

FIRST TRIAL ON

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make the third count of this vote, they had made two already; but now on the morning of the 15th Mr. P. H. D'Arcy appears before that canvassing board and demands a recount of the vote, and from some reason or another Ehlers postponed—I believe he said the court met that day—on account of court they would have to postpone it; so they postponed it until the 20th. Now, on the 15th, Mr. Carson sends for Mr. Ehlers to have him come to Butte & Wenderoth's saloon, and he there tells him that if there is any trouble up there, he must keep his nerve, and Ehlers tells him, "I don't know whether I will be up there to count those votes or not. I will let Giles count them. Well on the day that they were counted Ehlers left and then Giles came up on the 20th and all the board to count these votes and when they opened up this box, instead of those papers being there in the order in which they were when they left them, they were not in alphabetical order at all, but they were all mixed up indiscriminately, and in different kinds of shapes, so when they returned, Mr. D'Arcy was there and Mr. Richardson was there, and Mr. Hayes was there and various other parties, and when they opened up these sheets and went to count them they saw opposite Mr. Anglen ten votes had been added to Mr. D'Arcy, and Butteville, twenty votes had been added, and Monitor there had been ten votes added. Then they found where these votes had been changed and where they had been altered. Now, that will be the testimony upon that question.

STATEMENT FOR DEFENSE.

Hon. A. S. Bennett, one of Mr. Richardson's counsel said: "May it please Your Honor, and Gentlemen of the Jury: "The defendant in a criminal case always labors at a great disadvantage in attempting to state to a jury what the testimony may be in defense, because it is seldom that the defendant is in a position to know just exactly what the testimony on the part of the state will be until it is produced in court, and, therefore, the defendant is unable to state how to reach that testimony. In this case, however, gentlemen, I think that the evidence which is close a good many things that have not been presented to you upon the part of the state. In the first place I think the evidence will disclose that there is and has been for some time a very bitter feeling among certain members of the bar in this county, and the bar has been divided up, as it were, into factions, and a great many people have arrayed themselves behind one faction and a great many behind the other, and there is a very great amount of bitterness of feeling among the different attorneys. Now, the election came on, and among the candidates at that election was the defendant, P. H. D'Arcy, a man who had lived here in your county from childhood, and upon whose reputation there has never been a blemish in all the years he has lived here. He was a candidate for the high office of judge of this district, and when the returns commenced to come in, it became apparent that the judgeship contest was going to be a close one, and the friends and partisans, some of whom were members of the bar, desired, of course, to have their candidates elected to the position of judge, and some of the members of the bar desired to have Mr. D'Arcy elected—were strong partisans of his—and when it became evident that the vote was going to be close, there was a great deal of interest taken in the matter, and people, members of the bar, and everybody, were scurrying back and forth, here and there, and everywhere, and there was a great deal of talk and a great deal of suspicion, and at first it seemed as though Mr. D'Arcy had the matter all his own way, and thought he was going to be elected, but as the returns commenced to be counted, when the count was being had, and mistakes were found here and there, and all these mistakes seemed to be against Mr. D'Arcy, all the time against Mr. D'Arcy, until he and his friends began to think that there was something wrong, and that they were in some way being counted out; and they were very active, they were looking out and trying to protect, as best they could, Mr. D'Arcy's interest. Now then, when it came to count the votes there were four different precincts, and among these precincts the tally sheets—the totals did not always correspond with the votes as they were carried out, in some precincts there would be mistakes of as high as 100 votes, unquestioned mistakes that there was no sort of question about, and there was nobody could question but the officers had made a mistake, so their tallies didn't correspond with the totals of those precincts. Now, there was very many of these mistakes, not on the judgeship altogether, but perhaps all upon that; but upon other offices, some of which were not at all close, and where there was no sort of question as to who was elected; there was a very great number of mistakes. Now, among these precincts, when it came to the final show-down, and the final count, whether honestly or dishonestly I shall not undertake to say to you, it was found that there were three precincts in which the tallies seem to show for Mr. D'Arcy a larger number of votes than the totals of those tallies showed. Mr. D'Arcy was naturally very much worked up about it, and he felt that he ought not to be cheated out of the vote, if it belonged to him; then, besides, there were votes claimed for others in other counties in the judicial district, and in other precincts, about which there was no suspicion of anything being done. Mr. D'Arcy believed, that in order to protect his interests, it was necessary that he should file a contest; and gentlemen, he did so, and I think the very day after this contest was filed Mr. D'Arcy—somewhere about the 20th, I think—Mr. D'Arcy and these other defendants were arrested on this charge, for the first time made against them. And I think the evidence will disclose now that at different times parties came to them and tried to compel them, and tried to hold this over their heads for the purpose of compelling Mr. D'Arcy to drop this contest, saying to him, if you will drop this contest, we will drop this criminal prosecution, but if you do not we will push it to the bitter end; and trying to force him to drop the contest, (and they came not only from this county, but from other counties) by holding this thing over his head. Now, gentlemen, as I have said before, we do not know exactly what the testimony on the part of the state will disclose, but, if we are correctly informed, the whole case of the state, so far as it affects any substantial matter, will come from the mouths of two witnesses, one of those, Mr. Ehlers, who was county clerk here, will stand before you, by his own confession, as a defaulter and absconder." By Mr. Bennett: "I object to that argument, I don't think he has got a right to argue the case; he should state what he expects to prove."

Mr. Bennett: "We expect they will be connected in this particular way upon the cross-examination of Mr. Ehlers; if he testifies, as we are informed he will testify, we expect to show that he is an absconder. The district attorney has already stated that he left here on the 19th or 20th, and we expect to show that—

Court: "On the statement that you will connect it with this case. I suppose you will be entitled to state it to the jury. That, of course, is not intended to be a ruling on the evidence."

Mr. Bennett: "Gentlemen, I am simply stating to you what I understand the evidence will disclose. I understand that the evidence will disclose to you that at the time Mr. Ehlers left here—that is referred to by the district attorney—that he was then a defaulter in the sum of some thousands of dollars, two or three thousand dollars, and that he left at that time because he was such defaulter, that he went away, left the country, went somewhere. I don't know where; whether he went out of the state or no further than Portland, I am not informed; but at any rate after this matter came up and this contest was in issue, and after they had failed, Mr. D'Arcy to drop his contest by the threat of this prosecution, then, in some way the district attorney learned where Mr. Ehlers was, learned his whereabouts and as I understand, and am informed, the testimony will disclose, went down to Portland and brought him up here with the understanding and the agreement, that if this matter—if he would testify against these defendants in this matter—that he would be permitted to fix up the matter of his default, and that it would be arranged so that that could be fixed up and so that he should not be prosecuted upon that matter. Now, gentlemen, with this understanding, he came back here. I don't think he has ever testified; he has never testified except before the grand jury, I presume he has testified there, because his name is upon the indictment, and I presume he has testified there; but we expect, gentlemen, that the evidence that I have disclosed and other evidence will show to you that he is a person whose testimony is unworthy of credit. The other person upon whose testimony the state will rely is the testimony of J. W. Roberts, and in that case we know, what Mr. Roberts will testify to by what he has testified to before, because he was a witness in the preliminary examination; and, gentlemen, what the district attorney informs you that Mr. Roberts will testify that this matter about which he will testify happened on the night of Friday, the tenth day of June, the testimony in the case will show that at first this witness swore positively that the thing happened on Saturday, the eleventh day of June—on an entirely different day, and an entirely different time; that he was cross-examined in relation to that and persisted in stating that he saw these people up there on that time; that he brought memoranda that he had made at the time and he had made at the time, or immediately afterwards, to substantiate his story; that it was on this particular evening, on the evening of Saturday, the 11th, that he had seen these people up here. The afterwards it was brought to his attention that they were talking about arresting him for perjury, and it was brought to his attention, as the evidence will disclose, that these defendants could absolutely show by a hundred witnesses that they were not there at that time at all, because fortunately for them, it happened that this particular night was the night of certain graduating exercises at which there were a large number of persons present, and at which Mr. Richardson was cutting an important factor and all of these people knew he was there at that time, from early in the evening until late hours at night, and covering all the hours at which Mr. Roberts had testified positively that he was here in the lobby of this court room, then this gentleman for the first time came back two days after the date he first testified, came back and changed his story, and tried to make it appear that these defendants were in this court house at another and different time."

"Now, gentlemen of the jury, we expect that the evidence in this case will show you that both of these gentlemen are entirely unworthy of credit. We expect that the evidence in this case will show you that these defendants are men of sterling character, and of sterling and unquestioned integrity, who have lived here in your community for years, and upon whose character there has never been a blemish, and gentlemen, after these matters are made to appear before you we expect to ask you to say whether, upon the testimony of these witnesses you can say beyond a reasonable doubt that these defendants are guilty of this or any crime."

AMBITION RUSIA.

An American Mining Engineer on the Future of the Slav.

"Americans do not dream of the wonderful things that are going on in Russia," said W. E. Bratton, an American mining engineer, to a Post reporter at the Elbert.

"I have been in Siberia for a year in the interest of a London company, and while in the czar's dominions I found out enough to make me absolutely certain that the Russians contemplate the execution of the most gigantic scheme of territorial absorption ever undertaken by any race on this earth. There is no limit to their ambition, and the idea of failure in their plans is not conceivable. To begin with, the will of the Russian people is absolute, and not the caprice of the czar, as most of our countrymen are apt to think. The czar can no more go contrary to public opinion in his empire than the president of the United States can defy the wishes of the American people."

"In a long talk with a high Russian official last summer he outlined to me the national program. Among other things, he said: 'The great belt of open country lying between the Ural mountains and the Pacific ocean and in-

cluded within the north temperate zone is going to be thrown open for settlement. It will be a breeding ground for millions of our race. We will rear countless numbers of men and women, and half the men will be trained for war. We will be able by that time to put more soldiers in the field than all the rest of Europe together. When this condition arrives, what power or what combination of powers will be able to stop us? America will be our only rival, but between us and the great republic across the sea there will be no clash for she will be supreme in her quarter of the world, as we will be in Europe and Central Asia."

"We are satisfied with present home conditions, but just as soon as the opportune time comes we will without bloodshed or revolution displace the czar, and have a representative government. Look now at the condition of Europe; there are really, but four leading powers—Russia, England, Germany and France. France is fast disappearing as a factor in the situation, for either she will go to the wall through some crisis like that now threatening her or by the sure process of internal decay. England then will seize upon all her territorial possessions. In a quarter of a century from now France will be of no more consequence than Spain is today. Then Germany will be left between England and Russia, and Germany, too, will be unable to stand the pressure of the contest. I don't say these things will occur in a few years, but a century is nothing in the history of nations."

"Now, then, what have we left but a fight to the finish between the Slav and the Anglo-Saxon? After all, racial antipathy is at the bottom of the strife. The Russian despises the Briton, and the Briton is returned with vengeance. In the long run we shall beat England. We will do it by sheer force of numbers, if through no other means. England can continue to boast of her superiority on the seas, but it need not concern us, for we are not going to let her ship her out of all Eastern ports, and by land she will no more compare with us than a pigmy with a giant."

"See what we have already done in the acquisition of Turkestan, Manchuria and Mongolia. As sure as fate, China—not a part, but all of it—will in no distant time be an integral part of the great Russian empire. There is no human power that can stop us. Our Siberian railroad is but the beginning of a system of railway lines that will penetrate every part of China, and will make our hold on that country permanent, and I can tell you still more. Russia doesn't want any outsiders in China or any other part of her Asiatic dominions, and when the time comes she will say to England and to Germany and even to the United States, this territory is exclusively for us; we do not mean to be rude; but, gentlemen, you must get out. And get out they will, for with all the railways in our possession and with a million of soldiers, who will oppose us?"

"This was only a small part of what my Russian friend told me, but before I left the country I talked with other high-class men, and every one confirmed his statements. My own judgment is that there is nothing improbable or visionary in the program. I think that Russia is as certain to dominate Asia as we are to rule this continent. The Englishmen I met abroad are certain that ultimately they have got to fight Russia, for the Slav is not going to be satisfied with Korea, China, Persia and the rest; he has pushed his iron highway within seventy-five miles of the Indian frontier, and dreams of the day when he will strip John Bull of all his possessions there. This he can do as easily as we could take Canada, for the geographical situation is almost identical."—Washington Post.

WALTHAM IN MULES.

The Humble Butt of the Paragrapher Worth More Than a Horse.

On January 1, 1892, there were, according to the official figures, 16,200,000 horses in the United States, representing a total value of a little more than a billion dollars, or \$1,007,597,638 to be exact. At the same time the number of mules in the United States was 2,315,000, representing a total value of \$175,000,000. Since then conditions have operated to diminish the commercial value of horses, the total number of which in the country on Jan 1st last was 13,700,000, and the estimated value was \$1,370,000,000, less than \$500,000,000 a decrease of more than one-half in six years."

"The horse has had to encounter the ruinous competition of the bicycle, the electric car, the cable car, the automobile and much new and improved farming machinery; but these forms of competition which have reduced so largely the number and value of horses in the United States have been of small effect upon the number of mules, though in reducing the demand for them the new conditions have diminished the value. At the present time, taking the whole country, the average value of a horse is \$35, and taking the whole country except the New England states where mules are very few in number, the value of a mule is \$42. Mules are worth more than horses—a pecuniary degradation for the 'prince of animals' and a marked distinction for the patient, humble, long-suffering unmusical, American mule, the butt of the paragrapher, the accepted type of stolidity and the time-wasting quadruped of many parts of the country. The decline in the value of the horse compared to the mule is due to a variety of causes, the first and most important of which is that the demand for higher-priced horses has visibly diminished, while the horse of all work of the farm, and of the highway remains in great demand. Again, horses have always been in largest demand in level parts of the country. It is in

A Farmer's Fortune.

The Remarkable Way in which Adam Salm Acquired Success and Happiness.

Every one in Vernon and for miles around knows honest, good natured Adam Salm, and not only in Vernon County, N. Y., where he has resided for twenty-eight years and conducts his large and well-kept farm, but wherever he is known his word is respected.

His happiness, success in life and even life itself was due to a victory over disease. "It was a wonderful victory" he says, "from the dreadful disease which threatened to visit my life and one that has made life miserable for thousands and filled innumerable premature graves. It is that form of disease known as rheumatism, and which held undisputed sway until its conquering enemy came in the form of Dr. Williams' Pink Pills for Pale People."

"For a long time I experienced untold sufferings from the ravages of this fearful ailment. All kinds of remedies were resorted to for relief, but it was the same experience that had come to countless victims of rheumatism—immunity from excruciating pain for a time, but after temporary relief came suffering once more, as the insidious malady took a new grip on its distracted victim."

"I happened to learn of the wonderful power of Dr. Williams' Pink Pills for Pale People in conquering rheumatism, but long suffering had made me incredulous as I had spent many dollars for other remedies, without finding relief and this experience had emboldened me against trying these pills. I finally concluded to try these pills and I bought one box of them, and before they were all used I experienced a relief such as I had not enjoyed since my affliction began. With the depletion of the first box came another

and another until twelve boxes had been consumed. "Just six months from the time the first box had been taken I was a cured man, and with the consumption of the last pill went out my blessing to Dr. Williams' Pink Pills for Pale People and to the management which is spreading its efficacy throughout the world relieving suffering humanity from the chains of disease. This is no fairy tale, but a true story prompted in the fullness of a grateful heart, and given for the benefit of those who may be similarly afflicted."

This is to certify that the article published in the Vernon Times of December 17, concerning my cure of rheumatism by the use of Dr. Williams' Pink Pills for Pale People is true and published with my sanction.

Subscribed and sworn to before me. ADAM SALM. GEO. L. BOWERS, Notary Public.

The blood is the vital element in our lives consequently it must be kept pure, rich and red in order to have perfect health. The cause of Mr. Salm's sickness was impure and impoverished blood. He had skilled medical treatment and used many remedies, but derived no benefit until he commenced to take Dr. Williams' Pink Pills for Pale People and these cured him.

This remedy fills this remedy is the best means of imparting those elements that purify, vitalize and enrich the blood, thus aiding bodily functions and arousing every organ into healthful action and in this way restoring the entire system.

That is the reason why Dr. Williams' Pink Pills for Pale People cure so many diseases, why doctors prescribe them, why druggists recommend them and why they are so universally used.

these that the use of mechanical contrivances has become more general, while mules, in greatest demand in hilly regions remain in demand in these. A final reason for the greater average value of mules compared with horses is to be found in the question of forage. A horse is very much more expensive to maintain than a mule, and, moreover, horses are more numerous, relatively, in those parts of the country in which the climate is rigorous and severe than in the milder regions of the country, in which mules are cheaply housed and cheaply fed. In the state of Minnesota, for instance, there were at the time of the last count 400,000 horses and only 8,500 mules, and Minnesota is considered one of the states in which winters are very severe. In South Carolina, on the other hand, there were on Jan. 1st 63,000 horses and 100,000 mules, and in Georgia there were 110,000 horses and 105,000 mules.

First among the states of the country in the number of mules is Texas, next comes Missouri and then Georgia and Tennessee. California has a considerable number and Kansas and Arkansas a large number, too. The leading states for horses in respect to their total number and the hay and oat crops to maintain them are Illinois and Iowa. Two states which have, relatively, no mules to speak of when compared with the number of horses, are New York and Michigan. Pennsylvania, because of its coal and iron mining industries, has nearly ten times as many mules as New York.

The American mule, as has often been truly said, is worthy of much better and higher recognition than popular estimate awards it. The American mule is an animal of endurance and an important factor in the wealth of the agricultural states, more particularly in the great cotton belt where "ten acres and a mule," is the measure of the ambition of many of the negro tenant farmers.

FOR LA GRIPEE. Thoms Whitfield & Co., 240 Wabash av., corner Jackson-st., one of Chicago's oldest and most prominent druggists, recommend Chamberlain's Cough Remedy for la grippe, as it not only gives a prompt and complete relief, but also counteracts any tendency of la grippe to result in pneumonia. For sale by Lunn & Brooks, druggists.

DOCTOR MEYERS & CO. Specialists for Men. These physicians have been treated ailments since 1877. They have the largest and best equipped medical institutions in the West. Consultative practice in the U. S. No Pay Till Cured. Substituted men who cannot attend to their own affairs and private work. ALL FREE. This remedy is sold by all druggists. All letters confidential. No Charge for Consultation.

731 MARKET ST. SAN FRANCISCO Elevator Entrance. FERRY'S SEEDS. were famous years ago—their fame grows every year—and the most prominent to be relied on—always the best. For sale by leading druggists every where. Five cent per paper and always worth it. Sent on business terms. Run all risk—by Ferry's. 1893 Seed Annual is free. S. B. FERRY & Co., Detroit, Mich.

NOTICE TO CREDITORS. Notice is hereby given that the county court of the state of Oregon for Marion county, did duly appoint John A. McIntire as executor of the last will and testament of Leonard B. Judson, deceased, and all persons having or claiming to have any claim, account or demand against the estate of the said testator, Leonard B. Judson, are hereby required to present the same to the said executor, duly verified, as required by law, at his residence at Warrenton,

Clatsop county, Oregon, within six months from the date of the first publication of this notice. Dated at Salem, Oregon, this 21th day of February, 1899. JOHN A. MCINTIRE, Executor. Warrenton, Oregon. John A. Carson, attorney for executor, Salem Oregon. 5:13-5:15w.

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