

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 subpoena to appear before District Attorney Manning, caused a delay in the filing of an indictment charging Martin formally with the murder of Nathan Wolff.

The subpoena 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.

Last night the case was not materially changed so far as the evidence 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 night and at least one witness who saw him on the West Side after 6 o'clock.

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 6:30 P. M. He was taken at once to Martin's cell and after a careful inspection by 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 tomorrow.

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 Goitz 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 were bought from E. Scheel the day before, he said, together with a fourth shirt, which he yet has in his possession, and he leaving the city that day. It was the fourth shirt that is blood-marked.

Conviction Not Yet Easy. Lawyers who have gone over the circumstances connecting Martin with the murder, say conviction will not be an easy matter, since there are many doubts from a legal standpoint, in the evidence now at hand. Kavanaugh, who is acting as legal adviser to Mrs. Martin until arrangements can be made for counsel for her, among those who doubt Martin's ultimate 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. 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 helmed by the report that Martin's father has money and that he likely will spend some of it in defending his son.

No telegram was received directly from the father yesterday, but reports that messages received from the elder Martin's New York agents it is gathered that the father will stand by his accused son.

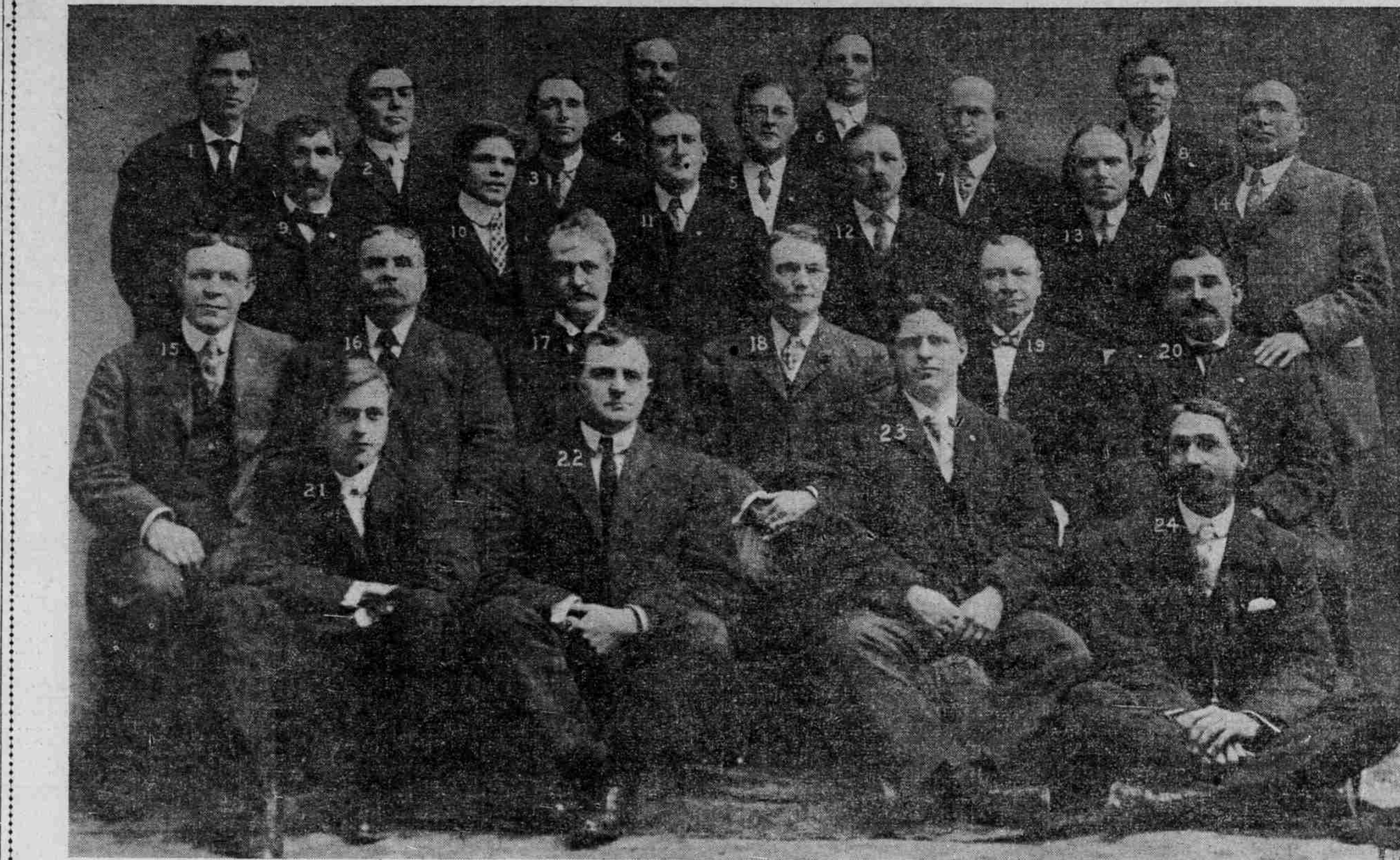
Question Mrs. Grubb's Word. It is known that the witnesses and evidence gathered by the authorities will be mercilessly assailed. Mrs. A. Grubb, the South Portland woman who says Martin borrowed a revolver from her, will be attacked from several vulnerable points and an effort will be made to show her testimony cannot be relied upon. She 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.

Definite arrangements for a lawyer to take charge of the case have not yet been made, although this doubtless will be done on Monday. Ex-Senator Gear was implored 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 Wolff estate for administration, thus making it questionable for him to appear in Martin's behalf.

In presenting Martin's case it is known that evidence will be presented to show that robbery could not have been a motive for participation in such a murder if the accused man. He secured money that same day, it will be shown, and was not in need. His wife, too, was comfortably off. 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 defense, as now pointed out, 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 have been struck by some one with little strength.

But should the chain of circumstances be completed and conviction seem certain, Martin's mental condition will be taken back on as the last line of defense. His use of drugs and his many eccentricities would lend themselves readily to a plea of irresponsibility. This is the general scheme of defense as it now stands.

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



1. A. W. Quick; 2. J. A. Bowen; 3. Charles G. James, secretary; 4. J. E. Walling; 5. W. G. Dibble; 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. P. Motter, chairman; 19. J. J. Jennings; 20. William Reid; 21. A. D. Keene; 22. J. H. Bush; 23. B. F. Greene; 24. L. C. Hoffinger.

This 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 enthusiasm 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 6, 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 Rose Festival committee, whose pictures appear above, are all prominent Woodmen and earnest workers for the Woodmen of the World and a greater City of Portland.

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

CHANGE IN TRAIN SOUTH

NO. 18 WILL LEAVE PORTLAND 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 12 and 18. Train No. 12, the San Francisco Express, will leave Portland at 1:30 A. M. instead of midnight, as under the existing time-table. The arrival of Train No. 16, the Oregon Express, 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. 12, 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 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 Astland 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 committee 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 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, recently announced that the new rates would not become effective until October. In the meantime, the proposed advance in these rates is being investigated 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 protest against the proposed action of the railroads.

FINE BLACK GOODS.

Latest Imported Novelties at the Very Lowest Prices.

We are Northwest headquarters for fine black and mourning dress fabrics. Our stock is now complete, and we invite your early inspection. Starting tomorrow every piece of black goods in the house will be reduced. Mail orders filled. McAllen & McDonnell, Third and Morrison.

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

PERSONAL MENTION.

One of the pioneers of Sheridan, Allyn Yocom, is a guest at the Perkins. Mr. and Mrs. M. J. Corwin, of Seattle, are visiting Mrs. Robert Stephenson. P. L. Stewart, a banker of Kelso, is in Portland, a guest at the Oregon Hotel. Among the foreign arrivals at the Portland yesterday was H. Skatt, of Hongkong. Charles R. Paul, of Chicago, representative of Hart, Schaffner & Marx is at the Hotel Portland. Lot R. Dyers, Masonic grand master, came in from Salem yesterday and is registered 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 and are guests at the Imperial. W. T. Perkins, chief clerk in 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 president of the Agricultural College at Corvallis, and his daughter, took apartments at the Imperial yesterday. Two young men from London, England—R. G. Lind and P. Kerrigan, on a trip

called at police headquarters last night and furnished the Chief of Police with information and descriptions of several fugitives who are supposed to be in hiding in Portland and vicinity.

C. K. Rose, who will be remembered as the tenor who sang Hawaiian songs so beautifully when touring this country, is ill at a hospital in Marshfield. A sister of Mr. Rose, Miss Anna, was queen of the carnival in Topeka, Kan., in 1888, 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 Hawaii.

CHICAGO, May 9.—(Special.)—C. F. Wright and wife, of Portland, are registered at the Great Northern.

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 whether the bridge employees were in any way negligent. The coroner's jury recommended that the county provide more lights on the bridge at night. The jury failed to fix the blame on any one, probably because it was shown that Wubberhorst had once before fallen off the bridge.

Third Concert of Portland Symphony Orchestra HEILIG THEATER, MAY 22 THE WESTERN UNION TELEGRAPH COMPANY. 23,000 OFFICES IN AMERICA. INCORPORATED. CABLE SERVICE TO ALL THE WORLD. RECEIVED at 103 Ch. Bu. 8 Paid Wn. New York, May 9, 1908 Edna Jones, Manager Portland Symphony Orchestra, Portland:-- Accept terms. Will sing Symphony Concert, twenty-second. Arrive sixteenth. 11:48 A. M. Arthur Alexander. Last Concert of Portland Symphony Orchestra CHARLES DIERKE, Conductor SOLOISTS ARTHUR ALEXANDER ALEXANDRA MARQUARDT, Celebrated Harpist FRIDAY EVENING, MAY TWENTY-SECOND