

# WILL MAKE MORE LAW

## Bar Association To Ask For Legislation

### CHANGES SUGGESTED IN DRAWING JURY

Panel and Trial Jurors--Competency of Witnesses to Testify as to Character Provokes Warm Discussion

The Marion County Bar Association at an adjourned meeting today considered a number of matters of legislation in which the members of the society are interested. Many of the members of the association were in attendance, at the meeting today, and some of the matters of legislation recommended by the committee were warmly and extensively debated. Some changes are proposed in the manner of drawing the regular jury panel, and also the trial jurors, and the association will labor to secure the enactment of these measures. The consideration of the bill that has for its purpose the restoration of the grand jury will be taken up at the meeting of the association, which will be resumed at 8 o'clock this afternoon.

On motion of Webster Holmes the annual election of officers was deferred until the next regular meeting of the association, which will be on Monday, January 19th.

In the absence of Secretary Combs, W. E. Richardson was made secretary pro tem.

On suggestion of Carson, two additional members were named on the legislation committee: J. A. Jeffrey and Tilton Ford. In explaining his position, Carson stated that considerable opposition had developed toward the bills proposing a change in the drawing of trial jurors, witness fees and reduction of court fees. He said it was necessary that some lobbying be done in the interest of these bills, which will be placed in the hands of legislators, other than those of the Marion county delegation, a part of whom are said to be opposed to these measures.

#### Drawing of Jury Panel.

The association endorsed a bill proposing a change in the manner of drawing trial jurors, and the bill will be presented for legislative enactment. It provides that the clerk of the court prepare a complete list of the names on the regular jury panel, the names to be consecutively numbered, and the list conspicuously posted in the court room. Spherical balls of wood, rubber or other durable material, three-fourth of an inch in diameter, shall be prepared, the same to be numbered consecutively the same as the list of trial jurors in the court room. The drawing of the names shall be performed in the same manner as at present. This bill was heartily endorsed by the association.

#### Examination of Character.

A proposed change in the statute relating to the examination of witnesses as to the character of an individual, elicited general debate. The bill, recommended by the committee, proposes that no civil or criminal proceedings the trial judge determine in his own discretion, as to the competency of the witness to testify. It further provides that the opinion of witnesses on the question of character shall not be considered conclusive, but shall be left to the judgment of the jury. S. T. Richardson and P. H. D'Arcy desired the bill be amended that the question be not left to the discretion of the trial judge, who already exercises, in many instances, too many arbitrary rights. They hold it questionable that such a privilege be delegated to the trial judge with no right of appeal. W. H. Holmes for the committee, defended the measure and said that a witness is not qualified to pass on his own competency. This discretion must be vested some where and it should be with the trial judge. Kaiser thought the bill was objectionable because it left with the court a subject upon which the jury is properly qualified to pass. Eugene Carson, Slater, McNary, Bigger and others also participated in the discussion. After a lengthy discussion, P. H. D'Arcy was unsuccessful in a motion to have the bill referred to a special committee. The bill was

finally placed on the table for two weeks.

#### Drawing of Jury Panel.

Another bill that the committee of the association reported suggests a material change in the drawing of the regular panel. In substance the bill, as framed by the legislative committee, is as follows: In making up the regular assessment roll of his county, the assessor is directed to ascertain the names of every taxpayer between the ages of 25 and 60 years, and indicate the same on the tax roll by placing the letter "J" after each of such names, at the first term of the county court at the beginning of the year, shall write on bits of paper the names of such taxpayers as are eligible to jury service, and as are indicated on the assessor's roll, and place the names from each precinct in a separate box; the names that are taken from each precinct to be placed in the regular jury box, one precinct at a time, by the clerk, who shall draw therefrom 10 per cent of the names from that precinct. The names so drawn are to be prepared in duplicate lists, and one of the lists to be forwarded to one of the circuit judges of the district, while the other is to be sealed up and filed in the office of the county clerk, and kept there until the meeting of the jury commission. On the first day of the first regular term of the circuit court, after the drawing of the list, the commission shall select 200 names from the list; the list so drawn shall be prepared and numbered in numerical order, and filed with the county clerk, who shall keep it in his official custody.

After reading the bill, and before it received any consideration, the association, on motion, adjourned until 8 o'clock this afternoon.

## JURY LIST DRAWN

Justice Court Jurors For the Year

Justice of the Peace E. B. Horgan, assisted by August Huckesteln and John Savage, Jr., two freholders this afternoon selected 50 jurors, as provided by law, who will serve in that capacity in passing on justice court cases during the ensuing year. Those eligible for jury service in this court are:

E. T. Albert, Werner Breymar, Wm. Cherrington, J. A. Baker, T. L. Davidson, David Steiner, M. Brodemair, George Orskold, Frank Meredith, Herman Barr, August Huckesteln, E. S. Lampert, W. H. Burghardt, Jr., Ray L. Farmer, G. W. Gray, Theodore Roth, Fred Stenshoff, J. P. Higgs, J. C. Brown, Morris Wipert, G. G. Savage, A. D. Palmer, H. S. Belle, E. G. Haas, H. C. Meyer, Ross Mears, George K. Waters, A. N. Gilbert, Max O. Burren, Hal Patton, Dan J. Fry, Tom Kay, Gilson Stahl, John Maitner, C. P. Bishop, Charles Calvert, Albin Rhodes, Squire Farrar, J. C. Goodale, Walter Morley, Theodore Barr, G. W. Johnson, Frank J. Moore, W. P. George, John Savage, Jr., Wm. Brown, John Ryan, S. Riggs, J. M. Kyle, Fred Wiggins.

#### Disfigured Skin

Wasted muscles and decaying bones. What have! Scrofula, let alone, is capable of all that, and more. It is commonly marked by bunces in the neck, inflammation in the eyes, dyspepsia, catarrh, and general debility. It is always radically and permanently cured by

**Wood's Sarsaparilla**

Which expels all humors, cures all eruptions, and builds up the whole system, whether young or old.

Wood's Pills cure the skin, the skin is the only place where the poisons can be safely eliminated. It is the only medicine that can be taken without any special diet.

## RICHER ASSAYS FOUND

Good News For Salem Mine Operators Assays on Gold Creek Ore Improving

Of course everybody in Salem is interested in the development of the rich gold mines in this county, and The Journal takes pleasure in reporting that the prospects are growing better and better for our home mining men. Several have already made good money on their holdings, but the work of development is only just getting under way. The operations on Gold creek are being pushed by the Oregon Investment Co., of this city, of which W. H. Burghardt is the moving spirit, and some good work is being done, which is attracting attention among mining men generally.

Below is given a letter received from the National office at Denver, which is very gratifying, and shows up the Gold creek ore as among the best ever discovered.

Denver, Colo., Dec. 31, 1902.

The Oregon Investment Co., Salem, Oregon:

Gentlemen: We have sampled your ore, and find the following results:

We find this ore carries one ounce of gold, eight ounces in silver, seven per cent copper.

We find this ore will roast convert in 50 minutes. This separates the values each into a condition of its own. It is possible to produce all the chemicals necessary for this recovery from the ore itself. The excess sulphur will furnish the sulphuric acid needed, and by using magnetic separators the iron can be recovered from the ore to be used in precipitating the copper with.

The process, after pulverizing the ore, is in different steps, arranged in series so as to be almost automatic.

After the plant is installed, it will cost 2 cents per pound for each pound of copper, which will be C. P. copper. The gold will be mintable gold, except what the concentrates contain, which by adding a small pan, can be passed, amalgamated, recovering fairly all the values in a merchantable condition.

The recovery and cost itemized would be about as follows, after the ore is laid down in the mill:

100 tons per day, 7 per cent copper \$140, at 20	\$280.00
Cyanide for gold	150.00
Concentration	50.00
90 per cent recovery, 10 per cent off	48.00
Expense per day, less mining	\$885.00
Inc.	\$2000.00
Gold, \$20	1680.00
Copper, 7 per cent at 12c	1680.00
Silver, 8 oz. D. 50 per oz.	400.00
Total	\$4080.00
Expenses	\$889.00
Net per day of 100 tons	\$3192.00

Two rich assays were also received from Denver, showing values of \$112.30 and \$115.92 per ton, respectively.

The offices of the Oregon Investment Co. over John Hughes' store, are supplied with samples of ore from these mines, and the reports of assays are on exhibition, and everybody is cordially welcome to visit the place and inspect these rich products from old Marion county for themselves.

#### AFTER HOLIDAY RECESS

(Continued from first page.)

consider. Hull said the bill had been unanimously endorsed by the committee on military affairs, and it was the purpose to concentrate the several staff departments under one head. Bartlett wanted to know if it was not for the purpose of displacing General Miles as commander of the army. Hull replied that the term commander of the army was nothing but a myth, and that Miles had no authority to issue any order unless directed by the President or secretary of war. There was only one commander-in-chief, and that is the President.

**Bed Time**

I take a pleasant herb drink, the next morning I feel bright and my complexion is better. My doctor says it acts gently on the stomach, liver and kidneys, and is a pleasant laxative. It is made of herbs, and is prepared as easily as tea. It is called Lane's medicine. All druggists sell it at 25c and 50c. Lane's Family Medicine moves the bowels each day. If you cannot get it, send for free samples. Address, Orator Woodward, LeRoy, N. Y.

There are songs in "The Telephone Girl" this season which will be whistled and hummed all over town after the play is produced here.

## MARION COUNTY FINANCES

Without a Single Cent of Indebtedness "Old Marion" Has \$11,402.52 in Treasury

Marion county has started the New Year in proper shape, financially. Without a single cent of indebtedness, the report of Treasurer Richardson, made public today, shows that the county on the first of the present month had a cash balance in the treasury of \$11,402.53.

The report of Treasurer Richardson for the month of December is as follows:

Special City and School Dist. Fund.	
Cash on hand Dec. 1st	\$ 201.19
Receipts	203.41
Total	\$ 404.60
Disbursements	198.71
Balance	\$ 205.89
General Fund.	
Cash on hand Dec. 1st	\$10,921.06
Receipts	695.13
Total	\$11,616.19
Disbursements	4,430.88
Balance	\$ 7,185.31
General School Fund.	
Cash on hand Dec. 1st	\$ 3,346.76
Receipts	72.48
Total	\$ 3,419.24
Disbursements	660.45
Balance	\$ 2,758.79
Indigent Soldier Fund.	
Cash on hand Dec. 1st	\$ 246.66
Disbursements	133.46
Balance	\$ 113.20
Institute Fund.	
Cash on hand Dec. 1st	\$ 497.65
Receipts	15.00
Total	\$ 512.65
Disbursements	173.70
Balance	\$ 338.95
Overplus.	
Cash on hand Dec. 1st	\$ 430.11
Disbursements	29.59
Balance	\$ 400.52
Special Road Fund.	
Cash on hand Dec. 1st	\$ 421.70
Balance	\$ 421.70
Summary of Totals.	
Cash on hand Dec. 1st	\$18,043.29
Receipts	986.02
Total	\$19,029.31
Disbursements	5,626.79
Balance	\$13,402.52

If you desire a good complexion use Moki Tea, a pure herb drink. It acts on the liver and makes the skin smooth and clear. Cures sick headaches, 25 cents and 50 cents. Money refunded if it does not satisfy you. Write to W. H. Hooker & Co., Buffalo, N. Y., for free sample. D. J. Fry, Druggist.

Fresh eggs and butter from our stores at Aumaville and Mahama, at Speer Bros. Phone 2491. 11-11-tf

## FLOODS ON PUGET SOUND

Country Under Three Feet of Water Too Much Rain and Chinook the Cause

Miles of Railroads Washed Out--No Traffic Possible

Seattle, Jan. 5.—Martin Cummins, a farmer at O'Brien, and E. N. Shaughnessy were drowned last night in a boat, while trying to save stock from the flood. The water is subsiding, but the weather bureau predicts warm weather and another rise. The wash-out of the railroad tracks cuts off the coal supply and reduces the general electric power. The street car service is curtailed, and all electric power is short.

Seattle, Wash., Jan. 5.—The White and the Stuck rivers, which went out of their banks Saturday night buried the Interurban and Northern Pacific tracks between Seattle and Tacoma several feet under water, and drowning many residents all through the White River valley out of their homes. Train service between Tacoma and Seattle has been abandoned, and there is no telling when the Northern main line will be open, but probably not for several days. Last night the Portland division was cleared and the first train from the south in two days came in. All the coast lines from Seattle north, with the exception of the Whatcom line, have been cleared, and this latter will not be in operation until some time today.

Large forces of men are at work on the line between Seattle and Tacoma, and it is expected the line will be cleared in a temporary way today. The waters are falling, and it is thought that the worst of the flood is over. The temperature in the mountains is reported falling, and this will have a tendency to stop the flow of water from the mountains.

The Seattle-Tacoma Interurban line will probably not be in operation for several weeks, so great is the damage.

The cost of the flood to the Great Northern for the past 10 days has been about \$3000 in labor alone. The Northern Pacific is expending about \$5000 a day for labor.

Not since 1898 have there been such floods in the White River valley. The present one was caused by the recent nine days' rain and the chinook winds, which melted the heavy snows in the Cascade Mountains, discharging the waters into the tributaries of the White river.

#### A SCIENTIFIC DISCOVERY.

Kodol does for the stomach that which it is unable to do for itself, even when but slightly disordered or over-loaded. Kodol does the work of the stomach, relaxing the nervous tension, while the inflamed muscles of that organ are allowed to rest and heal. Kodol digests what you eat and transforms all food into rich, red blood. F. G. Haas, 90 State Street.

## THIRD CONVICT DIES

William Heitmiller Succumb to Typhoid Fever

William Heitmiller, a convict at the state penitentiary, died at 2:10 o'clock this morning. The cause of his death is given as chronic cerebral meningitis, followed by typhoid fever. Heitmiller was taken ill some time with the fever, and he has been in critical condition for several days. He was an obstinate patient in the hospital, and refused to follow the instructions of the steward and attending physician. Relatives on their way to Salem from Tillamook county, will arrange for the burial of the body. Heitmiller was received at the prison on November 15, 1901 from Tillamook county, under a five years' sentence for assault with a dangerous weapon.

James Hill was today released from the prison and left for his home in Elgin, Eastern Oregon. Hill's term expired on Christmas day, but at that time he was recovering from the typhoid fever, and was not strong enough to leave the institution at that time. The other fever patients at the prison are reported improving.

The White House Restaurant is growing in popularity each day, and you will be in the swim if you take your meals there. Everything up-to-date.

## ICE CREAM At ZINNS

154 State St. Phone 2874 Main.



**A NEW GAS RANGE.**  
For your kitchen will make you laugh at the high prices of wood. After you have used it a short time you will wonder why you sweltered over a hot wood range during the heated term, or was worried over starting a fire on a Winter's morning, when a touch of a match makes a bright blaze, confined to your cooking utensils, and not heating your house for the whole day. Try cooking by gas.

SALEM GAS LIGHT COMPANY  
Phone 563. 4 Chemeketa St.

# STOCKTON'S BIG CLEARANCE SALE NOW ON

We hope this may be the happiest New Year you have ever experienced. We are going to do our part to make it so. We constantly hear, "Neighbor So-and-so or some friend, or my wife or sister, told me that this was a good place to trade and so I came and I am well pleased so far." Thank you friends and patrons for this kindness. You have treated us royally. Success be to you! And don't you forget that we are going to do our very best for you on every article bought from our store. We carry and intend to carry one of the largest stocks in the valley. We buy from the best houses in the United States. No effort is spared to give you extremely good values. And again we say Thank you and Happy New Year!