

CHARGED WITH THEFT

A Queer Trial In Which Was Used a Queer Defense.

SHIPPING A CASE OF GOLD.

The Solution of the Difference in Weight of the Box at Cape Nome and at San Francisco—The Clever Move of an Astute Young Lawyer.

One of the most interesting trials that ever took place in any country was that of James Stevens in the California courts for theft. The circumstances were as follows: There were four prospectors in the Klondike region when the gold fever there was at its height, among whom Stevens was one. They "struck it rich," divided up and started out for the United States. Just before leaving Stevens got into a faro game and lost everything he had. Winter was coming on and he bade fair to starve unless something was done for him. So the other three decided to pay him so much to guard their dust on the ship and pay his way home to San Francisco. They each had their share of dust and nuggets accurately weighed and then put them into a common pile, pending, of course, their reapportionment on reaching port. This they placed in a strong box which they nailed up and sealed carefully. It was Stevens' duty to watch this by day and sleep by it by night until the destination was reached. There was exactly 200 pounds avoirdupois of the gold, sworn to by a regular weigher. It was worth a great deal of money.

Well, everything went along smoothly until San Francisco was reached. Stevens seeming to appreciate what his former partners were doing for him and guarding his trust jealously. When the ship came into port the box was immediately removed, under the supervision of Stevens, to a place of re-weighing, so that each could take his share again and deduct so much for Stevens' pay. It was found that instead of having 200 pounds of gold as before there was now only a fraction over 508 pounds. The partners were loath to distrust Stevens and had it reweighed twice, but with the same result each time. Reassured as they were of his guilt and having contempt for such ingratitude, they immediately swore out a warrant for his arrest. He all the time protested his innocence, but was not able to account for the loss. The poor fellow was thrown into prison and held for trial. Not having any money or friends, he gave up all hope of being acquitted, as the circumstantial evidence seemed absolutely against him. A young lawyer was appointed by the court to defend him. This young man, Thaddeus Wayne by name, set to work on the seemingly hopeless job with great enthusiasm, as he had few clients anyhow and plenty of time. The case was soon called and all the circumstantial evidence set forth. Wayne did not even question a witness. When all the testimony was in Wayne requested the judge to allow him to qualify Samuel L. Johnson, teacher of physics in a high school, as an expert witness. The judge, not seeing any relation of physics to the theft, was about to refuse the young man when a peculiar glimmer in the latter's eye persuaded him to humor the boy. Johnson was placed on the stand, and the following colloquy ensued:

"With what does physics deal?" "With natural phenomena, or the changes in the state or condition of matter."

"Does the weight of a person change as he changes his location on the earth?" "Yes."

"Just how does that happen, and how much does the weight change?" "The weight of any body is greatest at the poles of the earth, as they are the nearest points to the center. It gets less and less the farther we travel toward the equator, for we go away from the center. This effect is enhanced by the rotation of the earth, bodies tending to fly off more at the equator than near the poles. The combination of these two makes a body weigh one two hundred and eighty-ninth less at the equator than at the poles and a proportionate amount for distances between."

"About what fraction of its weight would a body lose in going from Cape Nome, Alaska, to San Francisco?" "I should say about one in 300."

"Then gold weighing 200 pounds in Nome could not possibly weigh over 508 pounds here, could it?" "It could not."

It is needless to say that Stevens was acquitted on this evidence. His former partners were so sorry of their recent suspicion and so eager to make amends that they not only paid him the salary they had promised him, but set him up in business from their ample funds. This fact is peculiar, but perfectly in accord with reason. It is recognized by the United States government. Every time bullion is sent from Washington to the New Orleans mint a certain amount of weight is lost in the mere act of transit. So in order to get the same amount of metal in those coin compensating weights or those especially calibrated have to be used or else special scales. If the weights are made at Washington and sent to New Orleans of course they will lose in weight and will weigh true on a pair of balances. But spring balances cannot be used.—Lawrence Hodges in Denver Times.

ODD JOBS ON WARSHIPS.

Many Ways For the Bluejackets to Make Extra Money.

The possible methods of making extra money on shipboard are manifold. "Tailorizing" is one of the most profitable. While a ship's tailor is detailed to most of our ships, his duties are limited to making necessary alterations in the uniforms which are issued to the members of the crew. Many enlisted men own sewing machines, upon which they do repair work, and they also do odd jobs for officers, such as pressing and cleaning. A handy man with the needle can also make a handsome sum by doing fancy work. Some of the most delicate embroidery work has been done by sailors.

The ship's barber also makes a comfortable living in addition to his regular pay, and the distribution of prizes at target practice enriches the coffers of the gun crew by a considerable sum. Men who are detailed to duty on board submarine boats are allowed an additional \$5 a month and besides \$1 a day for every day the boat is submerged. Bluejackets detailed as signalmen, as cockswains of power boats or in charge of holds are allowed extra pay. A crew messman receives \$5 a month for performing the somewhat menial function, and the man who is not ashamed to "take his washing" can easily double his navy pay. Every bluejacket is expected to perform the laundering himself, but there are always men who prefer to pay for having the service done.

One of the novel methods of earning an honest penny is for a man with a descriptive knack—usually a yeoman—to prepare an interesting letter upon the cruise of the ship or some of the strange ports visited, the honors paid the vessel, the entertainments offered and describing the customs of the inhabitants. These letters are manifold and sold to the members of the crew for 50 cents to \$1 a copy—and usually cheap at that. The parents or relatives of the sailor boy thus kept informed of his adventures and experiences and he is relieved of a task that is irksome to most boys. John R. Cox in National Magazine.

STAR GAZING.

The Study of the Constellations as a Pastime.

Probably every reader has often admired the beauty of a starlight night. A little careful observation on such a night will show that the brighter stars may be divided into groups of "constellations," as the astronomers call them, most of which are known by the names of animals or legendary persons, such for example as "the Great Bear," "the Swan," "Hercules," "Andromeda," etc. The easiest method of learning these "constellations" is from some one already acquainted with them, but if the beginner is not fortunate enough to know any such person the majority can be learned from any cheap star maps such as are sometimes contained in almanacs.

Now, if the budding astronomer will notice the position of any of these groups or constellations at a particular hour of any night and then look a few hours afterward he will see that during the interval the stars which appeared low down in the east have risen to the south in a somewhat similar manner to the apparent motion of the sun and moon, while closer attention on several evenings will show a circular or rotary movement around the north pole of the heavens, the motion being the opposite way to the hands of a clock.

Near the north pole is a bright star called the "Pole star." This star is easily found when the observer has once noted the seven bright stars of the "Great Bear," the two outer stars of the four forming the "square known as the 'pointers' point almost directly to the Pole star. This majestic movement of the stars around the pole of the heavens is a most sublime and wonderful sight.—Country Side.

The Shorter Word.

The day before Christmas Edith aged ten, had a number of packages tied up for distribution. The doctor felt of one intended for "Uncle John"—and the rest is as the New York Sun prints it.

"That's some tobacco," said the doctor, as he fingered the package.

"How can you tell?" asked Edith.

"Because I am a good diagnostician," he replied.

Then, as Edith seemed somewhat dazed at the big word, the doctor inquired:

"Do you know what a diagnostician is?"

"Yes," she answered promptly. "It's a good guesser."

He Took the Cake.

"Mike," said Plodding Pete, "dere's wuss 'fings dan gold bricks."

"What's happened?"

"De lady up de road said dat if I'd chop an arnful of wood she'd gimme a cake."

"Didn't she keep her word?"

"Yep. She banded me a cake of soap."—Washington Star.

When It Started.

"Captain, what time does the boat start?"

"It starts, madam, when I give the word."

"Then I've always had the wrong idea. I thought it started when the engineer pulled a lever or did something. Thank you ever so much."—Chicago Tribune.

The Banyan Tree.

A regiment of 1,000 men could readily find shelter under a single banyan tree. In India there is one of these trees which has 400 main trunks and over 3,000 smaller ones.

Watch Repairing Tip.

It's astonishing how many fine watches are ruined each year by being placed in the hands of poor and inexperienced workmen for repairs. A slight oversight on their part often causes an unnoticeable grinding and clicking that will wear out the best movement in a short time. Why run these chances? Leave your repairing in our hands and you will get all long experience and honesty can give.

EUGENE JENKINS, The Reliable Jeweler

Come and see me and let's get acquainted, and then we will talk about those fine dairy cows you have and also those cheese vats you are going to have lined, or the other tin and galvanized iron work which you may need in the future.

I am prepared to do your work as it should be done. You will find me in the rear of the Snodgrass Repair Shop.

O. G. PARKER, General Sheet Metal Worker

YOUR EYES!

Stop and think about your eyes. They often pain you a little. You simply give them a rest and you are relieved. But they ought not to pain you with ordinary use. There is something wrong. Let me test them. I make no charge for that and if you need glasses or if it comes from some other cause I will tell you.

DR. Henry E. Morris, Eye Specialist. At Jenkins' Jewelry Store, Tillamook, Ore.

WILL TRADE FOR ANYTHING IN TILLAMOOK THAT LOOKS GOOD.

Partly Improved Stock Ranch in Linn County Will Trade for 40 Acres or Over of Like Value in Tillamook County.

280 Acres, 10 miles from Brownsville and 3 miles from Crawfordville, in Linn county. 80 acres of level land. 40 acres cleared and under plow. All of the place is under fence and sub-divided. 160 acres of heavy saw timber of fir, pine and oak, will cruise over 1,000,000 feet. Watered by running creeks and springs the year round. "L" house of 5 rooms in fair condition. Stock sheds for stock. Poultry house, etc. Three miles to school and post-office. Will throw in the following stock: 6 good cows, 25 head of sheep, 2 brood hogs, 60 head in all of chickens, geese and turkeys.

I am coming to Tillamook in about three weeks and will accept any place that will compare favorably with what I have to offer.

I hold the value of this place of \$5,500. Write or call on ROLLIE W. WATSON, Tillamook City, Oregon.

Night On Bald Mountain.

On a lonely night Alex. Benton, of Fort Edward, N.Y., climbed Bald Mountain to the home of a neighbor, tortured by Asthma, bent on curing him with Dr. King's New Discovery, that had cured himself of asthma. The wonderful medicine soon relieved and quickly cured his neighbor. Later it cured his son's wife of a severe lung trouble. Millions believe it's the greatest Throat and Lung cure on Earth. Coughs, Colds, Croup, Hemorrhages and Sore Lungs are surely cured by it. Best for Hay Fever, Grip and Whooping Cough. 50c and \$1.00. Trial bottle free. Guaranteed by Chas. I. Clough.

Best Treatment for a Burn.

If for no other reason, Chamberlain's Salve should be kept in every household on account of its grease value in the treatment of burns. It allays the pain almost instantly, and unless the injury is a severe one, heals the part without leaving a scar. This salve is also unequalled for chapped hands, sore nipples and diseases of the skin. Price, 25 cents. For sale by Lamar's Drug Store.

A Sprained Ankle.

As usually treated a sprained ankle will disable the injured person for a month or more, but by applying Chamberlain's Liniment and observing the directions with each bottle faithfully, a cure may, in most cases, be effected in less than one week's time. This liniment is a most remarkable preparation. Try it for a sprain of a bruise, or when laid up with chronic or muscular rheumatism, and you are certain to be delighted with the prompt relief which it affords. For sale by Lamar's Drug Store.

Warning

Do not be persuaded into taking anything but Foley's Honey and Tar for chronic coughs, trachitis, hay fever, asthma, and lung troubles, as it stops the cough and heals the lungs. J. S. Lamar, Tillamook; Hawk & Miller, Bay City.

Dr. Abernethy, the great English physician, said "Watch your kidneys. When they are affected, life is in danger. Foley's Kidney Remedy makes healthy kidneys, corrects urinary irregularities, and tones up the whole system. J. S. Lamar, Tillamook; Hawk & Miller, Bay City.

MASONIC LODGE, No. 57, meets on third Saturday of each month in L.O.O.F. Hall, at 7:30 p.m. FRANK SEVERANCE, W.M. ERWIN HARRISON, Sec.

FOLEY'S HONEY AND TAR

for children; safe, sure. No opiates

Notice of Guardian's Sale of Real Property.

NOTICE IS HEREBY GIVEN—That pursuant to an order of the County Court of the State of Oregon for Tillamook County, duly made and entered on the 6th day of July, 1909, and estate of Josie Alice Davidson, a minor, will from and after Ten o'clock A. M., on the 24th day of August, 1909, proceed to sell to the highest bidder, at private sale for cash in hand, all of the estate, right, title and interest which the said minor has in and to the real property situated in Tillamook County, Oregon, described as follows, to-wit:

An undivided one third interest in and to that portion of the Donation Land Claim of James Quick and Anna Quick, bounded by beginning at a point on the west line of said claim twenty-five and 50-100 chains (25.50) south of the northwest corner of said claim and running thence east twenty-five and 50-100 chains; thence north eleven and 50-100 chains; thence east eighteen and 25-100 chains to east line of claim; thence north fifty (50) links; thence west forty (40) chains to west line of claim; thence south twelve chains to place of beginning, containing twenty-seven (27) acres more or less in Tillamook County, Oregon.

Such sale to be subject to the confirmation of the said County Court. All bids upon such land should be submitted to me at my residence in Tillamook City, Oregon. Dated at Tillamook City, Oregon, this 20th day of July, 1909.

OLIVE ALICE DODGE, Guardian of the person and Estate of Josie Alice Davidson, a minor.

Summons.

In the Circuit Court of the State of Oregon for Tillamook County. Francis G. Bailey, Plaintiff, vs. Charles A. Bailey, Defendant.

To Charles A. Bailey, the above named defendant: In the name of the State of Oregon,—You are hereby required to appear and answer the complaint filed against you in the above entitled court and cause on or before the 7th day of October, 1909, and if you fail to answer for want thereof, the plaintiff will apply to the court for the relief prayed for in her complaint herein, to-wit: That the bonds of matrimony existing between plaintiff and defendant be dissolved; that she have the care, control and custody of the minor children named in said complaint; that defendant be required to pay plaintiff the sum of \$8 per month since the month of December, 1908, and the further sum of \$5 per month for the support of each of said minor children from the month of Dec., 1908, until they shall have reached the age of majority, and for such other and further relief as to the court may seem equitable. This summons is served upon you by publication in the Tillamook Headlight by order of the Hon. Wm. Galloway, Judge of the above named court, dated the 14th day of August, 1909. The first publication to be on the 19th day of August, 1909.

A. W. SEVERANCE, Attorney for Plaintiff.

Summons.

In the Circuit Court of the State of Oregon for the County of Tillamook. Elisabeth Hasenbach, Anton Breckheimer, Josef Westenberg, Anna Mann, Josef Mann, Elisabetha Mark and Heinrich Mark, Plaintiffs, vs. Elisabetha Westenberg, Johann Josef Breckheimer and Georg Leisser, Defendants.

To Elisabetha Westenberg, Johann Josef Breckheimer and Georg Leisser, defendants: You are hereby required to appear and answer the complaint filed against you in the above entitled court on or before the last day of the time prescribed in the order for the publication of this summons to wit, on or before the 19th day of October, 1909, the said day being after the expiration of six weeks from the first publication of this summons, and if you fail so to appear and answer for want thereof the plaintiffs will apply to the court for the relief demanded in the complaint to wit, for a decree determining the rights of the several parties plaintiffs as well as defendants in and to certain real property situated in Tillamook County, State of Oregon, described as the East half (E 1/2) of the Southwest quarter (Sw 1/4) of Section five (5) and the East half (E 1/2) of the Northwest quarter (Nw 1/4) of Section ten (10) West of the 2nd Meridian, that the plaintiffs and defendants therein alleged in the complaint in said real property is so situated that partition cannot be made without great prejudice to the owners, that a sale thereof be ordered for the purpose of partition of the proceeds; that said real property be sold according to law and the proceeds be distributed according to law and according to the respective interests of the parties as found and determined by the Court; and for such other and further relief as the premises may seem meet and proper. This summons is published by order of the Honorable Earl C. Bronough, Judge presiding in the above entitled Court, made on the 30th day of August, 1909. By said order it was directed that this summons be published in the Tillamook Headlight once each week for six consecutive weeks and the date of the first publication thereof is September 2, 1909, the date named in said order for said first publication.

H. T. BOTTS, WEAVER & VEARIE, Attorneys for Plaintiffs.

NOTICE FOR PUBLICATION.

Department of the Interior, U.S. Land Office at Portland, Ore., April 15th, 1909.

Notice is hereby given that JAMES T. WOODWARD, of Tillamook, Oregon, who, on April 15th, 1909, made application for Timber Entry No. 01795, for Lots 1 and 2, Sec. 14, T. 12 S., R. 7 W., W.M., and N. 1/2 Sec. 14, T. 12 S., R. 7 W., W.M., and N. 1/2 Sec. 14, T. 12 S., R. 7 W., W.M., has filed notice of intention to make final timber proof, to establish claim to the land above described, before W. H. Cooper, U.S. Commissioner, at Tillamook, Oregon, on the 3rd day of September, 1909. Claimant names as witnesses: Warren Vaughn, of Tillamook, Oregon; Sam Downs, of Tillamook, Oregon; Dave Martiny, of Tillamook, Oregon; Carl A. Patzlar, of Tillamook, Oregon.

ALGERNON S. DRESSER, Register.

NOTICE FOR PUBLICATION.

Department of the Interior, U.S. Land Office at Portland, Ore., April 15th, 1909.

Notice is hereby given that FLORA M. PATZLAR, of Tillamook, Oregon, who, on April 15th, 1909, made timber and stone application, No. 01797, for E 1/2 Sec. 14, T. 12 S., R. 7 W., W.M., and N. 1/2 Sec. 14, T. 12 S., R. 7 W., W.M., has filed notice of intention to make final timber proof, to establish claim to the land above described, before W. H. Cooper, U.S. Commissioner, at Tillamook, Oregon, on the 3rd day of September, 1909. Claimant names as witnesses: Dave Martiny, of Tillamook, Oregon; David Lindsey, of Tillamook, Oregon; Joe Woodward, of Tillamook, Oregon; Ed. Lindsey, of Tillamook, Oregon; Frank Easter, of Tillamook, Oregon.

ALGERNON S. DRESSER, Register.

NOTICE FOR PUBLICATION.

Department of the Interior, U.S. Land Office at Portland, Ore., April 15th, 1909.

Notice is hereby given that CARL A. PATZLAR, of Tillamook, Oregon, who, on April 15th, 1909, made timber and stone application, No. 01799, for N. 1/2 Sec. 14, T. 12 S., R. 7 W., W.M., and N. 1/2 Sec. 14, T. 12 S., R. 7 W., W.M., has filed notice of intention to make final timber proof, to establish claim to the land above described, before W. H. Cooper, U.S. Commissioner, at Tillamook, Oregon, on the 3rd day of September, 1909. Claimant names as witnesses: Dave Martiny, of Tillamook, Oregon; Ed. Lindsey, of Tillamook, Oregon; Frank Easter, of Tillamook, Oregon.

ALGERNON S. DRESSER, Register.

Notice to Creditors.

NOTICE IS HEREBY GIVEN,—That the undersigned has been by the County Court of Tillamook County, Oregon, duly appointed C. BURTON, deceased, administrator of the estate of RICHARD BURTON, deceased. All persons having present or future claims against said estate are required to present the same to me duly verified as required by law, at the office of H. T. BOTTS, Attorney-at-Law in Tillamook City, Oregon, within six months from the date hereof. Dated August 12th, 1909.

THOMAS M. BURTON, Administrator Estate of Richard C. Burton, deceased.

NOTICE OF SCHOOL INDEMNITY SELECTION.

United States Land Office, Portland, Ore., July 29, 1909. Notice is hereby given that the State of Oregon, on July 29, 1909, applied for Lot 21 of Sec. 13, T. 5 S., R. 11 W., and filed in this office a list of school indemnity selection in which it selected said land; and that said list is open to the public for inspection.

Any and all persons claiming adversely the above described land or any legal subdivision thereof, or claiming the same under the mining laws, or desiring to show said land to be more valuable for mineral than for agricultural purposes, or to object to said selection for any legal reason, should file their claims or their affidavits of protest or contest in this office.

ALGERNON S. DRESSER, Register. I hereby designate the Tillamook Headlight, a newspaper published in Tillamook, Oregon, as the paper in which said notice is to be published.

NOTICE OF SCHOOL INDEMNITY SELECTION.

United States Land Office, Portland, Ore., July 15, 1909. Notice is hereby given that the State of Oregon, on July 15, 1909, applied for the Sw 1/4 of Sec. 14 of Section 13 and S 1/2 of Sec. 14 of Section 10, T. 3 N., R. 9 W., and filed in this office a list of School Indemnity Selections in which it selected said land; and that said list is open to the public for inspection.

Any and all persons claiming adversely the above described land or any legal subdivision thereof, or claiming the same under the mining laws, or desiring to show said land to be more valuable for mineral than for agricultural purposes, or to object to said selection for any legal reason, should file their claims or their affidavits of protest or contest in this office.

ALGERNON S. DRESSER, Register. I hereby designate the Tillamook Headlight, a newspaper published in Tillamook, Oregon, as the paper in which the above notice is to be published.

NOTICE.

U.S. Land Office, Portland, Ore., August 3rd, 1909.

Notice is hereby given that Charles P. McGinnis, assignee of Langdon Harper, Crases, L. Key, Timothy D. Ruse, Ellis T. Armstrong and John W. Riden, Admrs. of the estate of Monika Ruede, deceased, has filed in this office his application to enter under the provisions of S.C. 23-6 and 23-7 Revised Statutes of the United States, Lot seven in section six, township one south of range seven west, W.M., containing 37.44 acres. Any and all persons claiming adversely the lands described or desiring to object because of the mineral character of the land, or for any other reason, to the disposal to the applicant, should file their affidavits of protest in this office on or before the 18th day of September, 1909.

ALGERNON S. DRESSER, Register.

First publication August 19th, 1909. Last publication September 16th, 1909.

NOTICE FOR PUBLICATION.

United States Land Office, Portland, Ore., August 9th, 1909.

Notice is hereby given that the Northern Pacific Railway Company, whose post office address is St. Paul, Minnesota, has this 9th day of August, 1909, filed in this office its application to select under the provisions of the Act of Congress, approved July 1, 1898 (30 Stat. 597, 629), Sw 1/4 of Sec. 14, Sec. 6, T. 1 S., R. 7 W., W.M., and N. 1/2 of Sw 1/4, Sec. 14, T. 2 N., R. 10 W., W.M. Any and all persons claiming adversely the lands described, or desiring to object because of the mineral character of the land, or for any other reason, to the disposal to applicant, should file their affidavits of protest in this office, on or before the 24th day of September, 1909.

ALGERNON S. DRESSER, Register.

I hereby designate the Tillamook Headlight, a newspaper published at Tillamook, Oregon, as the paper in which the above notice is to be published. ALGERNON S. DRESSER, Register.

Diarrhoea

When you want a quick cure without any loss of time, and one that is followed by no bad results, use Chamberlain's Colic, Cholera and Diarrhoea Remedy

It never fails and is pleasant to take. It is equally valuable for children. It is famous for its cures over a large part of the civilized world.

ORINO

Laxative Fruit Syrup

Pleasant to take

The new laxative. Does not gripe or nauseate. Cures stomach and liver troubles and chronic constipation by restoring the natural action of the stomach, liver and bowels.

Refuse substitutes. Price 50c. J. S. Lamar, Tillamook-Hawk & Miller, Bay City

JOE ILLINGSWORTH, Dealer in Cigars and Tobacco, Candy, Fruit, Nuts, etc.

Frank Hallett's Old Stand.

FOLEY'S KIDNEY CURE

Makes Kidneys and Bladder Right