

MARTIN TRIAL TO BEGIN TOMORROW

Ex-Army Officer Must Answer to Charge of Killing Pawnbroker Wolff.

STATE PROVIDES COUNSEL

Wife Alone Stands By Accused, His Wealthy Father Failing to Come to Aid—Murder Was Brutal in Extreme.

Edward Hugh Martin will be placed on trial in the Circuit Court tomorrow for the murder of Nathan Wolff. Both the District Attorney's office and the lawyers for the defense said yesterday that they were ready to proceed with the case when it is called, and that there would be no delay.

It is understood that Martin's defense will be a general denial of all the allegations made against him. The testimony for conviction is entirely of a circumstantial nature, and very complete. Max Drey, the peddler who says he sold Martin a shirt a day before the murder and identifies a blood-stained garment found on a garbage heap after the murder, will be the state's chief witness. Drey hasn't put in an appearance yet from Chicago, but District Attorney Cameron says he is sure Drey will be on hand when wanted.

Martin's rich father has not yet been heard from. Evidently he doesn't intend to interfere between the law and his son. The elder Martin is known to have helped his son out before during the young man's wild career as an opium fiend. But more than a year ago when the son returned to his use of drugs, the father said that was the end of their relations, and apparently meant what he said.

Martin's wife is the only one who is standing by him. Although at the time of his arrest she shared in the suspicions of the police that he was the brutal murderer of Wolff, she has since ceased entirely to accuse him. What money has been supplied for the purposes of defense has been put up by her.

On the state will fall the expense of trying the case and of defending Martin. Attorneys Potts and Jeffery were appointed by Circuit Judge Gantenbein to defend the prisoner on his sworn statement that he was unable to hire counsel.

There has been a persistent report that Martin would alter his defense and admit killing Wolff in self defense. This report is entirely untrue by Martin's lawyers yesterday. They said he would contend he had no knowledge of the Wolff murder beyond that of reading accounts of the trial in the papers. While not making any revelations, Martin's attorneys said that disclosures of a very unusual nature would be made during the trial, and that the chances are excellent of Martin's acquittal.

Martin, self-possessed and quiet, is a different man from the one who begged piteously for drugs at the time of his arrest early last Spring. Sheriff Stevens has insisted on keeping morphine and other drugs entirely away from the man. Martin no longer takes for drugs, saying he has learned to live without them. He admits that several months of imprisonment have been beneficial.

Regarding the case he will not talk further than to say he did not kill Wolff, and that his innocence will be fully established at the trial.

MINING COMPANY ANSWERS

Charges Man With Charging Personal Expenses to Corporation.

That the Champion Group Mining Company was obliged by him to pay, not only its own expenses, but even S. V. Davidson's life insurance and personal bills, is the charge made against Davidson by the company in its answer to his suit to collect the amounts alleged to be charged him. It is asserted that Davidson, who was the president of the company, was in the habit of charging up such items as railroad fare, moving expenses, attorney's fees for personal suits, personal telegrams, and postage to the corporation. The latter demands \$24,212 damages.

The answer specifically sets out \$232.45, which Davidson is alleged to have charged up, and says that he has also charged more than \$20,000 in various other items. It is asserted that he cancelled without authority a \$200 promissory note in favor of the company, issued by J. B. Nelson, of Salem, and that he paid the office rent of other corporations with the funds of the Champion Company, to the amount of \$25,000.

The answer also charges that Davidson, A. J. Richter and L. Payler, the incorporators, broke the laws, under which the company was incorporated, by holding a meeting outside the state four days before the articles were filed. A. J. Payler and Charles H. Hamilton, a number of the five directors, were not present. At this illegal meeting, Davidson is said to have offered to sell a contract he had with the John Birch estate to the corporation for \$10,000 cash, and \$20,000 shares, in the new corporation, par value \$1. He represented the contract to be worth \$20,000, asserting that it called for the turning over to him of eight mines in the Sierrita in California. The corporation says the contract was valueless.

Regarding the notes for which Davidson is suing, it is the contention of the other members of the corporation that Davidson made the motion that these be issued to himself, that they were dated back before the time of organization, and that the president and secretary failed to sign them.

GRAND JURY INSTRUCTED

Judge Gantenbein Outlines Duties to Seven Talesmen.

Of the 100 jurors drawn on the October panel, only 41 remain. Although 43 answered to their names in the Circuit Court yesterday morning, 12 were excused by Presiding Judge Gantenbein for various reasons, leaving less than half of those who were originally summoned. From these 41, the October grand jury was drawn.

In charging the grand jurors, Judge Gantenbein told them it would not be necessary for them to investigate any particular department of the county if they considered that the previous grand jury had done it thoroughly. But this portion of the instructions was supplemented by the statement that they should go into the affairs of a department investigated by the previous grand jury if they thought more light could be

thrown on the subject. The seven talesmen are as follows: Victor F. Stevens, capitalist, 575 East Ninth street; J. A. Howard, farmer, Latourelle Falls; Otis Learned, real estate, St. John; J. T. Concanon, real dealer, 221 Johnson street; J. E. Williams, capitalist, St. John; foreman; William P. Hanson, grocer, Mount Scott; E. Dimbat, farmer, Hillsdale.

Among those who offered excuses was J. A. Howard, who said he had a lame hand, and could not write. He was retained. H. Bruck asked to be excused because yesterday was a Jewish holiday. He was permitted to go. J. Bacher was drawn for the grand jury, but said he has not been admitted to citizenship, and only taken out his first papers. He will serve during the October term of the Circuit Court but not on the grand jury.

After meeting yesterday morning, the grand jury adjourned until this morning at 10 o'clock.

DEMURRER IS OVERRULED

Pleas of Frederick A. Kribs Set at Naught in 12 Cases.

Judge Wolverton, in the United States Court yesterday, overruled the demurrer of Frederick A. Kribs to the complaints in 12 individual cases in which Kribs had been named as one of the defendants. These were in suits pending by the Government and were brought to cancel patents to land acquired by the defendants and subsequently transferred to Kribs, many of the alleged entrymen and original defendants in the suits being fictitious persons. Kribs was granted 30 days' additional time to plead.

In similar cases against James A. Robinson and George A. Miller, however, Kribs, who also is a defendant, asserted the defense of an innocent purchaser of the two tracts of timber land. District Attorney McCourt insisted that it was not a legitimate defense, but Judge Wolverton held that the defendant had the right to establish the fact that he bought the land innocently and without a knowledge of the unlawful methods by which it had been acquired from the Government.

United States Attorney McCourt yesterday represented to Judge Wolverton that about September 10, or nearly three months after the Government brought three suits against C. A. Smith, Frederick A. Kribs and Nils C. Warner to recover stolen timber land, deeds were filed transferring the land to the Linn & Lane Timber Company. The District Attorney asked and was granted an additional 15 days to include the officers of the timber corporation as defendants in the proceedings brought against the original holders of the land.

ESTATE MAY INCORPORATE

Heirs of R. R. Thompson Meet to Consider Merging of Interests.

Seven of the heirs of the R. R. Thompson estate met at the Hill, Twenty-third and Washington streets, yesterday to talk over plans for incorporating. Articles will be filed within a short time if all the heirs agree to it. The only heir not present was Mrs. Hattie Bell Borden, of San Francisco.

The Thompson estate is valued at between \$4,000,000 and \$5,000,000, about \$381,000 of which is in Portland. The heirs are: Eliza King, Sarah Ann Pollock, Walter S. Thompson, Lillie Lynch, Frank Thompson and Hattie Bell Borden, all of San Francisco, and Lewis and Robert Thompson, of Oregon.

Walter S. Thompson came to Portland from California last Sunday, and is registered at the Hotel Portland. He said yesterday that no definite action regarding an incorporation has been taken, as the estate is not yet out of the courts, but that it is probable the heirs will decide that it is to the best interest of all concerned to have the Portland and San Francisco properties under one management. The seven heirs also discussed improvements to be made later.

WATTS PLEADS NOT GUILTY

Indicted Attorney Denies He Converted Ball Money.

John F. Watts, the local attorney, indicted by the September Grand Jury for converting the \$1000 ball money of Dr. William Elden to his own use, pleaded guilty before Presiding Judge Gantenbein in the Circuit Court yesterday afternoon.

Dr. Joseph Courtney, indicted for malpractice, was arraigned and will appear in his plea today. His attorney, John F. Logan, was not in court, as Lem Woon, the Chinese murderer, was being sentenced at the same time, Mr. Logan being one of Lem's attorneys.

Complains Son Stole His Watch.

Sam McGroveskey has made complaint to the Juvenile Court that his son, Jack, has a growing habit of helping himself to his father's property. The last theft says McGroveskey was the silver watch which was taken from him at Second and Burnside streets, is that of a gold watch. The youngster sold it to E. Almeter, a boy who works at the Jefferson street depot, according to the father's story. But he received only \$4.50 cash and a silver lead pencil. To redeem the watch the father paid \$6.50, and he now wants the juvenile court to order the boy to return the watch and compel Almeter to pay him \$2.50.

Defendant Railroads Appear.

An appearance was entered yesterday by the Oregon & California Railway road company and the Southern Pacific Company to the land grant suit recently filed against those corporations by the Government. These corporations are being represented in the suit by Peter P. Danne, William D. Fenton, William Singer, Jr., and William F. Herrin. Nearly all of the defendants to the suit have now made their appearance, and the preliminary legal skirmish attending the trial probably will be outlined on the opening day of the November term of the United States Court, Monday, November 2.

WILL OBSERVE 25TH YEAR

Oregon W. C. T. U. Plans Celebration During Present Week.

The 25th anniversary of the Oregon Woman's Christian Temperance Union will be celebrated in Taylor street Methodist church, beginning tomorrow and continuing until Friday night. This church has been selected for the commemorative exercises, as it was here that the Oregon branch of the union was organized by the late Frances E. Willard, 25 years ago.

One of the features of the convention will be the reminiscences of Mrs. Heesle J. Shane, who attended the first convention and has been present at the organization since that time. The principal address will be delivered by Rev. Eugene St. John of Kansas, who is widely known as a temperance advocate. The temperance problem will be presented by Mrs. Harford and Mrs. Unruh.

Others who will address the convention are: Dr. Benjamin Young, Rev. Clarence True Wilson, Rev. Mr. Knodel and T. S. McDaniel.

After eliminating the immigrant increase to the population of New York City it is growing annually 65,000 by natural accretion.

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as many acres of the best bottom land as you can afford to carry upon our easy terms of payment. Included in this price, we agree to plow the soil, set out the trees that will net the greatest profit to you, keep them in perfect condition, under the supervision of an expert horticulturist. Next Spring, we will cultivate the soil between the trees, prepare it thoroughly for inter-tree development, furnish the seed, at no cost to you, and attend to the raising of onions, potatoes or whatever will grow to the best advantage on your tract. When ready to harvest, will do all that work for you, market the produce and stand all the expense of so doing. When the crop has been sold, we will deduct the expense of the work and either turn over one-half the net profits to you or apply it on your purchase. The way we have figured out the fertility of the soil and the experience of adjacent owners, we are satisfied that the income from inter-tree development should bear all future cost of the land, after the first small payment and the necessary installments pending the sale of the first crop. We will keep up this development of inter-tree area for three years, at the end of which time the trees will be about ready to bear. By this method, the owner of a 5 or 10-acre tract in the UMPQUA VALLEY will be absolutely independent within a year after deciding to buy.

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If you never make another effort to secure a permanent and profitable place to live, do not overlook this proposition, as outlined above, for it not only provides a home for life but an income as well, of which no man should be ashamed.

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Portland, Oregon.

Please give me all details about your proposed trip to ROSEBURG HOME ORCHARD TRACTS next Saturday at no expense to me.

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IMPORTANT NEWS FOR THE SEEKER AFTER ACRE TRACT

We are arranging to take a large party to the ROSEBURG HOME ORCHARD TRACTS next Saturday. The trip was a huge success last Saturday and will be next Saturday. No expense under certain liberal conditions. Better go.

Three Good Bills at the Vaudeville Houses.

BY NANCY LEE.

A whole lot of the Opheum bill this week ranks favorably with its predecessors, although perhaps it is not as pretentious as that of the week just past. As an innovation a dramatic playlet is offered, an intensely interesting sketch called "The Operator," which is splendidly handled by Lester Chambers and Clara Knott. Having a decidedly dramatic plot, it would in less capable hands, immediately assume a melodramatic tendency of the most virile form. This, however, the players skilfully avoid. The sketch is by Charles Kenyon and portrays a lone telegraph station in the center of the Nevada desert, where the fatigued operator, from loss of sleep, confuses telegraph signals and thereby almost wrecking an Eastern bound train. The tragedy is avoided by a woman's heroism and wit. Throughout, the attention of the audience is captured, while the comedy and the dramatic scenes, execute a double chromatic scale up and down the vertebral column.

A warm welcome was extended the popular prima donna, Miss Helen Bertram, who for the first time is appearing in vaudeville, after her repeated successes in both grand and comic opera. Miss Bertram's voice is quite as charming as formerly and her selections were varied and artistically well chosen. She has still the same electric personality that endeared her to the local public when she made her initial bow with the Bostonians, and still fresh in memory was her singing of the dainty love song of "Cupid and Psyche" with flute obbligato.

The bill opens with two English comedians, William G. Le Clair and Lew Sampson, who are travesty gymnasts and introduce novel features and a humorous act which they christen "The Bogus Strong Man."

Noblett and Marshall appear jointly in a sketch which is void of plot, but which serves to introduce a number of songs and dances, while they intersperse their act with comedy. With the exception of a few serio-comic notes, Miss Marshall makes considerable out of her songs, and both dance gracefully.

Motion pictures are more than ordinarily interesting, two sets being shown, one during the first half, and again at the finale.

Artistic Simian performers are an aggregation of remarkably well-trained monkeys, who are entertaining, in spite of the surfeit of these acts, and the dance gracefully.

Charles H. Bradshaw, with a capable company, give a funny nonsensical type of a sketch in which Bradshaw plays consistently and cleverly an abused son-in-law, with pounce hair disposition.

Arthur Deeming, who has an enviable reputation as an abson-faced comedian,

is one of the best on the bill, giving a monologue full of timely hits and comedy. He does not feel it incumbent to dance, which is a relief, and he thereby rears on his merits.

Grand.

A WOMAN, who does some phenomenal rifle-shooting, is the star attraction of the Grand this week and those who do really enjoy something entirely out of the ordinary, in the vaudeville line, will enjoy a new sensation in seeing the week just past. As an innovation a dramatic playlet is offered, an intensely interesting sketch called "The Operator," which is splendidly handled by Lester Chambers and Clara Knott.

Having a decidedly dramatic plot, it would in less capable hands, immediately assume a melodramatic tendency of the most virile form. This, however, the players skilfully avoid. The sketch is by Charles Kenyon and portrays a lone telegraph station in the center of the Nevada desert, where the fatigued operator, from loss of sleep, confuses telegraph signals and thereby almost wrecking an Eastern bound train. The tragedy is avoided by a woman's heroism and wit. Throughout, the attention of the audience is captured, while the comedy and the dramatic scenes, execute a double chromatic scale up and down the vertebral column.

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Pantages.

It has been a long time since the Pantages management has offered its patrons such an altogether satisfactory show as that which is on for the current week. From overture to the moving pictures the acts that are offered seem equally pleasing and the audience gets the biggest kind of its money's worth.

Myrtle Victorine and her two associates, the two Zolairs, comprise a singing and dancing trio which has seldom been excelled on a local stage. Their turn has in it the decided element of novelty, and the three girls succeed in making themselves very important in the current week, or the week's bill. Particularly effective is the "Lazy Moon" number which, while timeworn and entirely familiar to the audience, is produced in a new and delightful manner.

The tabloid musical comedy, "The Taming of the Beast," as presented by Kierman, Cole, Kierman & Co. proves to be a highly pleasing deviation from the customary vaudeville number and all the participants do themselves credit in its rendition.

Elliott Beamer sings an illustrated song which receives the usual amount of applause and Billy Cullen, whose single act comprises songs and monologues, is a highly pleasing deviation from the customary vaudeville number and all the participants do themselves credit in its rendition.

One of the big hits of the show is the Victoria Quartet, who have a vocal and instrumental turn of exceptional interest. Arta, who styles herself "the bullet-proof woman," allows her partner to shoot at her in a nerve-racking

manner, seems in truth to be bullet-proof. The biograph pictures are equally interesting as usual.

Groceries, paints and professional supplies at Woodard, Clarke & Co.

OWNS CUSTER'S OLD CHAIR

W. J. Baker, of Hood River, Brings Valuable Relic From East.

HOOD RIVER, Or., Oct. 5.—(Special.)—W. J. Baker, one of Hood River's well-known real estate men, who recently returned from an extended trip to his former home in Jefferson, Iowa, and other parts of the Middle West, brought with him an interesting relic in the way of the Army chair which was used by General Custer in his last memorable campaign.

The chair has been in Mr. Baker's possession many years, having been secured in 1876, after the Indian battle known as the Custer massacre. Mr. Baker at that time was a conductor on the Union Pacific Railroad. The valued relic was secured by a brakeman on one of the trains that took Custer's detachment to the scene of the trouble, who afterward gave the relic to Mr. Baker, under whom he was employed.

Mr. Baker has many times been offered large sums of money for the chair, but states that it is not for sale.

Hold Holley Fair Friday.

ALBANY, Or., Oct. 5.—(Special.)—The town of Holley will hold its third annual fair Friday. Big displays of stock and farm products have been arranged and a good programme will be a feature of the gathering. The fair has been successful its first two years, but all former efforts will be eclipsed next Friday. The fair is conducted by the Holley Grange, and attracts a large attendance of people from the Calapooya Valley and other parts of Linn County.

Kill 400 Birds in One Day.

VANCOUVER, Wash., Oct. 5.—(Special.)—Some 400 sportsmen were armed in Clark County Sunday in search of the Chinese pheasant and the quail. These hunters were almost all local men. From comparing reports and counting the game bagged it is figured that they averaged a bird apiece, making 400 in all. The pheasants appear to be as plentiful as last year, but they are very wild.

Thomas Pleads Not Guilty.

BELLINGHAM, Wash., Oct. 5.—J. K. Thomas, who confessed to the murder of his wife on July 19, of this year, today pleaded not guilty to a charge of murder in the first degree, when he appeared before the Superior Court. His defense will be self defense. It is probable his trial will not come off until November.

Wets and Drys Break Even.

ROSEBURG, Or., Oct. 5.—(Special.)—City election was held in Roseburg to-

day, one Councilman from each of the six wards in the city being elected. Little interest was aroused among the voters of the city. There were no issues to be decided, except that the wet and dry elements indulged in a vast and campaign for their respective candidates. Honors were even among these two elements.

LAST ACT IN GREAT STRIKE

Canadian Machinists Accept Terms After Denouncing Leaders.

OTTAWA, Ont., Oct. 5.—The Canadian Department of Labor was today notified that the Canadian Pacific machinists had accepted the peace terms of the board of conciliation appointed under the Lemieux act. The strike is therefore over.

WINNIPEG, Oct. 5.—After severely denouncing the leaders of the strike at a mass meeting today, the Canadian Pacific Railway machinists, who have been on strike, accepted the peace terms offered by the Canadian Pacific Railway. This is a complete victory for the company.

Postpone Session at Roseburg.

ROSEBURG, Or., Oct. 5.—(Special.)—Word received from Colonel E. Hofer, secretary of the Westmonte Valley Development League, conveys the information that it will be impossible to hold a session of that body in Roseburg on October 15 to 19, as the sessions of the congress and a good roads meeting.

Junior Class Officers Chosen.

UNIVERSITY OF OREGON, Eugene, Oct. 5.—(Special.)—Ralph Dodson, of Baker City, was elected president of the junior class of the University tonight. Other officers elected were: Vice-president, Pearl Hawthorne, Eugene; secretary, Ruth Dunaway, Portland; treasurer, Chauncey Cunniff, Baker City; sergeant-at-arms, Arthur Van Dusen, Astoria.

Clear With Lumber Cargoes.

ASTORIA, Or., Oct. 5.—(Special.)—The steamer Yosemite cleared at the Customs House on Sunday for San Francisco with a cargo of 50,000 feet of lumber loaded at Stella. The steamer Panwick, which sailed on Saturday for San Pedro, carries a cargo of 2,000,000 feet of lumber, loaded at the Hammond Lumber Company's mill.

It's Now Claims Self-Defense.

ASTORIA, Or., Oct. 5.—(Special.)—Acting Chief of Police Oberg received a letter this morning from Detective Zeigler, of Los Angeles, who came here a short time ago after it, the Japanese cannery worker, who was arrested on a charge of murdering another Japanese at Los Angeles. When here Zeigler admitted having committed the murder, but Mr. Zeigler writes that it's friends have decided to

fight the case and will claim the shooting was done in self-defense.

Williams Speaks at Grants Pass.

GRANTS PASS, Or., Oct. 5.—(Special.)—George Fred Williams, of Massachusetts, addressed a large audience in the opera-house here this afternoon upon the Democratic campaign issues of the day. Tom George R. Kirkpatrick, a Socialist, occupied the platform in behalf of that party.

Kierstedt Held in Seattle Jail.

SEATTLE, Wash., Oct. 5.—George H. Kierstedt, wanted in Newark, N. J., for forgery, was brought to Seattle August 20 by Detective Coleman of Portland, where he was arrested prior to that date. He is booked on a charge of larceny by embezzlement and is now in the county jail.

DAILY METEOROLOGICAL REPORT.

PORTLAND, Oct. 5.—Maximum temperature, 59.9 degrees; minimum, 41.8 degrees; wind, S. W. 1-2 feet; change in last 24 hours, none. Total rainfall, none. Relative humidity, 68 percent. Normal rainfall, 2.38 inches; deficiency, 2.09 inches. Total sunshine October 5, 11 hours, 48 minutes; possible sunshine, 11 hours, 55 minutes. Barometer (reduced to sea-level) at 5 P. M., 30.04 inches.

PACIFIC COAST WEATHER.

Observations taken at 5 P. M., Pacific time.

STATIONS.	Maximum Temp.	Minimum Temp.	Precipitation.	Wind.	State of Sky.
Baker City.....	60.0	40.0	0.0	N	Cloudy
Bismarck.....	56.0	30.0	0.0	W	Cloudy
Boise.....	64.0	40.0	0.0	N	Cloudy
Burlington.....	52.0	30.0	0.0	N	Cloudy
Butte.....	54.0	30.0	0.0	SW	Cloudy
Helena.....	54.0	30.0	0.0	SW	Cloudy
Kamloops.....	54.0	30.0	0.0	SW	Cloudy
North Bend.....	54.0	30.0	0.0	SW	Cloudy
Portland.....	60.0	40.0	0.0	SW	Cloudy
Roseburg.....	70.0	40.0	0.0	N	Clear
Salt Lake.....	60.0	30.0	0.0	NW	Clear
San Francisco.....	68.0	40.0	0.0	W	Clear
Spokane.....	56.0	30.0	0.0	N	Cloudy
Tacoma.....	56.0	30.0	0.0	N	Cloudy
Tulsa.....	52.0	30.0	0.0	SE	Cloudy
Walla Walla.....	56.0	30.0	0.0	SE	Cloudy
Yakima.....	56.0	30.0	0.0	SE	Cloudy
Seattle.....	60.0	40.0	0.0	NW	Clear

WEATHER CONDITIONS.

An area of high barometric pressure covers the district this evening, with the center of high pressure off the Washington coast. The pressure over the Pacific coast of Montana Sunday evening is over 30.00 inches, and the pressure over the Pacific coast of Montana Sunday evening is over 30.00 inches, and the pressure over the Pacific coast of Montana Sunday evening is over 30.00 inches.

The indications are for fair and slightly warmer weather in this district Tuesday.

FORECASTS.

Portland and vicinity.—Fair and slightly warmer; northerly winds.
Oregon and Washington.—Fair and slightly warmer; northerly winds.
Idaho.—Fair and slightly warmer.
FRANK MONTGOMERY, Local Forecaster.