



INDUSTRIAL REVIEW

Manufactures Enterprises and Improvements Providing Payrolls and Promoting Development of Oregon

State has ordered 600 bu. seed to establish flax industry at State prison.

La Grande—Mar. 5 Made-in-Union County banquet attended by 500.

St. Helens—McCormack mill have contract for 11,000,000 feet ties.

O. W. R. & N. and Union Pacific is placing orders for lumber.

On Portland city contracts Oswego Iron Works get \$128,415 cast iron pipe and Smith and Watson \$2750 for fittings.

East side, Portland, Masonic lodges will erect temple.

Baker County placer mining resuming earlier than usual.

Marshfield black sand tests \$3 a ton in gold and 32% platinum.

Portland good roads boosters would initiate \$1,000,000 bond issue.

Astoria—Mar. 16, excursions meet steamer Great Northern at Flavel.

Portland—J. H. Henry will erect \$30,000 residence on Cornell road.

The Dalles—Knights Pythias to erect four-story concrete lodge building.

O. W. R. & N. Co. will spend \$700,000 on tracks and viaducts at Portland.

Crown Point, 22 miles from Portland on Columbia highway to have \$10,000 Chalet inn.

May 3 to 8 will be locks opening week for Celilo and Oregon City canals.

Independence—two miles hard surface road built north.

Jennie Strong and Mrs. R. L. L. Hart conducting sawmill at Peoria.

Sutherlin—Coles Valley electric railroad being promoted.

J. B. Howell and J. W. Stevenson are making violins at Glendale.

Polk County treasurer salary cut \$1500 to \$750.

B. A. McGrath erects \$40,000 apartment at Portland.

Gottschalk & Frey erecting 30,000 capacity sawmill at Forest Grove.

Stayton—John Thomas builds \$1800 bungalow.

Albina public market Portland, to be enlarged.

State architects office and salary of \$4500 abolished and official put on fees.

Grinding Silica at Terrabonne is a new industry.

Legislature evidently thought Oregon needs more roads and less scenic highways.

Rains and snows ensure good crops for central Oregon.

Organized labor has established a national union-label mail order house.

Ship building plants on the coast are rushed with orders for new vessels.

Fox sawmill at Noti has resumed operations.

Central Point has organized \$100,000 meat packing company.

Portland flouring mills will erect \$20,000 waferhouse.

Frank Schmitt planing mill will erect large new plant at Portland.

Malheur—Worsham & Herrick buy Flynn sawmill to cut mining timbers.

Lakeport has a gravity water system from Clear Lake.

Eastern Oregon expects big grain and fruit crops.

Ashland has substantial improvements under way.

Nibley-Minnaugh sawmill, Wallowa, running with full crew.

Coquille—river channel to be dredged to uniform depth of 10 feet.

Astoria orders three districts of streets hard-surfaced.

Eugene conducting survey of home industries.

Salem—Three Justices of Supreme Court will build new homes.

St. Helens fruit and produce cannery ready for operation.

Potato growers problems now solved by starting a starch factory on paper.

Good sign for Oregon—dairy products increasing in January.

Bridge to be built over north fork of Siuslaw between Acme and Florence.

At The Churches

Sunday School every Sunday at 10 o'clock W. G. Caudill Supt. Public

worship at 11 a. m. each second and fourth Sunday of the month and at 7:30 every Sunday evening. Class

meeting every first and third Sunday 11 a. m. H. C. Gallup leader. Prayer

meeting Thursday evening at 7:30. The public is invited to attend these

services. A. Coslet Pastor

CHRISTIAN SCIENCE

Services held every Sunday morning at 11 o'clock in I. O. O. F. Hall.

Everybody welcome.

LORIS MARTIN ACQUITTED BY JURY IN CIRCUIT COURT

Trial Lasting Eight Days Ends Tuesday Afternoon With Verdict of Acquittal. Spectators Clap Hands When Verdict is Rendered.

(Continued from Last Week)

Saturday, a host of "character witnesses" were introduced by the defense to prove that prior to this tragedy the reputation of the defendant had been good as a law abiding citizen. The witnesses were well-known men of good repute, whose motives cannot be questioned. Many of them have lived in this county all their lives and most of them have known Martin from ten to thirty years. Among those called were Judge Neil, W. T. Grieve, Tom Nichols, A. J. Florey, Rev. J. McDonald, Jasper Hanna, J. W. Bligham, Ed. Ash, R. Johnson, Jess Ragsdale, Simpson Wilson, H. Kilburn, Mark Applegate and Harry Young, who with a number of others stated that the reputation of the defendant in the community in which he lived was good.

Jess Ragsdale, "the tall sycamore of Trail creek," and Harry Young, each testified that they had hunted with Martin and had often seen him shooting at game and at a mark; that he was a crack shot with a rifle; that he was not known as a hip shooter, but always fired the rifle from his shoulder.

Miss Shultz, school teacher in the Trail school corroborated the testimony of former witnesses, stating that Irwin had said in her presence that Hubbard had been "too hasty." E. W. Wilson testified that Irwin told him that Hubbard had a gun and tried to use it but it stuck in the holster. Wilson was asked to put on Hubbard's coat in order to exemplify to the jury that if the coat was buttoned as stated by a witness for the State, the bullet holes would not match. Attorney Kelley and the witness had a sharp verbal encounter about an interview near the Nash hotel in Medford regarding discrepancies in Irwin's testimony at the inquest with what he had told the deputy shortly after the shooting. Kelley demanding why Wilson had not told him of it, to which the witness replied "I tried to tell you, but you got mad and would not listen to me."

Sheriff Singler related the same story about what Irwin had told them re-

garding the shooting and further stated that the "safety" was on Hubbard's gun when found. He also stated that Martin had surrendered peacefully and willingly.

Frank Miller and Wm. Shultz testified as to the position of Hubbard's hands, both stating that the right hand was bare, the first finger extended with the other three fingers crooked. The witness illustrated to the jury the position of the fingers, as though grasping some object.

Monday morning at nine o'clock the trial was resumed, the defense placed the defendant Martin on the stand. In response to questions of counsel he briefly detailed the circumstances of the shooting. He stated that Hubbard as he threw himself out of the saddle, grasped the left lapel of his coat with the left hand, at the same time reaching inside the coat on the left side with his right hand, jerking the arm three or four times as though trying to pull something out from under the coat; that the hand suddenly appeared with the pistol in it. The witness then fired. Witness stated emphatically that when Hubbard's hand came out from under the coat, "it came quick" and that he believed that Hubbard would have shot him if he had not fired first. On cross examination Mr. Kelly tried to get Martin to contradict his former statements but failed in the attempt. In response to a question by Kelly, Martin denied having made threats against Hubbard in presence of Mrs. Van Dyke or anyone else. Defense rests.

Prosecutor Kelly then placed Mrs. Hubbard, widow of the dead game warden, upon the stand to identify certain papers, claimed to be copies of reports sent to the state game warden and which papers Mr. Kelly wished to introduce in evidence, hoping thereby to discredit the testimony of certain witnesses for the defense. Upon the objection of Mr. Reames the court ruled that papers were not admissible in their present form; thereupon Mr. Kelly stated that he had telegraphed the state game warden to come and when he arrived he would again try to have the papers introduced. This he tried after Mr. Finley's arrival and again failed.

Constable Irwin was called in rebuttal and told of a visit to the scene last Sunday and the taking of photographs by E. D. Weston of Medford, he also testified that Martin wore rubber boots on the day of the shooting.

Mrs. T. C. Gains was called to impeach the testimony of Mrs. Daw regarding Irwin's first statement of the tragedy, but as the attorney for the state had not laid a proper foundation for impeachment the witness was not allowed to testify. Another witness Mrs. Van Dyke, called by the state, was dismissed for a similar reason.

Mr. Weston the photographer was called and explained the photographs taken Sunday, almost three months after the shooting, talked a lot about the map not showing the proper position of the bush under which the pistol of Hubbard was found, perhaps not aware that a number of witnesses had testified that the log was moved at the time deputy Wilson brought away the bush.

The testimony of the large number of witnesses examined, showed plainly at least two things, viz: first—that a large majority of the citizens of Trail creek and vicinity held the accused in high esteem as a fellow citizen and sympathized with him in his trouble; second—that a few of them—perhaps two families hold a personal grudge against him and endeavored to use their position as witnesses for the state to even up old scores. Their attitude plainly revealed this. Speaking of the attitude of witnesses, we wish to state that of all the witnesses examined, none appeared to better advantage than the young man Jack Daw; modest in manner, direct in answering, intelligent, steady, upright and dignified in appearance, sure of what he testified to, he was an ideal witness who made a pleasant impression on all present.

After the taking of testimony was finished the attorneys presented to the court their requests for certain instructions to the jury regarding the

law of the case, backed by short arguments in support of their requests.

Prosecutor Kelly then made his preliminary address to the jury, briefly summing up the case as it appeared from his standpoint. This address occupied about thirty-five minutes.

Mr. Reames followed with his argument for the defense, one of the most powerful and logical addresses ever delivered in this court. The counsel reviewed the evidence, pointing out many conflicts in the testimony of the witnesses for the state. The contradictory accounts of alleged threats of Martin, as recited by the members of the Poole family, were referred to in scathing terms as an attempt to swear an innocent man into the penitentiary. The testimony of Mr. Irwin was shown to have been contradictory and denounced by the speaker as false, at least in part.

Both in beginning and close of his address, Mr. Reames declared that the tragedy was in a great measure due to the activity of certain "gossips," who under the guise of pretended friendship, peddled to the deceased and to Martin, accounts of pretended conversations had with the other party, in which alleged threats, and various disparaging remarks were alleged to have been made. He also pointed out to the jury that no evidence had been introduced to show that Hubbard was trying to make an arrest and that if he had been attempting to arrest Martin, it was without any right to do so; that Irwin, the principal witness for the state had testified that he (Irwin) did not know what Hubbard had come up Trail creek, for and that when attacked by Hubbard without warning, Martin had good right to defend himself. Court then took a recess until nine o'clock next morning.

Tuesday morning, Prosecutor Kelly made the closing address for the state occupying a period of about one hour and twenty minutes, he flayed the witnesses for the defense declaring that much of the testimony was false, singling out George Wicks in particular, as one who believed in leaping head and shoulders into the sea of perjury.

He scored the sheriff's office, flaying Deputy Wilson in great shape, accusing him of assisting the defense and taking photographs of the scene that were unfair, etc. In closing he declared that the tragedy was murder and should be so considered by the jury.

At the conclusion of Mr. Kelly's remarks, Judge Calkins, in a well modulated voice, delivered his charge to the jury, reading it mostly from typewritten manuscript. The delivery of the charge, which was impressive, occupied about thirty minutes. Several lawyers present who had heard all the testimony during the trial, expressed the opinion that the charge was eminently fair and impartial and that it covered all the different phases of the case.

The jury retired in charge of the court bailiff, returning in about four hours with the verdict, "Not Guilty." When the verdict was announced the spectators clapped their hands spontaneously, so great was the tension under which they had been placed. The court reprimanded the audience for this demonstration and ordered the room cleared, later modifying the order so as to allow those not joining in the demonstration to remain. The demonstration was spontaneous and was evidently not made with any intent to show disrespect to the court. Mr. Reames, counsel for the defendant was present when the verdict was returned but Mr. Kelly was absent. The court ordered the verdict entered, dismissed the jury and ordered that the defendant be discharged from further custody. Thus ended one the hardest fought legal battles in the recent history of Jackson county and one which was attended and followed through the entire trial with the closest attention of a large crowd of spectators from many different parts of the county. The verdict was not unexpected as stated by certain newspapers, but was the logical result and fully expected by most of those who heard the entire testimony submitted.

Notice to Public

Please do not ask for credit at my place of business, as I have started on a strictly cash basis. All those knowing themselves indebted to me please settle.

W. R. Sparks

Mrs. Elizabeth S. Rock, widow of the late Andrew Rock of this city has been granted a widow's pension by the U. S. Pension office. The application and proofs were filed by Attorney D. W. Hagshaw of this city.

THE CITY COUNCIL

New Board Organized Tuesday Evening. Appoints Marshal and Water Superintendent No Attorney Appointed.

The new city council met Tuesday evening for the purpose of organizing the new Board and appointing the subordinate officers. Present—Mayor Britt, Councilmen Norris and Prim, Councilmen-elect Florey and Neil, Recorder-elect Stansell and Treasurer-elect Cronmiller, being present were inducted into their present offices.

The appointment of subordinate officers was the principal business of the meeting; for Marshal, M. Webber was appointed at a salary of \$50.00 per month, he having tendered a proposition that he would serve at that price.

No other bids for Marshal were presented. For Water Superintendent, Sexton, & Street Commissioner, Joe Norris was appointed at a salary of \$30.00 per month and additional pay of \$2.50 per day when working on the streets. Chris Ulrich bid for the same position, excepting the cemetery work, at \$25.00 per month. No appointment of City Attorney was made. Mayor Britt then appointed the standing committees for the year after which council adjourned.

The meeting was harmonious, the organization of the board and the appointment of officers was effected without friction, the new Board starting out under very favorable auspices which the citizens hope will be continued.

PORTLAND LETTER

Rose Festival Publicity Greater Than Ever Before. Jersey Cattle to be Sold at Auction, At Independence.

Portland, Ore., Mar. 9. (Special) Believing that at the coming summer will see a greater movement of tourists from the East and Middle West toward the Pacific Coast than ever before, the management of the Portland Rose Festival is conducting an unusual and so far successful campaign to advertise the coming event. Individual publications, as well as several newspaper syndicates in the East have asked for articles and photographs descriptive of Portland and its roses, western publications of all classes are carrying similar stories, trade papers are falling into line, and everything indicates that the coming Festival will receive an unusual amount of publicity.

"The whole city of Portland is being organized back of the Festival committee in a vast publicity campaign," said Lloyd McDowell who has charge of this work, and special efforts are being made to carry the publicity into the East as it was never carried before. We are working an unusually large field with great energy. We aim to establish the truth of our slogan, that 'The Whole World Knows The Portland Rose.'"

At Independence, on May 12, about 150 head of Jersey cattle, many of them registered, will be sold at auction. The sale is to be held under the auspices of the Polk County Jersey Breeders Association.

An event of great interest, not only to stock breeders of Oregon, but to those of the entire Northwest, will be staged in San Francisco on March 23-4-5-6 when the American Livestock Association holds its annual convention. This meeting will be attended by representative stockmen from all sections of the United States, matters of great importance to the industry will be discussed, and it is earnestly desired that every stock raiser in the West make a strong effort to be present.

B. R. McCabe of Medford was a recent visitor in this city.

Mrs. Sarah A. Lowden of Buncum was a recent visitor in this city.

Fred W. Mears of Medford was attending to professional matters at the court house Tuesday forenoon.

Gus Newbury of Medford was attending to professional business at the court house Tuesday afternoon.

Early Seed Potatoes at

Lewis Ulrich

The Pioneer Store

Jacksonville, Ore.