

The Madras Pioneer

VOL IV

MADRAS, CROOK COUNTY, OREGON, THURSDAY, MAY 14, 1908.

NO. 39

Green Hotel

NOW UNDER NEW MANAGEMENT

House has been thoroughly renovated. No better table in Central Oregon for the money. Your wants will be courteously attended to. Headquarters for traveling men.

First-class Livery in Connection

J. W. LIVINGSTON, Proprietor

MADRAS, OREGON

T. S. HAMILTON, Pres. F. T. HURDNER, Vice-Pres. J. C. FOWLER, Cash.

EASTERN OREGON BANKING COMPANY

FOREIGN EXCHANGE BOUGHT AND SOLD
DRAFTS ON ALL PARTS OF THE WORLD

Capital Stock, \$50,000
Deposits, \$250,000

SHANIKO, OREGON

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POSTOFFICE PHARMACY

Carries a Complete Line of Drugs, Medicines, Chemicals, Household Remedies, Druggists' Sundries and Fluid Supplies. Country Mail Orders I give my personal attention. A Graduate in charge. Safe delivery guaranteed. Your prescription my specialty. Strychnine and Post Destroyers. Stock Foods and Dips of all kinds. Agency for Eastman Kodaks. Both Wholesale and Retail.

B. DALLES, OREGON

LUMBER FOR SALE

We have plenty of lumber for sale at our mill, located about 3 miles east of Grizzly post office on county road. Prices right

McMeekin & Eastwood

FURNITURE & UNDERTAKING SUPPLIES

DUCKS BROS
MADRAS, OREGON

FINE HAND-MADE HARNESS

FULLY GUARANTEED
Whips, Bridles, Halters, Lace Leather
Neat Harness Repairing

NEW LINE OF DRESS & WORK SHOES

B. S. LARKIN
MADRAS, OREGON

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FRANK OSBORN
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NO. 3851.
The First National Bank
OF PRINEVILLE, OREGON

B. F. ALLEN, President. T. M. BALDWIN, Cashier.
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ESTABLISHED 1888
Capital, Surplus and Undivided Profits
\$100,000.00

ELK DRUG STORE

Carries a good line of fresh drugs and patents. Prescription work and family recipes made a specialty

T. A. LONG
Physician and Druggist
MADRAS, OREGON

Prince Corbet

BAY PERCHERON STALLION

Will make the season, until July 20, as follows: Madras, Mondays, Thursdays and Saturdays; Venae & Brown's, Tuesdays and Wednesdays. At home ranch Friday.

TERMS: \$5 single service; \$10 season; \$15 to insure.
PETER MARNACH, Owner

EX-SHERIFF SMITH IS FOUND GUILTY

Crook County Jury Is Out 15 Hours

IMMUNITY NOT PROMISED

Elliott, Who Turned State's Evidence, Must Stand Trial For Share In Crimes.

PRINEVILLE, Ore., May 10.—After deliberation covering more than fifteen hours the jury in the case of C. Sam Smith, charged with burning ex-Congressman J. N. Williamson's shearing plant, brought in a verdict of guilty, at 12:15 o'clock this afternoon, says a dispatch to the Portland Oregonian.

The verdict is a huge surprise to the people here, most of whom were expecting a disagreement. Wagers were freely offered at two to one that if the jury reached a decision at all the verdict would be an acquittal. This opinion was owing to the bad reputation of Larkin Elliott, the alleged accomplice and principal witness for the prosecution, for truth and veracity, the unreliability of whose statements were thought to be clearly established by five responsible witnesses. Evidence was also offered to show that within the last year Elliott had remarked, "We will have to burn Smith's house and run him out of the country."

The evidence against the defendant was largely circumstantial and but for the testimony of Mrs. Larkin Elliott and Thomas Huston it is doubtful whether the state would have had a case. Another factor in the conviction was the promise made by the district attorney to the jury, that Elliott would not be granted immunity but would also be punished for the crime admitted.

The case went to the jury at 9 o'clock Saturday evening. On the first ballot the vote stood seven to five for conviction.

tion. Five ballots were taken, when the votes changed to 10 to 2 for conviction, and this remained until noon today, at which time the jury asked the court to repeat the instructions relative to the law governing circumstantial evidence. Fifteen minutes later the jury returned a verdict of guilty.

Smith retained his composure during the reading of the verdict, not even changing color upon learning his fate.

Counsel will move for a new trial tomorrow morning. If this is granted, they say errors which they regard as vital in the case will not be repeated. If the motion is not granted, notice will be given to appeal to the Supreme Court. There is no question but that this case will then be fought to the last ditch.

This is the first case on record in Crook county where a sheepman has had sufficient courage to endeavor to cause the punishment of those committing depredations on his property. Hitherto all have been content to let the matter drop, either from fear of consequences or because of insufficient evidence.

According to District Attorney Menefee, the defendant will not be tried on the other three indictments against him, two of which are on felony informations and one on a misdemeanor charge.

Neither are the old range war troubles to be raked up, which set the county on edge for many years. The "Shorty" Davis affair, in which a man disappeared nine years ago, has not been mentioned, for the body has not been found, in case it should be, it is hinted that the authorities know where to place the blame for his disappearance, having obtained the information during the course of the present trial.

GIVEN SENTENCE OF FOUR YEARS

PRINEVILLE, May 11.—Counsel in the C. Sam Smith case, wherein the defendant was convicted of burning J. N. Williamson's shearing plant, this morning moved for a new trial. The motion was denied by Judge Bradshaw, who shortly thereafter pronounced sentence, imposing a penalty of four years in the penitentiary. Counsel then served notice of appeal. Smith's bond was advanced from \$2000 to \$5000, which sum was furnished, and he is at liberty.

The state witness, Larkin Elliott, was soon afterward given a like sentence and will be taken to Salem Wednesday.

TWO FARMER'S UNIONS ORGANIZED

Mr. A. A. Elmore, organizer for the Farmer's Educational and Co-operative Union, spoke to an interested audience in Madras Tuesday evening, explaining the purposes of the union, and the benefits sought to be attained by the farmers organizing. Mr. Elmore spoke at Mud Springs last Saturday evening, and quite a number of the farmers from that section attended the meeting here, when it was decided that for the present it would be better to form the farmers of the two sections into one union, which was done and the following officers were elected: President, G. L. Paxton; vice president, P. R. Hastie; secretary-treasurer, W. J. Stebbins; chaplain, James Lee; doorkeeper, W. H. Stonehooper; conductor, C. R. Looney. The Mud Springs union starts with 16 members and there will probably be additions at the next meeting, which will be at Madras on the 4th Saturday in this month, and thereafter the union will meet alternately at Mud Springs and Madras on the 2d and 4th Saturday in each month.

A Farmer's Educational and Co-operative Union was organized on Agency Plains with 37 members, the following officers being elected: President H. J. Brunstetter, vice president Wm. Harper, secretary-treasurer A. D. Anderson, chaplain H. W. Gard, doorkeeper A. H. Parkey, conductor Wm. Cook. This union is called Mt. Jefferson Union and meets the 1st and 3d Saturdays in each month.

EXAMINING ROAD TRAIN PROJECT

L. B. Lafollette of Prineville, and P. E. Weston of Stockton, Calif., representing the Holt Manufacturing Company, manufacturers of the traction freight engines, arrived in Madras Monday evening to examine into the advisability of operating the big traction freight outfit which made a trip to Madras last fall. They spent Tuesday looking over a portion of the farming country tributary to Madras.

Mr. Weston was non-committal, when asked as to whether his company would operate the traction freight outfit, but said the project exhibited no insurmountable difficulties, though it would necessitate considerable expense to place a portion of the roads in condition for the big engine to operate by. Mr. Lafollette said it would probably be a week before a definite decision could be reached.

Messrs. Lafollette and Weston started for Shaniko Wednesday morning.

MADRAS COUNTRY HAS GOOD SHOWER

Accompanied By Warm Weather

CROP PROSPECTS BETTER

Drizzling Rain Wednesday Night And Continues This Morning For Several Hours.

Wednesday evening a drizzling rain commenced in this vicinity and continued at intervals during the night. This morning it became steadier and developed into the heaviest shower that has visited this section in five or six months and being almost the only precipitation in this immediate vicinity in about four months.

The rain puts a different aspect on the crop question and almost insures a large yield for this country. In consequence farmers are wearing a broad smile and wagering on abundant crops.

It is reported the rain-maker is operating down in Sherman county, and it may be one of his precipitating bolts lost, strayed up this way, and loosed off things. However that may be, this section has received a good shower, for which everyone is extremely thankful.

MAY DEFEAT 320-ACRE DRY FARM BILL

Several Changes Made in Bill Which Will Provoke Opposition From The Senate.

A Washington dispatch says that the success of the dry farm homestead bill is in jeopardy, owing to a number of changes made in the bill by the house committee on public lands. The bill, as reported to the house, differs from the senate bill in a number of important provisions, and unless a prompt agreement can be secured upon the bill in conference, its enemies may be able to prevent its final enactment into law.

In the senate bill, Idaho and California were excepted from the operation of the law, but the house committee restored both of these states and cut out North Dakota. In the bill which passed the senate, there was a section waiving the residence requirement where the lands do not contain a sufficient supply of water suitable for domestic purposes to permit of continuous residence. The house committee struck this section out, requiring residence upon all 320-acre homesteads. And, unless a settlement of these questions can be agreed upon promptly in conference, the opposition to the measure may prevent its passage.

There was also some difference of opinion between the senate and the house committees over the provision of the bill permitting present homesteaders to take up additional lands until the aggregate held by them amounts to 320 acres. This feature of the bill is one in which all those already holding homesteads are particularly interested. This change, as the bill now stands as reported by the house committee, reads as follows:

That any homestead entryman of lands of the character herein described (non-mineral, non-irrigable, unreserved unappropriated surveyed public lands which do not contain merchantable timber) upon which final proof has not been made, shall have the right to enter public lands subject to the provisions of this act, contiguous to his former entry, which shall not, together with the original entry, exceed 320 acres, and residence upon and cultivation of the original entry shall be deemed as residence upon and cultivation of the additional entry.

TRIAL JURY IN THE SMITH CASE

Contrary to the expectation that it would be a difficult task to secure a jury to try C. Sam Smith and Larkin Elliott, charged with burning the Williamson shearing plant and cutting his wire fencing, only two hours were required to select the 12 men to try the accused cattleman. Both the state and the defense exhausted their peremptory challenges, and a number of talesmen were excused for cause. The personnel of the jury which finally was secured to try Smith and Elliott was as follows:

Walter Rable, farmer, Lamonta; J. F. Taylor, farmer and sheepman, Prineville; John Steidl, banker, Bend; J. L. Wainwright, farmer, Culver; J. F. Wainwright, farmer, Lamonta; C. R. McLaughlin, farmer, Redmond; C. W. Updike, engineer, Redmond; H. K. W. Taylor, farmer, Madras; E. C. Fought, farmer and stockman, Bear Creek; R. Moore, farmer, Haycreek; F. W. McCaffrey, farmer, Redmond; J. T. Park, farmer, Redmond.

LOW RATES EAST

WILL BE MADE BY THE O. R. & N.

THIS SEASON AS FOLLOWS

TO	DIRECT
Chicago	\$72.50
St. Louis	67.50
St. Paul	63.15
Omaha	60.00
Kansas City	60.00

ROUNDTrip

TICKETS WILL BE ON SALE
May 4, 13
June 5, 6, 19, 20
July 9, 7, 22, 23
August 6, 7, 21, 22

Good for return in 60 days with stopover privileges at pleasure within limits.

Don't Forget the Dates

For any further information call on
E. J. WILSON, Local Agent
Or write to
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J. C. & M. A. ROBINSON

SUCCESSORS TO J. W. & M. A. ROBINSON & CO.
GENERAL MERCHANTS
MADRAS, OREGON

Spring and Summer Goods Are Selling RAPIDLY

Agents for
BAIN WAGONS, McCormick
Headers & Binders
SUB-SURFACE PACKERS

WHEAT TAKEN FOR ACCOUNTS AND TRADE