

BARNES MUST HANG

**He Will be Sentenced at the
Term of Court Beginning
at Roseburg July 17**

The supreme court has this week affirmed the decision of the lower court in the famous case of the State of Oregon vs. John C. Barnes. The defendant was convicted of the crime of murder in the first degree for the killing of William Graham, April 28, 1905. He appeals from the judgment of death which followed, on the ground that the evidence, which is wholly circumstantial, is insufficient to warrant a conviction.

The trial, which occurred in the last October term of court, attracted much attention. But the jury had little difficulty in bringing in a verdict of murder in the first degree and Barnes was sentenced to hang, December 15, 1905, but he obtained a stay of proceeding, pending the appeal of his case to a higher court.

At the trial it was shown that the charred bones of a small-sized person were found in the ashes of a fire near the railroad north of Glendale, May 1, 1905, and near by was found a hat worn by Graham, and in the ashes the metal portion of a knife which was identified as the property of Graham. On the grass and fence were bloodstains, and the grass was trampled as though some person had been dragged over it. A leather belt, also worn by Graham, was found near the scene.

The evidence showed that on April 23 Barnes remarked that Graham claimed to be a bad man, and that if he ever made a crooked move at him he would kill him; that Barnes left his cabin at 4 o'clock in the morning of April 29, taking a borrowed rifle with him. Five hours later he was in Glendale and paid a bill with a piece of east gold which had been molded by Graham and had belonged to him.

Barnes was seen in the vicinity of Glendale several times, April 29 and 30. He made several contradictory statements about Graham having gone away. When Barnes was arrested, on May 7, Graham's revolver was found hidden under his cabin and later a diamond ring once worn by Graham was found in a sack of potatoes in Barnes' cabin.

The supreme court holds, as in the Norman Williams case, that the death of a person alleged to have been killed may be proved by circumstantial evidence, as also may the agency of the person accused of the commission of the offense. Reviewing the evidence here outlined, the court holds that it is sufficient to authorize a conviction.

The opinion makes a thorough digest of the testimony given at the trial and concludes:

"Circumstantial evidence is legal and competent in the gravest kind of criminal cases; and if it is of such a character as to exclude every reasonable hypothesis, other than that the party accused of the commission of the offense is guilty thereof, it is sufficient to authorize a conviction. Believing that the attending circumstances admitted to are of the character indicated, and that other alleged errors that have been assigned are unimportant, the judgment is affirmed."

Barnes has been at the penitentiary for several months past and will now be returned to Douglas county to be re-sentenced.

It is very likely that the case will now come up for final disposition at the term of court which convenes Tuesday, July 17, for the purpose of receiving returns from the grand jury, which is to meet again at that time.—Roseburg Review.

Boil Drinking Water.

While the work of enlarging the filtering system is in progress it would be better for all to boil their drinking water.—The progress of the work will be noted in this paper. 5-19-16.

A Pleasant Way to Travel.

The above is the usual verdict of the traveler using the Missouri Pacific railway between the Pacific coast and the east, and we believe that the service and accommodations given merit this statement. From Denver, Colorado Springs and Denver there are two through trains daily to Kansas City and St. Louis, carrying Pullman's latest standard electric-lighted sleeping cars, chair cars and up-to-date dining cars. The same excellent service is operated from Kansas City and St. Louis to Memphis, Little Rock and Hot Springs. If you are going east or west, write for particulars and full information.

W. C. McREID, Gen. Agt.,
124 Third St., Portland, Ore.

THE GLODY OF TEXAS.

Celebration of Her Seventieth Anniversary of Independence.

The state of Texas, born some sixty years too late to assist in the revolutionary events of '76, has its own Independence day in addition to the national Fourth of July, which it shares, however, with its sister states. This patriotic state celebration occurred on April 21, the seventieth anniversary of the fight at the San Jacinto, where 800 Texans gave double their number of Mexicans one of the completest drubbings in military history.

Every schoolboy knows the story of San Jacinto as told in the books. But there is in the southwest a fireside tale about it which deserves to be better known. It is that the night before the battle, the Mexican general, Santa Anna, sent a flag of truce to the Texan camp with a summons to surrender and an offer of pardon. Grim old Sam Houston, the "father" of Texas, heard the message and said to one of his aids:

"Tell him to go to hell! Put that into Spanish." And the aid, translating the answer into the language of Spanish military diplomacy, made oration as it appears in the books:

Avoid Appendicitis

It is caused by the clogging of the bowels and intestines. Keep the digestion active, the stomach right, the bowels healthy and open with

Beecham's Pills

Sold Everywhere. In boxes 10c. and 25c.

"General Houston prays that you will have the kindness to present his compliments to General Santa Anna, inform him that General Houston regrets to be constrained to reply that if General Santa Anna desires our company it will be necessary for him to condescend to give himself the trouble of coming and getting us."

The biggest celebration of San Jacinto day was at San Antonio, for there is the Alamo, and there was the fight which came before San Jacinto and turned the blood of every Texan engaged to fire and his nerves to cold steel.

The defenders of the Alamo, though bound by no law like those of Thermopylae, disdained to surrender. They knew too well, from the fate of Nolan and his hunters a generation before and a score of later butcheries of prisoners, the character of their foes. For twelve days they held their post against thirty times their number and then they died, still fighting.

How they died—how Travis fell across the cannon—how Davie Crockett lay in the courtyard in a ring of foes—how the intrepid Bowie, the inventor of the terrible bowie knife, fought to the end on the bed from which he could not rise—how not one man, by the testimony of their enemies, even tried to escape—how the half dozen that were overpowered and disarmed were then cut down—is a tale with which the world still rings and will ring so long as dauntless courage is admired.

It was a deed from which no man among its Texan doers came to tell the tale. It is a tale whose truth is assured by the fact that it could be told only by the victors whose shame it was, and not by the vanquished whose glory it was. It ranks above Thermop-

ylae in the annals of manly fortitude. As has been well said: "Thermopylae had its messenger of defeat; the Alamo had none!"

Texas is indeed fortunate that her history, as all the world knows it and as it lives in the hearts of her own and all the American people, began with the Alamo. As a battle, the Alamo was a defeat. As an inspiration to brave deed and patriotic achievement for generations of Americans yet unborn, it is the splendor and the glory of Texas.

CLOUDBURST NEAR MITCHELL.

**Torrent Catches Stage and Sweeps it
Down Canyon Nine Miles.**

Irving Robinson, who returned yesterday from a trip out into the Mitchell country, tells of a cloudburst which occurred about four miles above Mitchell Tuesday night.

The Prineville-Mitchell stage, which had no passengers, was caught in the canyon and washed down and the mail found twelve miles below where the flood caught the stage. The driver was at first supposed to have been drowned, but later it was determined that he narrowly escaped by jumping from the vehicle and running to the hills.

He stated that the canyon for nine miles is strewn with debris, the water sweeping everything in front of it.—The Dulles Chronicle

Death from Lockjaw

Never follows an injury dressed with Bucklen's Arnica Salve. Its antiseptic and healing properties prevent blood poisoning. Chas. Oswald, merchant, of Rensselaersville, N. Y., writes: "It cured Seth Burch, of this place, of the ugliest sore on his neck I ever saw." Cures cuts, wounds, burns, and sores. 25c at J. C. Perry's drug store.

SOME FINE EXPOSITION GROUPS

**Those of The Jamestown Celebration Near Norfolk Rich
in Historical Lore**

(By Charles Frederick Stansbury.)

Sevell's Point, the beautiful spot on Hampton Roads, where the Jamestown Exposition is to be held is rich in historic events and incidents that have occurred at and around it.

Within cannon shot distance of the exposition grounds is Craney Island, which has been used jointly by Norfolk and Portsmouth for some years as a detention station for patients with contagious diseases. Craney Island is rich in historical lore.

On the 22nd of June, 1813, a powerful British fleet made an attack on Craney Island at the entrance to the Elizabeth river, near Norfolk, and was signally defeated.

Before the British could enter the harbor and approach the town it was necessary to take possession of Craney Island. On the morning of the 22nd, they were discovered passing around the point of Hanscommond river, and landing on the main land in a position where the passage was fordable, intending to pass over and attack the wrecks on the west side of the island, while at the same time a number of barges from the fleet attempted to land in front. These were attacked before they reached the shore

from a battery on the beach, manned by sailors and marines from the Constellation and the gunboats. Three of the barges were sunk, most of the men drowned and the rest compelled to retreat to their vessels. The party which landed at Nansmond were met and repulsed by the Virginia Militia and driven back to their ship with the loss, including those in the barges, of upwards of two hundred in killed and wounded. The City of Norfolk and the neighboring villages of Gosport and Portsmouth owed their safety to this gallant defence of Craney Island.

He Fooled His Mother.

A little boy played an "April Fool" joke on his mother that his fond father scarcely appreciated. The new and pretty servant girl was working in the dining room, and the man of the house had come in the rear door, when the little son ran to his mother and shouted: "Oh, mamma, there's a strange man in the dining room kissing Minnie." The mother started for the scene of war, when the boy continued: "Oh, I April fooled you; it wasn't a strange man at all—it was only papa who was kissing her."

Deadly Serpent Bites.

Are as common in India as are stomach and liver disorders with us. For the latter, however, there is a sure remedy. Electric Bitters, the great restorative medicine, of which S. A. Brown, of Bennettsville, S. C., says: "They restored my wife to perfect health after years of suffering with dyspepsia and a chronically torpid liver." Electric Bitters cure chills and fever, malaria, biliousness, lame back, kidney troubles and bladder disorders. Sold only on guaranteed by J. C. Perry, druggist, Salem, Ore. Price, 50c.

Let the EAGLE SCREAM



July 4th AT Salem

The most elaborate celebration of our National Day ever undertaken in Salem.

Dazzling and gorgeous fireworks display on the river will excel anything heretofore attempted.

River sports, land sports and contests in which everybody can participate.

Grand civic, military and industrial parade with beautiful floats, four bands.

Consolidated concert of 100 pieces, oratorical and literary exercises.

THE SKIDOO The great indoor carnival now in preparation.

Further announcements later

Something Doing Every Minute.