Daily Capital Journal.

BY HOFER BROTHERS

TUESDAY, APRIL 7, 1896.

DAILY LINE TO PORTLAND.

—STEAMERS—

Altona and Ramona

—LEAVE—

DAILY.	SUNDAY.
Portland, 6:45 a. m	9:00 a. m.
Salem, 7:45 a. m.	10:15 a.m.
Independence, 6:30 a. m.	6:00 a.m.

Quick time, regular service and cheap ....rates....

M. P. BALDWIN,
Agent, Salem.

Miss E. A. Stewart

MILLINERY,

94 State St.

PERSONAL.

Thos. Kay went to Waterloo today.

Web. Holmes, of Portland was in the city today.

Orr Royal, made a business trip to Hubbard today.

Green B. Cornelius, of Turner, is in the city today.

Miller Swank, of Aumsville, returned home today.

Mayor Tooze, of Woodburn, was in the city today on business.

Scott Bozorth went to Turner today to look after a loan on a farm.

W. E. Iler, who was a witness on the Dozier trial, returned home on the afternoon train.

Deputy assessor C. P. Strain, of Abiqua, is in the city doing bussiness at the court house.

Charley Burggraf, the wideawake architect, now of Grants Pass, is in the city for a short visit.

Lawyer Hough, of Woodburn, returned today, after his legal battles for the state in the Dozier case.

Prof. Parvin went to Albany today in connection with his regular conservatory work with the college there.

Ben Hayden, the good old Democratic wor horse from Polk, left this morning for the Portland convention of his party.

Hon. Harvey E. Cross went on to Albany today, leaving J. A. Carson, his colleague in the Dozier defense, in charge of the case.

P. A. Brownell, of Gardner, Douglas county, returned today, after a visit with his son, who is a student at the Willamette university.

H. C. Wahlberg, the hop factor, returned today from an extended tour of the Eastern states in the interest of the hop and fruit business.

Jim Weatherford was saying, Monday, at Salem, Hermann would be nominated. Jim's bump of politics has always been pretty well developed.

Phil Metschan, S. D. Gibson, Allie Moores, Editor Irvine, Thos. Simms, C. B. Moores, Sam Hayden, Lon Gesner, Walter Lyon, of the Oregonian, and E. Hofer, of THE JOURNAL, went to Albany today to swell the boom for a Willamette river congressman.

WOODBURN ELECTION.—The city election at Woodburn yesterday resulted in the election of the full ticket recently nominated, with Walter L. Tooze as mayor, and with but one ticket in the field. Two hundred votes were cast, and the question of permitting women to vote at future city elections was carried within a few votes.

STILL THERE.—Kenworthy & George, at their popular restaurant, are still serving the best 15 cent meals in the city.

SOCIETY CHRONICLE.

Mrs. E. F. Osborn and daughter went to Eugene today for a week's visit.

Mrs. Louis Stinson is at Albany for a visit of a few days. Her husband is a delegate.

Mr. and Mrs. Geo. Savage will again be numbered with Salem people today. Their effects are now mostly transferred or in transit and they go with the best wishes of Stayton people. Stayton Times.

A PLEASANT EVENT.

Last evening the members of the Old Folks' Whist club met at the home of Major F. E. Hodgkin by invitation to the number of about twenty-five. After being comfortably assembled, the entire party went in a body to the home of Judge Geo. H. Burnett, where about an equal number of guests were assembled in honor of the anniversary of Mrs. Burnett's birth. The large company enjoyed a very pleasant evening, and the event proved one long to be remembered in Salem's social circles.

GRACIE PLAISTED.

Appears at Reed's opera house April 7 th and 8 th. The Eureka, Cali., Times says of her appearance there:

Another large and fashionable audience attended the Ingomar, last evening, to witness the second performance by Gracie Plaisted and her Musical Comedy Company, the piece having the odd title of "The Gutta Percha Girl." In it Miss Plaisted appears in the "chic" character of Rosie Columbier, a circus performer, who through an innocent indescretion upon the part of a young married man, gets him in her power and raises the deuce in his family. Matters are not improved by a watchful and suspicious mother-in-law, and there is no end of comical situations, until the seeming mystery is cleared. Gracie Plaisted has the distinctive claim of being the most versatile soubrette on the stage, She sings ballads and character songs remarkably well, and she dances. Above all she has a strong sense of humor, and has that rare faculty of knowing the exactly the point where fun ceases. She is never vulgar. Consequently she inspires that confidence in her ability and knowledge of the requirements which adds so much to the comfortable enjoyment of her work.

A SMASH UP.—This morning as the southbound local train pulled out of the depot, and as it was crossing Oak street, the milk wagon of Elmer Kightlinger got into a difficulty, which will probably result in the loss of his horse. As the train was moving at a slow pace the driver attempted to turn across the track, and in an effort to save himself, the wagon tipped over and rolled with the horse into the ditch. The horse broke his shoulder and will probably have to be killed.

A BIG BARN.—Preparations for building the big barn of J. P. Hunt's, at Whitaker, are being taken. This barn will be 60x64 feet in dimensions with 24-foot posts. It will require 50,000 feet of lumber and 49,000 shingles to complete it.

Bishop R. Dubbs D. D. L. L. D. will preach at the First United Evangelical church, on Cottage street near Center this evening at 7:30. The bishop is an able pulpit divine.

DALLAS ELECTION.—Four councilmen were elected at Dallas yesterday for the ensuing term as follows: J. L. Collins and Ed. Biddle, Republicans; Mark Hayter and A. B. Muirr, Democrats

SOME SMOKE.—Where there is fire there must be some smoke. If you want the best smoke for the least fire, try a Salem made cigar—la Corona—the best in the land.

MOST ELEGANT.—The most elegant meals served in the city, from 5 to 25 cents, are those of Strong's restaurant.

Results Tell the Story.

A vast mass of direct, unimpeachable testimony proves beyond any possibility of doubt that Hood's Sarsaparilla actually does perfectly and permanently cure diseases caused by impure blood. Its record of cures is unequalled and these cures have often been accomplished after all other preparations had failed.

Hood's Pills cure all liver ills, billiousness, jaundice, sick headache

--NEW EVERY DAY.--

Imitation Cut Glass;

See the wonderful display and the low prices at Sonneman's. Tumblers, elegant and substantial, 25 cents per set. Vases, rose bowls, pitchers, picket boats, sauce dishes, from 10 cents up. All other articles in proportion. These goods are direct from the factory, and are going at marvelously low prices.

H. G. SONNEMANN

124 State street.

THE DOZIER TRIAL.

A Motion Argued to Dismiss the Case,

BUT IT IS OVERRULED.

Testimony of Witnesses and Action of the Court.

When state's testimony was in Counsel Cross, for defense, argued a motion for dismissal. Dozier felt that he would be killed or that he must kill Kelly, which he did. He asked that defendant be dismissed. Counsel Hough of Woodburn now presented case for the state against dismissal. Kelly had only a jumper on, and as Kelly once turned his back Dozier might see there was no pistol in his pocket. The movement of his hand behind his back was not sufficient to justify the shooting. Condit argued that this motion was not proper at this time. The defendant ought first to make his his statement, or waive his right to do so. When that was done, a motion to dismiss would be in order. A large number of witnesses had been summoned, and a large expense had been put on the county. A great deal of feeling had been aroused in the north end of the county, and a thorough examination should be had before this case was dismissed.

Mr. Carson now replied that further time should be taken in this case. Mr. Clough had been put on the stand against defense's objections, and he had recited the testimony in a complete manner, and what more was required? Motion was overruled.

James Miller called for defense—Knew Dozier and Kelly slightly; a short time before killing Kelly made threats against Dozier. He said in my presence: "That son-of-a-b——h, I'll have his heart for breakfast some morning!" It was at the Republican primary; many present; from his expression, thought he wanted to kill Dozier; saw Kelly once before.

Cross-Ex—Did not know Dozier; Kelly made his remark in a threatening manner; attached no importance to the remark until after Kelly was shot.

Charlet Mathieu—Knew Dozier for six years; had met him in Masonic lodge; he had a good reputation as a law abiding and peaceable citizen; met Kelly on road one day in morning; he said he had drank a quart of whiskey the night before; he repeated same threat twice that Miller testified to; he made these threats on sight of Dozier coming out of his house 150 yards away; he was sober and said nothing of any trouble with Dozier.

Cross-Ex—Was in road and saw Dozier when Kelly saw him; he pointed at Dozier when he spoke; told this at coroner's jury; also mentioned to Stephenson; never told Dozier.

Chas. Bigelow—In Woolworth's barnyard with Woolworth and Kelly. This witness was called to prove that Kelly was a desperado and had threatened Woolworth who had told Dozier, who was thus made acquainteq with his true cnaracter as a man. Objected to and sustained; Wittness excused.

R. O. Woolworth—Well acquainted with Dozier; he had a good reputation; saw Kelly several times; Knew Kelly's reputation; it was bad.

Q.—Before the killing of Kelly had you ever told Dozier your opinion of his reputation, and that it was bad?

Objected to. Overruled.

A—We had some talk. Wittness told Dozier a week before shooting that Kelly had threatened his life.

Cross-Ex—Got impression of Kelly's character from his actions; talked with Wm. Iler.

John Vaugh, Chas. Bigelow:—His actions had been talked over with a number: had some words with Kelley once; was some ill feeling towards Kelley and was a friend of Dozier.

Re-direct:—built a line fence between LaRocque's land and mine: there were some words over some brush; Kelley threatened to shoot his heart out; told Dozier about this; never spoke to Kelley before or after.

Geo. Stevenson:—Was well acquainted with Dozier, as a law-abiding citizen; knew of Kelley since last summer; his reputation was bad; at primary Dozier was present when Kelley made the talk; he was ten or twelve feet away and directed his talk at witness and Dozier; later concluded Kelley had meant it for Dozier.

Objected to; overruled:—Kelley said he could do up any son-of-a-b——h in town or out of town. Told Dozier about this. Had several talks with him about his trouble with Kelley; it dated back some two months.

Cross-ex:—He seemed to have blood in his eye and wanted to fight some one; no name was mentioned; his remark did not properly apply to any one in the house; it was not directed to any one. Hough, who did the chief cross-examining for the state, tried to make a law dictionary out of Stevenson, but did not succeed in rattling him a little bit.

H. L. Bents:—Knew Dozier's reputation as a law-abiding and peaceable citizen. It was good. Knew Kelley since the 8th of March; his reputation was rather bad.

Cross-ex:—Had no difficulty with Kelley; had heard no threats.

J. S. Vaughn:—Knew Dozier for five years; his reputation was good.

W. F. Stevenson:—Knew Dozier's reputation to be good; Kelley's was bad.

W. E. Iler—Lived near Butteville nearly 45 years; reputation good; Kelly's bad; knew of no threats; was present near Vandeleur's store when Kelly, in presence of Dozier, said he could whip any son-of-a-b——h from Marks' prairie; Mr. Starr, state Masonic lecturer, was with us; Dozier was referred to.

Cross-Ex.—H. L. Bents, Mr. Stroud, Dozier and others were present when the threatening remark was made: Kelly was acting more drunk than he really was.

Techo Sundberg — Worked with Kelly on La Rocque place; he said he was going to try to get that son-of-a-b——h of a Dozier off the place; once after that he said he'd "get away with that fellow; I'll have trouble with him yet;" he had a dislike to the man; he gave no reason; I told him "don't make a fool of yourself toward that man;" he said he was not afraid of any man.

Cross:Ex.—He said he would get away with that man; told my wife about it; he made those threats about 10 days before he was killed.

Joseph Will, constable of Aurora district—Cross attempted to show a conspiracy between Nelson, a Butteville saloon keeper, La Rocque and Kelly, to get Dozier off the place, as he had informed against Nelson, and asked Will to state this conversation.

Objected to and sustained.

Q—What talk did you have with Nelson?

Objected to. Overruled.

A—He asked me who complained on him; I told him Dozier; he said he would put La Rocque onto him and make him sick of that.

Cross-Ex.—Kelly's name was not mentioned.

W. N. Case—Lived in Butteville 51 year; saw Kelly at primary; he made himself conspicuous; he had two dogs and made offensive remarks, and seemed to want to have a row with someone; did not see Dozier; saw Kelly, La Rocque and two dogs.

Mrs. Dozier told of her experience with Kelly relative to his turning their stock (hogs) out without their consent; considered Kelly a dangerous character and was afraid of him; Kelly used abusive and insulting language to her husband and threatened him with violence; heard the talk between Kelly and Dozier at the time of the shooting; then the report of the pistol; husband assisted her into another room.

DEFENDANT'S TESTIMONY.

At 6 o'clock defendant was placed on the stand and in a composed manner told the story of the affair which had ended in his killing Kelly. Dozier has lived at Butteville since the 25th of November last. For years previous to that date his residence was three miles southeast of Aurora at Mark's prairie. On being requested by Mr. Cross to "go ahead and state how this difficuly arose on this place" Mr. Dozier said:

"The first real trouble I had was on the 24th of March. He(Kelly) came to me that morning before daylight, or sometime previous to the time I got to the barn. He changed my horses from one barn to another. Took some of the horses from my barn and some of the horses I leased from Mr. LaRocque and put them in that barn, in here. The boys said he had changed the horses. About an hour or so Mr. Kelly came in here. I asked him if he changed the horses. He said he did. I asked him by what right he did. He said, with oaths 'he had a right to do that.' I said, 'Mr. Kelly, you had no right to interfere with my property. I want you to leave me alone.' He swore he would move them as often as he pleased. I says 'let my property alone and do not interfere with my business any more. I don't employ you to look after it. I will attend to it and am competent to look after my own business.' He said, 'you had better go down town and get your A. P. A. friends to help you.' He goes through the yard and into the garden. I said, 'don't you interfere.' He said he would interfere as much as he pleased. He said, 'I was a liar.' After that he dared me out into the road, and he went out as far as the road. I says, 'don't you come back here.' Then he jumped off the fence and I went into the house and left him standing there; left him there talking. On the morning of the 31st he came prowling around the yard. When I stepped into the yard he was there in the yard."

"There was considerable disturbance during the night. It seemed to be in various places. Around the house and sometimes back of the granary. Sometimes it seemed in the garden. It was in various places during the night. Next morning I stepped out and Mr. Kelley was in the yard. I says 'good morning, Mr. Kelley,' and he says, 'I turned your hogs out.' I said, 'don't you interfere with my stock any more. You let my property alone.' He swore that he would. He then stepped back to the opposite corner of the granary, between the granary and the house. He stopped there and kept talking. 'Go on, Mr. Kelley,' I says, 'and pass to the barn as often as your work may call you, but don't you interfere with my business. You may cross to that boxstall as often as you wish.' Then he went to the gate between the woodshed and the corner. I started at the same time to go to breakfast. (On the map.) I was standing right there. He started and came through that gate there. I started from the place to the kitchen. I was going to breakfast. He got to this gate here. He said he was going to let the hogs out of the other gate. I says, 'don't you interfere any more with my hogs.' He turned around and says, 'you are a G—d d——d son-of-a-b——h, and I will give you enough of it.' I stepped back about two steps and he says, 'you G—d d——d son-of-a-b——h, I will do you up right here.' I was standing here and as he made the advance to me he came up to the corner. He whirled around and says, 'you G—d d——d son-of-a-b——h,' and slapped his hand behind him and I pulled down on him. As soon as he fell he was so close to the corner that his shoulders struck the corner (granary.) He dropped down to the ground on his hands, and then on his face."

After a few questions were propounded to Mr. Dozier on the direct examination he was cross-examined as to the exact distance of himself from Kelly during the trouble and just how they both stood at every particular point.

Dozier finished about 7:15 o'clock and the court took a recess until 8. Miss May Spagle, Clyde Schurer, E. A. B. Howard and J. Sissons were examined when court re-convened and Mr. La Rocque, the defendant and his son were recalled.

The case was closed at 9:15 and the arguments of counsel followed. The hour of 11 had arrived before Judge Johnson announced that he would take the matter under advisement until 1 p. m. Tuesday, and adjourned court until that time.

NOT GUILTY.

Promptly at 1 o'clock Justice Johnson's office was well filled with spectators and witnesses. The attorneys were present. The prisoner was brought in by Attorney Waln. The justice rendered his decision of not guilty and the prisoner was discharged. Mr. Dozier thanked the judicial officer for his just decision and received the hearty congratulations of his friends present.

HOSIERY FOR ALL.

SPECIAL SALE!

-THURSDAY-

Several special numbers at great reductions. Ladies' black and tan hose from 9c up. Do not miss this sale.

STOCK'S

257 Commercial street.

Phone 112.

A New Track

often leads to the best results. If you haven't been in Dearborn's book store lately you hardly know how many surprises and bargains he has for you. Drop in and see.

F. S. Dearborn

Quarterly Report.

Of the Y. M. C. A. January 1 to April 1, 1896.

GENERAL STATISTICS.

Total visits to rooms	14,630
Total number using gymnasium	1,527
Attendance gymnasium classes	498
Total number baths taken	1,313
Attendance at socials	625
Attendance at entertainments	1,100
Attendance New Years recept	1,200
Attendance boys gym. classes	351
Average attendance at Sunday meetings	183
Average attendance general bible class	19
Average attendance bible train-class	6

RECEIPTS.

Membership fees	$ 949 50
Subscriptions	160 25
Entertainments	43 85
Sunday collections	13 80
Towel rentals	9 15
Locker rentals	5 50
Total	$1,182 05

EXPENDITURES.

Rent ($250 was for 1895)	$ 373 33
Salaries ($135 was for 1875.)	365 00
Debt and interest	180 64
Water	7 00
State work	25 00
Light	48 80
Wood	8 30
Laundry	12 15
Printing	1 50
Music	30 00
Physical department	7 90
Reading room	46 60
Sundries	14 00
Miscellaneous	51 72
Total	$1,170 94

The U. S. Gov't Reports show Royal Baking Powder superior to all others.

To Save Porter's Neck.

UNION, Or., April 7.—The attorneys for Kelsay Porter, sentenced Porter to be hanged on April 10, have perfected their appeal to the supreme court, and Judge Eakin, in consequence thereof has granted a stay of execution. One of Porter's attorneys left here last night for Salem with a numerously signed petition asking that the death sentence be commuted to life imprisonment, and will present it to Governor Lord today.

O. C. & E. R. R.

Corvallis to Portland In One Day.

Beginning Wednesday, April 1, the new steamer "Albany," elegantly furnished, including new piano, will run between Corvallis and Portland on the following schedule:

Down river: Mondays, Wednesdays and Fridays. Leave Corvallis, 7:00 a. m.; leave Albany, 8:10 a. m.; leave Buena Vista, 9:15 a. m.; leave Independence, 10:20 a. m.; leave Salem, 11:30 a. m.; leave Newberg, 2 p. m.; arrive Portland, 6:30 p. m.

Up river: Tuesdays, Thursdays and Saturdays. Leave Portland, 6 a. m.; leave Newberg, 10:30 a. m.; leave Salem, 3:30 p. m.; leave Independence, 5 p. m.; leave Buena Vista, 7:30 p. m.; leave Albany, 9:20 p. m.; arrive Corvallis, 11 20 p. m.

The above schedule means no more lay-overs at Salem. Fastest time and a delightful trip. Portland dock, foot of Taylor street.

EDWIN STONE, Manager,
Corvallis, Oregon.

HARD TIMES FACTS.

GOOD READING FOR THE FAMILY CIRCLE.

Every reader of THE JOURNAL should look up the list of premiums given absolutely free with this paper. The WEEKLY JOURNAL at $1 a year is the cheapest paper on the Pacific coast, yet with it we give yearly subscriptions to any of the following valuable publications, each known to the world as a standard in its field:

The Toledo Blade,
The Queen of Fashions,
Womankind,
The Farm News,
The Child Garden.

These valuable publications are each worth a $1 a year, yet we give you your choice, one year free, for a $1.50 subscription to THE JOURNAL, either the DAILY for six months or the WEEKLY for eighteen months. See the list, and don't neglect to profit by it.

Don't be deceived into paying for so-called premiums offered with high priced papers at a slight advance. Remember THE JOURNAL is the cheapest newspaper on the Pacific coast, and it gives you high grade premiums without additional charge

MARRIED.

PATTON—HOWD.—At the Presbyterian parsonage in Turner, Sunday, April 5, 2895, Miss May Howd to J. L. Patton, both of Shaw, Rev. Robinson, officiating.

Children Cry for Pitcher's Castoria.

Treasurer's Notice.

COUNTY TREASURER'S OFFICE,
SALEM, Or., March 25, 1896.

Notice is hereby given that the undersigned has money on hand to pay all warrants stamped up to April 1, 1895, and interest will cease on the same from date of this notice.

JAP MINTO,
3-25-2w County Treasurer.

THE MARKETS.

Chicago, April 7.—Wheat, cash 66c; May 66⅞

New York, April 7.—Silver, 66¼c; lead 3 30.

SAN FRANCISCO MARKET.

San Francisco, April 7.—Wheat, 1.00

Wool..Oregon, choice, 8@10c; inferior 3@5c, valley, 9@11c

Hops—Quotable at 3@5c.

Potatoes—60 to 90c per sack.

Oats—Milling, 75@82.

PORTLAND MARKET.

Portland, April 7.—Wheat valley, 58 59; Walla Walla, 55a56.

Flour—Portland, $3.15; Benton county 3.15; graham, $2.65; superfine, $2.25 per bbl.

Oats—White, 24@26c; grey, 22@23; in bags, $4.25@5.25, barrels, 4.50@5.00 cases, 3.75.

Potatoes..New Oregon, 15@30c per sack.

Hay..Good, 5@8.50 per ton.

Wool..Valley, 9@10c; Eastern Oregon, 6@8½c.

Millstuffs..Bran, $11.50@1300; shorts, $12.

Apples..40c.

Poultry..Hens, 5c; roosters, 1.80 per doz; and not wanted; ducks, 3.50@4.50 per doz. turkeys, live 8@9c

Hides..green, salted 60 lbs 5c; under 60 lbs 4@4½c; sheep pelts, 10@70c.

Hops..Oregon, 4 to 6c, according to quality.

Butter..Oregon fancy creamery, 35@40; fancy dairy, 30; fair to good, 15@20; common, 17½c.

Cheese..Oregon full cream, 14@15½.

Eggs..Oregon, 9c per doz.

Beef..Topsteers, 3.00@3.25 per lb; fair to good steers, 2½@2 3-5c; cows, 2¼@2½c dressed beef, 4½@5c.

Mutton..Best beef, 2.00@2.25; choice ewes, 1.25; dressed, 4½@5c.

Hogs..Choice, heavy, 3.25@3.50; light and feeders; 2.75; dressed, 3¾@4c per lb.

Veal..Small, choice, 5@6c; large, 3@4c per lb.

SALEM MARKET.

Wheat..53½c per bu., market firm.

Oats..17c.

Hay..Baled, cheat, $4.50@5.00; timothy, $6.50.

Flour..In wholesale lots, 3.00; retail, 3.20; bran, bulk 11.00; sacked, 12.00; shorts, 12.00@13.00; chop feed, 11.00@12.00.

Poultry..Chickens, 3.00@3.50 per doz; ducks, $3.50@4 50; geese, $4.00@6.00; turkeys, 9@10c; dressed, 11@12½c.

Veal...Dressed, 4½.

Hogs..Dressed, 3½.

Live Cattle..2@2½.

Sheep..Live, 2.50.

Wool..Best, 12½c.

Hops..Best, 4@5c.

Eggs..Cash. 8c.

Butter..Best dairy, 15c; fancy creamery, 20c.

Cheese..12½@13c.

Farm Smoked Meats..Bacon, 7c; ham 4½c; shoulders, 5c.

Potatoes..15c per bu.

Onions..1½c.

There is more Catarrh in this section of the country than all other diseases put together, and until the last few years was supposed to be incurable. For a great many years doctors pronounced it a local disease, and prescribed local remedies, and by constantly failing to cure with local treatment, pronounced it incurrable. Science has proven catarrh to be a constitutional disease, and therefore requires constitutional treatment. Hall's Catarrh Cure, manufactured by F. J. Cheney & Co., Toledo, Ohio, is the only constitutional cure on the market. It is taken internally in doses from 10 drops to a teaspoonful. It acts directly on the blood and mucous surfaces of the system. They offer $100 for any case it fails to cure. Send for circulars and testimonials. Address,

F. J. CHENEY & Co., Toledo, O.

Sold by Druggists, 75 cents.

Awarded Highest Honors—World's Fair. Medal, Midwinter Fair.

DR. PRICE'S CREAM BAKING POWDER

Most Perfect Made. 40 Years the Standard.