## WITNESS'ABSENCE CAUSE OF DELAY

Martin Not Indicted Because Sister-in-Law Fails to Answer Subpena.

WORK FOR NEW EVIDENCE

Police Trying to Prove Suspect's Whereabouts Night of Crime. Find Man Who Thinks He Saw Murderer in Shop.

Failure of Miss Sarah Griffin, sister-in-law of Edward Hugh Martin, to respond yesterday to a subpena to appear before District Attorney Manning, caused a delay in the filing of an indictment charg-ing Martin formally with the murder of Nathan Wolff.

Nathan Wolff.

The subpena was returnable at 10 o'clock yesterday morning, but at that hour the young woman did not appear. It was reported that she had taken a train for New York on hearing that she was about to be drawn into the case. Close friends of the young woman said iast night, however, that she is merely trying to evade figuring in the indictment of Martin, although she will appear at the trial of the young man, if so required. Mrs. Martin denies knowing the whereabouts of her sister, although admitting that Miss Griffin was intending to go to New York previous to the murder and had her effects packed.

Last night the case was not materially

effects packed.

Last night the case was not materially changed so far as the cyldence against Martin is concerned, although rumors were afloat without number and sensational stories without end could be heard. It was learned that the police are hard at work trying to perfect their evidence, having been advised that there are many defects in the series of circumstances whereby they now connect the accused man with the crime.

Seek to Trace Martin.

For one thing the police are trying hard to account for Martin's whereabouts between the hours of 6 o'clock and midnight. It is known they expect to get witnesses who saw Martin on his way to Sellwood with his face freshly cut last Friday pight and at least one witness who saw him on the West Side after 6 o'clock.

Last night a pedestrian who passed th

Last night a pedestrian who passed the Wolff pawnshop after 6 o'clock Friday night called at the police station and said he saw Wolff conversing with a slight man of medium stature. As near as he could fix the time it was at 6:10 P. M. He was taken at once to Martin's cell and after a careful inspection of the suspect said the light was so poor he would not like to pass on the man without seeing him by day. He promised to visit the station again today.

Max Drey, the peddler who sold Martin three shirts a few days before the murder, was called before District Attorney Manning yesterday afternoon. He was shown the blood-stained garment found by Patrolman Goltz on a heap of rubbish behind a North End rooming-house, and said he was positive it was one of the three shirts he sold to Martin. He said he recognized the shirt from its peculiar tint and the arrangement of stripes and could not be mistaken. The three shirts respective to the contraction of the particular of the contraction of the particular of the carrangement of stripes and could not be mistaken. The three shirts respectively. arrangement of stripes and could not be mistaken. The three shirts were bought from E. Sichel the day before, he said, together with a fourth shirt, which he yet has in his possession, thus leaving out all possibility that it was the fourth shirt that is blood-

tion Not Yet Easy.

cumstances connecting Martin with the murder, say conviction will not be an easy matter, since there are many flaws, from a legal standpoint, in the evidence now at hand. City Attorney Kavanaugh, who is acting as legal adviser to Mrs. Martin until arrangements can be made for counsel for her, is among those who doubt Martin's ultimate conviction. timate conviction.

"Martin will never be convicted of the murder of Nathan Wolff," Mr. Kavanaugh said last night when asked for a statement. Further than that he would say nothing.

It is known that those interested in Martin's behalf are already very active. Martin's behalf are already very active. Of these several are sincere friends of the family, anxious to do what they can to assist Mrs. Martin in her distress. Others are those incited by the report that Martin's father fas money and that he likely will spend some of it in defending his son. No telegram was received directly from the father was received directly from the father was received directly from the messages received from the elder Martin's New York agents it is guthered that the father will stand by his accused son.

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Question Mrs. Grubb's Word.

It is known that the witnesses and evidence gathered by the authorities will be mercilessly assalled. Mrs. A. J. Grubb, the South Portland woman who says Martin borrowed a revolver from her, will be attacked from several vulnerable points and an sfort will be made to show her testimony cannot be relied upon, so it was learned last night from an unquestionable source. It will also be contended that Martin did not change his clothes at any time Friday. With Miss Griffin out of the city and Mrs, Martin not available as a witness, the state will have a difficult time proving that the accused man changed his clothes, as the police believed they had fully established.

Clothes Sent by Wife.

Martin was the recipient of a hamper of clean ciothing sent to the jail last night ty his wife. The clothing was carefully inspected by the station force before being taken to the man's cell. He spent rather a restless day yesterday and had to be given several portions of morphine. He complained that the strain was telling on him and that he hardly knew what the end would be unless he was relleved of the suspense of the charge over him.

If the man is guilty he has succeeded in shutting away from his mind consciousness of his guilt, at least when talking with visitors at his cell. He special will have a difficult time proving that the strain was on the crime without reserve and is continually branding it as a hideous murder. He claims to believe that several men were the perpetrators.

It became known last night that Mrs. Martin was on the point of leaving him. as the police believed they had fully

Definite arrangements for a lawyer to Definite arrangements for a lawyer to take charge of the case have not yet been made, aithough this doubtless will be done on Monday. Ex-Senator Gearin was importuned to handle the case and he at first consented to do so, but later learned that the firm of which he is a member has taken over the Nathan Walk.

that robbery could not have been a mo-live for participation in such a murder by the accused man. He secured money that same day, it will be shown, and was not in need. His wife, too, was comfortably provided for. That he was in a broken-down physical condition and couldn't have fought with Wolff will also be advanced as a part of the de-fense, as now planned, although this fact is likewise relied upon by the police, who say the ax wounds on Wolff's head were not well defined and appeared to were not well defined and appeared to have been struck by some one with lit-

the strength.

But should the chain of circumstances tain, Martin's mental condition will be fallen back on as the last line of defense. His use of drugs and his many accentricities would lend themselves readily to a plea of irresponsibility. This is the general scheme of defense as the second of the secon general scheme of defense as it

Al Fields, the watchmaker who saw an unknown man in Wolff's store at 5:30 P. M. has said that the party he ob-

WOODMEN OF WORLD TO HOLD CLASS INITIATION DURING ROSE FESTIVAL



1. A. W. Quick; 2. J. A. Bowen; 3, Charles G. James, secretary; 4, J. E. Walling; 5, W. G. Dibbie; 6, W. R. Cobb; 7, J. M. Kennedy, organizer; 8, C. C. W. Kruse; 9, M. F. Ernst; 10, H. L. Baker; 11, J. F. Kennedy; 12, H. L. Day. organizer; 13, C. C. Bradley; 14, M. D. George; 15, J. M. Woodworth; 16, J. Ruddiman; 17, A. L. Barbur; 18, F. Motter, chairman; 19, J. J. Jennings; 20, William Reidt; 21, A. D. Keene; 22, J. H. Bush; 23, B. F. Greene; 24, L. C. Boffinger.

The State of Washington has joined hands with the Woodmen of the World of Oregon to boost the Rose Festival, and they are now enthusiastically at work throughout both states, planning excursions to Portland on this occasion. The plan is to hold a gigantic parade Saturday afternoon, June 6, at 2 o'clock, and in the evening at 7:30 they will hold class initiation in the East Side Woodmen of the World Hall. It is expected that some 500 candidates will be inducted into the mysteries of Woodcraft.

The Woodmen of the World campaign committee has let the contract for a float, and it is expected that this float will equal anything of the kind in the parade.

The Woodmen of the World have shown energy and enthusias m in joining with the public-spirited citizens of the state and city to help draw the people of the surrounding states to the city of Portland during the Rose Festival. It is expected that in the Woodmen of the World parade Saturday afternoon, June 5, there will be some 400 or 500 uniform men in line, and it is estimated that over 2000 members of the order will parade on this date. The Multnomah County Woodmen of the World logrolling and Bose Festival committee, whose pictures appear above, are all prominent Woodmen and earnest workers for the Woodmen of the World and a

served had on no collar and, so far as he can remember, no overcoat. He also continues to be uncertain in his identification of Martin as that man. It is likely his name will be dropped from the list of probable witnesses. As the infor-

mation drawn by Mr. Manning now stands, the names attached thereto are those of police officers who worked up the evidence to its present status. Miss Griffin's name will not appear on the document.

From a relative it was learned last night that it was a distaste of having her name on this indictment that caused Miss Griffin to evade the subpena issued for her appearance. She complained that it would be humiliating in the extreme for her to be placed in the position of

assisting to indict her brother-in law.

Mrs. Grubb reiterated her story yesterday of having loaned Martin a revolver on the afternoon of the tragedy. She went over the story of Martin's visit to her home in detail and persisted that she could not be mistaken. She also said she thought the blood-stained over-coat found at Montgomery and Water streets several nights ago was the one worn by Martin when he called with the revolver. It is intimated that this over-coat was placed where it was found by coat was placed where it was found by some one interested in Martin and that Mrs. Grubb's identification of the coat would therefore be established as absurd.

Clothes Sent by Wife.

It became known last night that Mrs Martin was on the point of leaving him when the tragedy detained her. In he at first consented to do so, but inter learned that the firm of which he is a member has taken over the Nathan Wolff cestate for administration, thus making it obviously tunwise for him to appear in Martin's behalf.

In presenting Martin's case it is know: that revidence will be presented to show that robbery could not have been a molive for participation in such a murder by the accused man. He secured money that same day, it will be shown, and was not in need, His wife, too, was was not in need, His wife, too, was

FINE BLACK GOODS.

Latest Imported Novelties at the Very Lowest Prices.

We are Northwestern headquarters for fine black and mourning dress fabrics.

Tomorrow, the 11th, positively the last day for discount on West Side gas bills. Remittances must be received before discount paried explores PORTLAND GAS COMPANY.

There will be a boost meeting held at Albina Camp, Thursday night, May 14. All Woodmen and friends invited.

AT 1:30 A. M.

New Schedule Will Give Improved Mail Service, Including Early Delivery of The Oregonian.

Beginning next Sunday, May 17, a new schedule will go into effect on the Southern Pacific Portland-San Francisco branch, affecting only trains 13 and 16. Train No. 12, the San Fran-cisco Express, will leave Portland at 1:20 A. M. instead of midnight, as under the existing time-table. The arrival of Train No. 16, the Oregon Ex-press, will be changed from 7:55 to 7:30 A. M. With these exceptions the schedule now in effect will not be disturbed.

The change in the time of these trains, particularly that of No. 13, will operate to the advantage of the people of Southern Oregon, who have for some time demanded an improved mail service. With the inauguration of the new schedule. The Oregon's will be new schedule. The Oregonian will be printed in time to catch this train for all Southern Oregon and California points. This will make possible the delivery of The Oregonian to all of the territory in the southern part of the state on the day of publication. The train will reach Ashland about noon. Train No. 16 from San Francisco will reach Portland 25 minutes earlier, giving visitors to Portland from Southern Oregon an additional two hours in this city.

ADVANCE RATES IN THE EAST

Railroads to Raise Tariffs Between Atlantic Ocean and Chicago.

Members of the transportation com-mittee of the Portland Chamber of commerce and Portland shippers generally. have regarded with great interest the threatened advance by the railroads of about 15 per cent on all class and commodity tariffs from the East to Chicago. The announcement that such an advance was contourned. to Chicago. The announcement that such an advance was contemplated was first made about January 1, the intention being to enforce the new rates early this Summer. So vigorously did the shippers protest, however, that the presidents of the different railroads that had agreed to the advanced rates, accepting convenient that the recently announced that the new rater would not become effective until October. In the meantime, the proposed advance in these rates is being inquired into by the Interstate Commerce Commission, and a meeting of the interested shippers has been called to be held in Chicago next Friday, May 15 formally to protect emission. May 15, formally to protest against the proposed action of the railroads. Local shippers are interested in the situation, because they realize that so decisive an advance in rates on freight between the East and Chicago would be followed certainly by an advance in rates from Chicago to Pacific Coast points. Portland shippers are advised that the indignation among Eastern shippers at this time rivals that of the Oregon and Washington lumbermen, following the arbitrary advance in rates that were imposed by the transcontinental railroads on lumber products from this territory last Summer. The situation presented to the shippers in the East at this time suggests

CHANGE IN TRAIN SOUTH to local shippers the imperative need of an amendment to the interstate commerce laws such as that proposed by Senator Fulton, and which is pending before the present session of Conafter a full hearing of the facts.

O. R. & N. WILL FILE ANSWER

Seeks to Restrain Commission From Enforcing Order.

W. W. Cotton, general counsel for the Harriman lines in the Northwest, early this week will file in the Federal Court the complaint of the O. R. & N., in a suit to enjoin the Oregon Raliroad Commission from enforcing the recent order of the Commission directing a reduction in the distributive rates between Portland and points east of The Dailea. It will be contended by Mr. Cotton that the enforcement of the rates prescribed by the Commission would be in violation of laws regulating interstate commerce, and would necessitate a complete revision by the railroad company of its transcontinents rates in Eastern Gregory.

Lake, were visitors in Portland yesterday and are guests at the Imperial, which is the State Treasurer's office at Salem, and his son arrived at the Imperial yesterday.

Glenn G. and Mrs. Howe, of Indianapolis, Ind., are making a tour of the Pacific Coast and arrived yesterday at the Portland.

Dr. Thomas M. Gatch, formerly presisterance of the Agricultural College at Corentinental rates to Eastern Oregon and also its California rates to the same territory.

Two young men from London, England | before returning to his duffes in the shown that Wubberhorst had once beMetager, leweler, optician, 342 Wash. -R. G. Lind and F. Kerrighn, on a trip "hoosier" Reformatory. Mr. Pageler fore fallen off the bridge.

Yocom, is a guest at the Perkins.

Charles R. Paul, of Chicago, repre-sentive of Hart, Schaffner & Marx is at the Hotel Portland.

Lot R. Pearce, Musonic grand master, came in from Salem yesterday and is reg-Istered at the Perkins.

E. S. McCord, a prominent attorney of Seattle, arrived in this city last week and has rooms at the Oregon W. W. Mitchell and wife, from Salt Lake, were visitors in Portland yesterday

Dr. Thomas M. Gatch, formerly president of the Agricultural College at Corvallis, and his daughter, took spartments at the Imperial yesterday.

gress. This amendment proposes that increased freight rates shall not be called a conforced by any railroad until after their fairness has been inquired into and consented to by the Commission.

Mr. and Mrs. M. J. Corwin, of Seattle, at his home, I Twenty-first street north. Mrs. C. Gladstone, of New York City, arrived in Portland and vicinity.

Mr. and Mrs. M. J. Corwin, of Seattle, are visiting Mrs. Robert Stephenson.

F. L. Stewart, a banker of Kelso, is in Shakespearlan reader and a traveling less the tenor who sang Hawaiian songs so Shakespearlan reader and a traveling less than and vicinity.

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One of Los Angeles' leading hotel men, John S. Mitchell, proprietor of the Hollenbeek, is making a tour of observation in the Pacific Northwest, making his Portland headquarters at the Oregon.

W. A. Dobson, of Marion, lowa, who who was judge of the horse show, returned last night from Seattle and is at turned last night from Seattle and is at the Danmoore Hotel. Mr. Dobson will leave in a few days with his string of borson to Seattle. horses for Seattle.

Mr. J. K. Gill left Portland yesterday morning for an extended trip East. He will spend some time in New York City, Boston and Philadelphia, with the leading publishers. He anticipates a visit with Mr. W. W. Dillingham, of Bangor, Me. Returning home he will go via Baltimore in order to be present at the con-

of the State Reformatory, Jeffersonville, vide more lights on the bridge at night. Ind., is in this city on a nonprofessional The jury failed to fix the blame on visit. He will remain here for a week any one, probably because it was

of the Methodist Episcopal

PERSONAL MENTION.

One of the pioneers of Sheridan, Allyn Focom, is a guest at the Perkins.

Mr. and Mrs. M. J. Corwin, of Seattle.

Mr. Robert Stephenson.

Ito cities of the Pacific Northwest, are among the guests at the Portland.

A. L. Maxwell, who was stricken with paralysis a few weeks ago, is steadily improving. He is still confined to his bed at his home, 91 Twenty-first street north.

Mrs. C. Gladdone, of New York Cite.

the carnival in Topeka, Kan., is 1898, and another sister. Miss Emma, accompanied him on the occasion of one of his visits to Portland. Mr. Rose had intended to leave soon for a European tour, but his illness has delayed his plans, and while recovering he expects to visit his former home in Hawali.

Inquest Over Wubberhorst.

Coroner Finley held an inquest into the death of Herman Wubberhorst, who was drowned Friday morning by walking off the open draw of the Burnside-street bridge. The inquest was called in order to determine ference of the Methodist Episcopal whether the bridge employes were in any way negligent. The Coroner's F. H. Pageler, special officer and clerk Jury recommended that the county pro-

### Third Concert of Portland Symphony Orchestra HEILIG THEATER, MAY 22

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Accept terms. Will sing Symphony Concert, twenty-second. Arrive sixteenth. Arthur Alexander. 11:48 A. M.

Last Concert of Portland Symphony Orchestra CHARLES DIERKE, Conductor

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# ARTHUR ALEXANDER

ALEXANDRA MARQUARDT, Celebrated Harpist

FRIDAY EVENING, MAY TWENTY-SECOND