

La Grande Evening Observer

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PORTER CARRIED GUN TO "GET" PARKER SAY WITNESSES TODAY

DEFENSE BRINGS SENSATION BY TESTIMONY OF MANY ON PRESENCE OF SECOND PISTOL

With Jess Parker standing in the dim, gray twilight of an August day holding his little four-year-old boy under his arm, with the latter clinging fast with his arms about his father's shoulder, with the wife of Parker's choice pulling at the little tot's feet to get him away from his father, with Mr. Porter, father of the wife, coming at Jess Parker holding a gun and making bold threats; with Jess Parker's hand hurriedly grasping a pistol in his belt, and with a quick but accurate aim, the tragic scene in a melodrama at Elgin reached its climax when the flash of the Jess Parker gun sounded the death knell of his father-in-law, and Jess Parker still holding his only child, saw the father of his wife fall to the ground pierced with a fatal wound.

This in all probability will be the final scene put up to the jury by the defense in the trial of the State vs. Jess Parker. At least all evidence now being introduced by the defense strengthens this picture and goes to show the Parker side of this unfortunate case.

Out of the eighty or more witnesses several have been examined, who like a painter adding touches to a picture, have added a little testimony here and there to depict this touching yet terrible scene that took place at the Porter home near Elgin last August.

Defense Forms Its Chain.
The expected happened in the Jess Parker trial last evening when the state rested its case, the defense began firing in witness after witness who testified to Porter, the man who Parker killed, having not only carried a gun but that he had a gun on his person the fifth day of August when the quarrel between Parker and Porter resulted in the death of the latter.

Not only did the defense have witnesses to show that Porter had a gun but also that he had a pair of brass knuckles.

A. H. Stone was the first witness in the trial to state that Porter carried a gun and brass knuckles. Following

this statement came Dan Graham who had also been aware for some time that Porter was carrying a gun and brass knuckles. Graham discovered this important feature, he said on a trip with Porter from La Grande when the Parkers were discussed and Porter made threats on the life of Jess.

George Barnard was another witness who in riding to Elgin with Porter on one occasion observed that Porter was a gun toter. He felt the gun in Porter's pocket. Frank Brassius stated that at one time Porter had showed him a gun saying, "I got it for the Parkers." He also displayed the brass knuckles saying he might have to use them also.

Oscar Swikert, a former son-in-law of Mr. Porter's said he had worked with Porter day after day and saw the gun and brass knuckles in his hip pocket frequently.

In the testimony of Woodson Gray it was brought out that Porter said to Gray, "I'll whip Jess Parker if it takes me five years."

Wm. Furman told of riding in a wagon with Jess Parker when the two men met Mr. Porter on the public highway. Jess at the time was out of the wagon fixing the brake block and as Porter rode by on horseback he held a gun on Jess until he passed.

Grant T. Gray was another important witness for the defense. He recalled his neighborly relations with Mr. Porter, now deceased, and told of several conversations they had had relative to the Parkers. On one occasion, according to Mr. Gray's recollection, Porter said, "I will give \$10 to get either of them (meaning Jess or his father) to touch me. All I want is for one of them to even touch me."

Mr. Gray said he had later told Sam Parker of this statement of Mr. Porter's. Another talk with Porter was recalled in which he said, "I will get even with Jess Parker if it takes me five years to do it."

The witness said he advised Porter to drop his malice toward the Parkers, stating that Porter's daughter had married into the Parker family and there was no use carrying it further. On Friday before the killing Gray and Porter were talking and Gray advised him again and again to stay away from Jess Parker or he would get shot. Porter replied, "Two can work at that game."

State Scores a Point.
In the cross examination of Gray, Col. Ivanhoe drew some points from the witness apparently favorable to the state's cause. On one instance from Porter or he would get shot Gray said he told Porter to stay away "as sure as hell's hot." Gray told Porter inasmuch as Jess had drawn a gun on him once the next time he drew it would quite likely go off.

But the most important statement Gray made on cross examination was to the effect that after he had remonstrated with Porter on one occasion for the trouble Porter had said, "I won't have Jess on the place. I had nothing to do with the separation of him and his wife, and I don't want Jess to bother me and won't let him bother me."

Attorneys for the state seemed satisfied with this statement and the witness was soon excused.

Lodges Tried to Heal Breach.
It has been shown in the trial that members of the Woodmen lodge and also prominent Odd Fellows in Elgin had gone to both Jess Parker and Mr.

Porter and urged that the family feud be dropped. So strong did the lodge brothers bear down on the two men that promises were exacted and for a time all seemed peaceful.

Like the McCoy-Hatfield feud in Kentucky however, it smoldered only to revive with intense fury. And the story of this fearful tragedy, as told piece by piece on the witness stand, calls to mind one of those hateful Kentucky feuds which lasted for generations. The playwright seeking a plot for a drama that will make the hair rise every time the curtain goes down could do no better than take the Elgin case for his plot.

BATH TUB CASE REVIVED.

Mrs. Martin Must Stand Trial for the Murder of Daughter.

Newark, N. J., Dec. 8.—Mrs. Carolina Martin is sane and must stand trial for the alleged murder of her daughter, Mrs. Ocie Snead, according to a decision of Judge Teneyck here today. The trial halted in 1909 on the plea of insanity. Mrs. Snead's nude body was found in a bathtub in her home in East Orange. It was alleged in an indictment against Mrs. Martin that she murdered her daughter to secure \$30,000 life insurance.

TRIAL POSTPONED.

Register's Trip to Portland Without Avail on This Account.

Government proceedings against Dr. W. J. May, well known in Eastern Oregon, has been postponed until April, according to Register F. C. Bramwell who returned this morning from Portland where he was called as a witness but did not officiate in that capacity because the case has been postponed on account of sickness of the defendant. The government is bringing suit to recover \$1600 which is the value placed on some wood cut

SIX MILLION DOLLAR ASSOCIATION CONVENES ANNUAL SESSION IN THIS CITY FOR IMPORTANT MEETINGS

from government land by Mr. May near Durkee. His wife was supposed to have filed on the land, but neglected to do so and in due time the land reverted back to the government. In the meantime May is alleged to have cut wood from the tract.

Bryan Warns Democrats.

Lincoln, Neb., Dec. 8.—Protesting against the "stupid" policy of winning the victory of retreat the "Commoner," Bryan's sheet, warns the Democrats against forming a combination with Wall street. He writes "Democrats are being asked to accept Wall Street, not because Democratic principles are advanced but because a victory is promised. This promise of victory is not new. In 1892 the party was victorious on the tariff issue."

Christies May Reunite.

Zanesville, O., Dec. 8.—Mrs. Howard Chandler Christie, wife of the artist is expected here next week to spend the Christmas holidays with her husband and daughter. It is rumored that a reconciliation between the estranged couple has taken place. They separated two years ago. It is understood the daughter brought them together again.

Representatives of an organization of 1236 men of Oregon whose combined investment totals more than \$6,000,000 were called to order by the gavel of President A. F. Flint Sholis at 1 o'clock this afternoon in the I. O. O. F. auditorium—delayed because of the lateness of trains. These representatives standing aside from the enormous capital investment, for the fathers and chief promoters of the recent amendment to the constitution providing for better roads, wasted no time in commencing their program of deliberations and immediately after the opening exercises, the matter of good roads and other legislation bearing on the threshermen's interests was commenced with a vim.

Prayer and Address of Welcome

Doctor W. S. Seeman opened the regular procedure of business with invoking divine blessing and Mayor F. L. Meyers enthusiastically and warmly welcomed the guests to La Grande. His words were warmly received.

The two day's session will be an energetic one, for aside from interests which they represent individually, the association as a body has an enviable reputation to maintain. Barring none, the Oregon threshermen's association is the strongest west of the Missouri river. Measures which the threshermen have initiated and succeeded in placing on the statute books of Oregon are being copiously imitated in the east and the entire Union is looking toward Oregon for pointers advice and example in good roads and threshermen's legislation.

With such enviable records already theirs, the delegates got down to good hard business.

Yamhill's Crowd Big.

Aside from the representation from Union county, Yamhill sent the largest number of delegates, five being registered in from that county. Men of prominence throughout the state are here. The president, Secretary, Phillip S. Bates, former president and new chairman of the executive committee, William H. C. Fletcher of Coos, and several others being in this class.

Anti-Plan Law Attacked.

Less than an hour after the convention came to order, a concerted action to have the bridge plank law stricken from the statutes came into being and when the committee of legislation reports tomorrow it is evident that this clause will be inculcated into the gist of reports. Hl Chambers of Cove held the floor for nearly an hour and deplored the fatal accident at Cove last year. Incidentally he paraded the fact that he had not been elected to the legislature at the last election, blaming the fact to his being a member of the farmers' union and the Threshermen's union.

W. H. Fletcher of McMinnville, was one of the speakers on this issue declaring the law is a nuisance. E. I. Berry of Heppner delivered an interesting address on the uselessness of the plank law. It is violated continually and of no real value as it is the structure and not the decking that gives in. President Flint drove home the fact that bridges are allowed to be too near the breaking point at all times, and legislation to

create bridge inspection at stated intervals was brought up.

Hl Chambers came to the floor again and outlined how he was defeated for the legislation.

The banquet tonight at 9 o'clock at the Foley house will be one of the important features of the convention. The visiting threshermen are anxious to meet more of the people of eastern Oregon and the best way to become familiar is around the festal board.

Anti-Trust Law Fought.

Tacoma, Wn., Dec. 8.—In a letter to a local newspaper today Mayor Fawcett declares that he has information that a fund of approximately \$50,000 is being subscribed by the Royal Arch in an attempt to defeat the anti-trust ordinance which passed Wednesday by council. Tacoma saloonmen are greatly wrought up over the measure and allege that 75 per cent of the saloons will be put out of business if the law obtains.

Girls Escape From Fire.

Los Angeles, Dec. 8.—Eight women students of the college of fine arts of the university of Southern California were driven to the streets in their night clothes this morning by a fire which destroyed the college building adjoining the dormitory. Loss is \$21,000.

New Altitude Record Set.

Eau, France, Dec. 8.—Aviator Le Gagneux, in a Bleriot monoplane today broke the altitude record, going 10,400 feet. It is unofficial as the instrument has not yet been verified.

Returns From London.

London, Dec. 8.—With 199 more seats to be voted on the election in Great Britain today stood as follows: Conservatives 206, Liberals 156, Nationalists 56 and Laborites 29.

UNWRITTEN LAW RECOGNIZED BY JURY

THEATRICAL MANAGER WHO KILLED MILLIONAIRE FREED.

Protected by Unwritten Law in Killing his Wife's Assaulter.

Vincennes, Ind., Dec. 8.—Menlo Moore, the theatrical manager was acquitted today on the charge of murdering Charles Gibson, a millionaire whom it is alleged by Moore's wife assaulted her in a barn in which he persuaded her to enter by the alleged statement that Moore would be found there with another woman. Moore's wife was on the stand and testified to this and said she told her husband shortly before the shooting, which occurred at the depot where Gibson was buying a ticket. Moore pleaded the unwritten law.

TACOMARECOUNT SHOWS A BIG INCREASE

ON DEMAND FOR RECOUNT CITIZENS GAIN MATERIALLY.

Over a Thousand Gained by Insisting on a Recount of Census.

Tacoma, Wn., Dec. 9.—A recount of Tacoma was announced today by Chief Statistician Hunt of the census bureau and shows, following a complete enumeration, a city of 83,743. The original announcement was first given out the census bureau gave the population as 82,972. When the enumeration was first given out Tacoma citizens protested and it was known that 33,000 names had been clipped from the count. While disappointed probably, the citizens will take no further action.

NEW ERA DAWNS FOR BAY STATE AFFIRMS GOVERNOR-ELECT JOHNSON IN NEW YORK SPEECH

New York, Dec. 8.—Individuals and not corporations will be benefitted by the revived government in California, according to the assertion today of Governor-Elect Johnson of California who is here. "For ten years," he said, "we seemed to have gone crazy protecting the property of the corporation and the individual seems to have been a minus quantity. This is all to be changed. Hereafter in California, at least, the individual will be considered and not the machine. Other states will follow our lead."

"The initiative, referendum, recall, and absolute control of public service corporations and a comprehensive employers liability law, abolishing the fellow servant clause will be among the measures to be considered and undoubtedly they will become laws. We don't intend to pass confiscatory legislation. Large property owners and corporations will be protected. We simply go back to the original plan of the nation—that the people shall rule. We shall compel corporations to respect the rights of individuals."

BIG SHAKE-UP OF IMMIGRATION OFFICERS AT SAN FRANCISCO IS DUE TO BREAK IN NEAR FUTURE

San Francisco, Dec. 8.—Pending early returns of Chief Immigrant Inspector Keefe from Hawaii, rumors of the biggest shake up in the immigration bureau at San Francisco is rife. It is reported Keefe will investigate the charges that Chinese are smuggled to Honolulu in sailing vessels and then resmuggled to the Un-

ited States via the Pacific Mail boats whenever these vessels touch at Honolulu.

When the ship docked at San Francisco they were only searched unsystematically because they came from a domestic port. The government agents have been digging into the smuggling for six months.