was slightly tipped over and was about five feet from where the remains of the women were found. The stove had not been moved. The bones that were found in the stove were handed to the witness and he identified them.

Attorney Pipes put the witness through a severe cross examination, but did not break down Thompson's evidence. When questioned again about what he said to Hembree when he returned from the fire, he repeated that Hembree said "Well, I expected you wouldn't" when told that Thompson had not found his wife and daughter. The attorney managed to adduce from witness that the ashes which were in the stove were white, and more like those emptied from any ordinary stove where wood had been burned.

Mrs. E. A. Hoyt, sister of the previous witness told about Hembree coming to the house just before three o'clock on the morning of the 29th December. He said he thought his people were there. She got a lantern for her brother, who went to the fire as it was thought the women were out in their night clothes.

Hembree sat down in a chair and then asked "Can I lie down?" As Hembree was exhausted and complained of pains in his head, she bathed his head with water. About four o'clock Hembree asked her for another bed. She gave him Thompson's bed and he went to sleep until about seven o'clock, when he got up. After breakfast Hembree wanted a pipe and tobacco. She described Hembree's dress, and corroborated that of the other witness with the exception that he had an undershirt on. The prosecution produced a coil of air and asked witness if she could identify it, to which she replied, "Yes; that belonged to Mrs. Hembree." When questioned again about expecting the women to come to the house, which was before Hembree went to bed, she looked out and wondered whether they would come, when Hembree said, "No; I'm afraid not." Witness was crossed examined by the defence, and she repeated that Hembree was all out of breath and exhausted when he came to the house.

U. S. Edwards was at Hoyt's when Hembree got up and ate breakfast. He went to the fire with James Atkinson and Charley Atkinson. He described finding the remains. The only flesh that he saw on the bones was a little on what he believed to be the hip of one of the women. He saw no heads. While at the ruins he did not think Hembree acted different. He wanted to know if they found any of his people. Hembree did not spend any time searching for them. This witness was not cross examined by the defence.

James Atkinson testified that he was at the house on the morning of the fire with defendant. Latter didn't seem to act any different than as if nothing had happened. Saw the skeletons of the two women as soon as he arrived at the fire. He saw the bones in the stove; broken dishes about the house; trinkets from bureau or sewing machine drawers scattered about outside of house; and two tubs with water in them. Defendant asked witness if he thought that was the women. Witness answered "Undoubtedly it is." Defendant then said, "That is d— funny, ain't it?" Witness asked him how it came the women were in such a fix. Defendant said he didn't know. Witness told defendant he must know something about it, that he was there. Defendant replied that they spoke of going upstairs after a trunk, and that is the last he saw of them. Witness asked if defendant didn't hear any scream or outcry, and he replied, "Nothing at all."

C. S. Atkinson, son of former witness, corroborated substantially what his father had testified to. Had been on the premises and saw the bones and that when the skeletons of the wife and daughter were found, he was there.

Joseph Atkinson, lad of perhaps 15, who had made plat of the house, was called principally to describe its plan, etc., having visited the Hembree boys a good deal.

James Eldridge was very interesting witness. Had gone to the house between 10 and 11 a.m. Tuesday after the fire occurred. Found several people present. Saw what looked like two human skeletons. One without apparently any head. Defendant had been at his house that morning and stayed about an hour. He said defendant had related that the fire had taken place about 1 a.m. That he waked up and saw a fire and went downstairs; and then went back up and waked his wife and daughter; told them to get up quick for there was a fire. They came down with some things and deposited them on the front porch. Then the daughter said, "Oh, my trunk and good clothes." Defendant said his wife and daughter then went up stairs, and he didn't see them after that. On the Wednesday following defendant came to Eldridge's house again. Testified as to the condition of the stove, and finding the bones in same. Stove was later examined by jury and attorneys. Had found false tooth; and the same was offered by counsel in evidence, and identified by witness as the one he had found. Never had seen the wife or daughter since the fire. Had made a stem for defendant's pipe and told him he felt sorry for him.

Mrs. Mary Phelps was called to identify switch of Mrs. Hembree's.

Mrs. Ellen Lewellan, sister of Mrs. Hembree, testified as to the visit of the two younger boys for about three days at their house. They stayed until Friday after Christmas, when their father (Hembree) phoned for them to come home. Was not their custom to spend Christmas with their aunt, or to visit them often. Usually Lawson would come with his sister Ora, and Roy with his mother. Boys never visited them alone before. She identified switch

offered in evidence as that belonging to her sister, defendant's wife, whose age was 38 years.

J. R. Lowrance, brother of Mrs. Hembree, testified as to the visit of Roy and Lawson Hembree at holiday time. He was at defendant's house the morning of Dec. 29. He talked with Hembree, who said nothing about the remains of his wife and daughter. He asked defendant if he had any idea from the size and condition of the bones which was the wife and which the daughter. Hembree said he didn't.

J. Lewellan, brother-in-law of defendant's wife, testified as to being at the house the evening after the fire occurred. Didn't see defendant there at that time. He had a little talk with him. He said defendant had said he was satisfied the bones were those of his wife and daughter. Witness helped gather the bones and put them in a box for burial on the 30th December. They were taken to Three Rivers for interment and about 100 persons accompanied them, but the defendant did not. Witness, on cross examination testified as to the actions of Hembree on the day of the funeral. He talked with Hembree's sons. They did not touch the box containing remains. They stood about holding hands and he made quite a little speech to them.

It is expected that the prosecution will have introduced all its evidence when court adjourns Friday. The stove was taken into court in the afternoon.

A RAILROAD NEXT YEAR
Astoria & Columbia Railroad to Tap Tillamook County.

From the Oregonian.

The Corvallis & Eastern Railroad is to be extended by the Hammond interests, it present owners, from the terminus at Idanha, Linn County, across Central Oregon to some point on the Snake river, probably Ontario.

The Astoria & Columbia River Railroad will be pushed south along the Coast from Seaside to the Nehalem and Tillamook country. Both these projects will aggregate over 350 miles of new construction by the Hammond lines, which will be realized within the next few years.

Not only Mr. Hammond not contemplating the sale of his lines, but he intends to add a very large mileage to them. He said yesterday that one of the chief reasons the extensions could not be begun this season is the condition of the labor market, which not only makes it almost impossible to get laborers for railroad construction but makes railroad building very expensive.

The extension of the Astoria & Columbia River Railroad will reach the Nehalem and Tillamook sections, where Mr. Hammond has very large timber holdings. The line will be built up the Necanicum River from Seaside, and across the divide from that stream to a tributary of the Nehalem. It will then follow the Nehalem Valley for some distance, when it will turn south to the Tillamook country, reaching a terminus at Tillamook Bay. The extension will be 36 miles long.

Should the theory that Gould is back of the Hammond extensions prove true, it would mean much to Oregon. However, if the Gould system has no expectation of reaching Portland in that way, the building of the Hammond roads into the long-neglected Central Oregon country and to Tillamook and Nehalem will be hailed with delight by the sections of the country entered, as well as by the whole state, which will be directly benefited. There have been numerous lines projected into Central Oregon, but there has not been any noticeable progress on any of them. The pushing of the Hammond line into that country will develop it as nothing but transportation facilities can.

ADMINISTRATOR'S NOTICE.
NOTICE IS HEREBY GIVEN.—That the undersigned has been duly appointed by the County Court of the State of Oregon for Tillamook County, administrator of the estate of KASPER VON BERGEN, deceased. All persons having claims against said estate are hereby required to present the same to me properly verified, as by law required, at the office of Carl Haberlach, attorney-at-law, in Tillamook City, Oregon, within six months from the date hereof. Dated this 26th day of July, 1906.

JOHN NEIGER,
Administrator of the Estate of Kasper Von Bergen, deceased.
Carl Haberlach, Attorney for Administrator.

NOTICE.
NOTICE IS HEREBY GIVEN.—That on Monday, August 27th, 1906, the County Board of Equalization will meet at the office of the County Clerk of Tillamook County, Oregon, and continue in session from day to day, not to exceed six days, and publicly examine the assessment roll for said year, and correct all errors in valuation, descriptions of lands and other property. All persons interested in the assessment of their property are requested to appear at said time and place, as no change can be made after the adjournment of the board. Dated at Tillamook, Ore., July 27th, 1906.

A. M. HARR,
County Assessor.