

Lincoln County Leader.

Volume XI.

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Number 40

LOGAN IS ACQUITTED.

Judge Bellinger Doesn't Agree with the Jury.

The Sunday Oregonian contains the following regarding the termination of the trial of Abe Logan:

The jury in the case of Abe Logan, the Indian accused of murdering U. S. Agent upon the Siletz reservation, abandoned the court and everyone who heard the evidence in the case by returning a verdict of not guilty yesterday morning. Judge Bellinger took occasion to express his surprise at the outcome, and also to administer a gentle rebuke to the jury for returning such a decision. He then scolded the Indian, and told him he was guilty of implication in the crime, even though he had been declared innocent by the jury. The judge declared that the jury was unswayed in coming to the decision it reached by pity for the wife and children of the defendant.

When the verdict was announced in the courtroom an audible expression of approval of the result went over the entire audience. To those who had listened to the evidence against both men accused of the crime, it seemed a travesty upon justice that Logan should be set free and Martin, against whom there was less substantial evidence, should have to serve time for manslaughter.

After listening to the verdict the judge turned to the jury and said: "This has been a failure of justice. Lack of respect and feeling for the wife and little ones of the defendant, you have been led to acquit. Such a verdict as this must result disastrously to the residents of the Siletz reservation."

To the acquitted prisoner he addressed these words:

"Logan you are acquitted; but I think you are a bad man and that you shed Grant. The jury gave you the benefit of a reasonable doubt, but had been on the jury I would at least have sought in a verdict of manslaughter. The blood of Grant is on your hands, and I give you fair warning that your escape from punishment that you no doubt deserve does not argue that you could go free a second time, and I advise you to keep out of this court."

How the jury could have found Logan guilty, after listening to the testimony introduced against him, is more than those who listened to the case can figure out. The strange verdict was an all-absorbing topic of conversation around the courthouse all day, and there were a great many adverse criticisms made about the verdict.

On the first ballot in the jury-room, there were seven for conviction and five for acquittal. That this was the case is the statement of officials who are in a position to know. The minority held out for an acquittal because, it is said, of the feeling for the wife and children of the accused man. The verdict was a long one, but the majority finally sacrificed their convictions and cast their votes with the five.

Jury List.

Following is a list of the jurors drawn for the next term of Circuit Court, beginning December 14, 1903:

- | | | |
|------------------|---------------|-------------|
| W. E. Wann | stockman | Waldport |
| Huston Parks | farmer | Elk City |
| C. K. Evans | stageman | Waldport |
| W. W. January | farmer | Harlan |
| C. M. Carlson | farmer | Toledo |
| J. E. Dixon | farmer | Elk City |
| J. H. Dory | fisherman | Yaquina |
| A. G. McMillan | farmer | Tidewater |
| C. C. McBride | farmer | Eddyville |
| B. F. Grant | stockman | Big Elk |
| A. D. Perkins | farmer | Toledo |
| John Leomis | merchant | Newport |
| M. L. Campbell | farmer | Toledo |
| John Williams | farmer | Ona |
| John McCluskey | farmer | Toledo |
| Wm. G. Reynolds | farmer | Waldport |
| A. L. McDonald | stockman | Chitwood |
| Fred Maurer | stockman | Ona |
| G. E. Egan | surveyor | Waldport |
| Lee Williams | hotelman | Newport |
| Albert Sijota | farmer | Kernville |
| John Dougherty | farmer | Beaver Crk. |
| John S. Stevens | farmer | Kernville |
| J. J. Bristow | farmer | Nashville |
| O. E. Roche | mechanic | Toledo |
| L. D. Woods | stockman | Siletz |
| G. W. H. Moore | stockman | Newport |
| H. R. Sturdevant | farmer | Toledo |
| C. A. Dick | millman | Toledo |
| A. Reynolds | mechanic | Waldport |
| H. E. Perriell | schoolteacher | Eddyville |

E. H. Bryant of Nashville was in the city Tuesday night.

B. F. Helm of Yaquina was in the city last Saturday.

Postmaster Roddy of Winant was in the city Wednesday.

Lee Williams of Newport was headed valleyward Monday morning.

County Judge Brown had business in the valley the fore part of the week.

Fred Wessel returned last Saturday night from a business trip to Portland.

Misses Kate and Mollie Blower of Mill 4 were visiting Toledo friends Monday.

Abe Logan and family and Johnny Spencer returned Monday evening from Portland.

Chris Lesind departed Wednesday morning for Tacoma, Wash. He will return when the fishing season opens next August.

The LEADER has a buyer for 50 fat hogs. If you have any to sell call and get particulars.

John Quincy Adams and J. W. Andrews of Chitwood had business in the city Tuesday night.

Superintendent McKoin returned from Portland Monday evening and went to Siletz next morning.

The holiday season is upon us. Toys, games, dolls, books and appropriate holiday presents at Krogstad's.

G. L. Gray went up Depot Monday to act as overseer at the logging camp, placing Tom Horning in charge of the yard.

Deputy District Attorney B. F. Swope came through from Newport Monday morning en route to Albany on a business mission.

Merchant John Ofstedahl and son Clarence departed Monday morning on a visit to Everett and Whatcom, Wash., and other Puget Sound points.

Miss Minnie Ogram, having returned to her home in Toledo, is now prepared to receive orders for crayon and pastel work, fish scale jewelry, etc.

Rolla Gaar returned Tuesday evening after an absence of several months in various parts of the state. Rolla has been in the show business and came back rich in experience.

Eggs away up in price, and here your hens are moping about, sickly and non-productive, all for the want of some of Pratt's world renowned poultry powder, which will start hens laying in a week's time. For sale by Krogstad.

A few members of the local W. R. C. "surprised" Mrs. J. H. McNeil last Saturday evening in honor of her 41st birthday. The rain prevented many from being present, but those who ignored the juicy weather had the usual good time.

S. Albert Pruett and S. Jim Brown came in Tuesday evening from their homesteads on the Siletz with a load of something. These energetic farmers are bound to make their mark in the world. In fact, the former has already done so. He is not only making footprints in the sands of time, but also in the mud between his farmstead and Toledo. Size No. 11.

J. W. and O. G. Flowers have located in the old Darnell building on the water front and will carry a stock of groceries, flour and feed. In addition J. W. is a contractor and builder, and will also do plumbing and tinware repairing, shoe and harness repairing, etc. From which it is easily seen that Mr. Flowers is one of the best things that ever happened. Give him a call.

Bids Wanted.

Notice is hereby given that sealed bids will be received by the County Court up to 10 o'clock a. m. on the 9th day of December, 1903, for the repairing of the Chitwood bridge and the building of a new span with open cord. Bidders are required to submit their own plans and specifications and also to deposit 5 per cent of the amount of their bids, as required by section 53, road laws of Oregon, for the year 1903.

The County Court reserves the right to reject any and all bids.

By order of the County Court.

IRA WADE, County Clerk.

Ladies wishing new jackets, capes, fur suits and the latest in furs are invited to call and get prices.

Mrs. M. WYGANT,

Over McCannou's Store.

The Salmon River Toll Road.

Editor LEADER: Thinking that you and your readers might wish to know what I saw and learned on my recent trip to the Salmon River country, I have here ventured to tell you of the same.

On Wednesday, November 24, I set out from Newport with my pack and that night reached the famous hostility of Wild Bill Smith on Bald Mountain.

Thursday morning I set out on the almost impassable trail to Siletz bay. Owing to the condition of the trail and the size of my pack I concluded to stop with the hospitable Mr. Chatterton. In the morning Mr. Chatterton took me out to view his natural cranberry marsh, which already produces crops of wild cranberries. If Mr. Chatterton will only send to Wisconsin and get 1,000 or so tame cranberry plants and set them out, he can in a few years realize \$1,000 to \$3,000 per acre from his 4-acre marsh.

Setting out, I crossed Siletz Bay by the aid of Albert Sijota and brother. Passing along the beach, I noticed the first of the graves of the five men whose bodies have lately been found in a much decayed condition along the beach as far north as Nestucca. All these bodies were badly mutilated and only a few had anything on by which they could be identified. From what I could learn, however, one was supposed to be, by papers found, the purser of the South Portland. Another, evidently a member of the crew, had 50 cents in his pocket and a woman's picture tattooed on his arm. Another, probably a passenger, had a little money and an emblem badge of the Order of Eagles. Another body had a gold watch and chain. Nearly all their clothes were gone.

I stopped with Siletz Morris and found that he had a fine farm, well cultivated and taken care of. He has 300 head of good sheep, a lot of fat cattle, and four as good horses as there are in Lincoln county. Mr. Morris is an Indian, but there is no white man in this county who works any harder or who has a better kept farm.

All the country from the mouth of Devil's Lake to Salmon river, a strip about 5 miles long by 3 miles wide, is the finest in Lincoln county. The soil is good, the hills are low and gently rolling and are bare of trees and logs. In fact it is a typical piece of Nebraska prairie land.

The lower Salmon river country is also as fine as anything in Tillamook or Lincoln counties.

From Morris' place I struck what I had come to see, viz., the Salmon river road. From Morris to the river at Logan ford is naturally adapted to a road and one can be laid out anywhere. At Logan ford there will have to be a bridge that will cost probably \$300. From here the road crosses the river bottom to the hills, along the lower edge of which it runs until Long Prairie is reached, about 5 miles from Logan ford. The road then traverses the river bottom for the balance of the distance in Lincoln county. At the end of Long Prairie comes the famous Boulder ford, which is the terror of the Salmon river valley. Here, however, just above, is an excellent site for a bridge with a span of about 80 feet, to the south side of the river through the fine ranch of Henry Deacon one-third of a mile to Slick Rock creek ford, where a 60-foot bridge will have to be put in. Then on up the river through the fine ranches of John, Marion and James Deacon to Mr. Dodson's, then on one-fourth mile to the bridge at Mr. Harris', which is about 55 feet span and is nearly completed by the volunteer work of the Salmon river settlers. Then comes J. M. Crowley's fine ranch and good buildings. Then the fine ranch and comfortable house of Alva Ackerson, which is used as a travelers' rest in that locality. Then on through Walter Crowley's place, and for two miles or so more there are no ranches. Then on up the valley past Mr. Boyer's to the Tillamook line at the northeast corner of section 20, township 6 south, range 9 west.

The people of the Salmon river valley have labored under difficulties which the people of this locality can hardly realize. They are an isolated community, whose county seat is harder to reach than Portland would be. They can only reach Toledo by a fearful and

wonderful trail that forces them to cross Salmon river and Siletz bay by swimming their horses and taking up three days' time. Going out the valley by way of Sheridan, over a wagon road so bad that it now costs them \$20 to get in a 1000-pound load and takes two days. This, mind you, is the nearest place at which they can buy their supplies. I went up there expecting to meet a divided community in regard to the toll road scheme, but I was surprised and gratified to find that every man, woman and child, white and Indian, are heartily and enthusiastically in favor of it. They realize that the county in the present state of its finances cannot help them much in road matters, and so they hail the toll road as a matter of vital importance to their community. In fact, several said that unless they got a road soon they would have to leave and abandon their ranches.

The directors of the Toll road will find a road easy to construct, with a very large part of the same already built, necessitating only a few miles of corduroy or plank and the building of three bridges, one other being practically built. The toll road will mainly follow the survey which was well located and requiring only a few changes in alignment. It is safe to say that it will be a boon to the Salmon river people which they have long deserved. I understood from Dr. Smith that men will be put to work at once hewing out stringers, etc., for the bridges, and that others will soon be put to work swamping and grubbing in the right-of-way.

M. WYGANT, County Surveyor.

The Ladies' Aid Fair.

The Ladies' Aid Society met Tuesday afternoon with Mrs. T. P. Fish. There was a good attendance. The following committees were appointed for the Fair to be held at Woodmen Hall December 16th:

Program—Mesdames Schenck, Bethers and Stewart.

Fancy Booth—Mesdames Dick, McNeil and Center.

Comforter Booth—Mesdames Hyde, Nye and Clementine Brown.

Apron Booth—Mesdames Thayer, Gray and Leona Brown.

Ice Cream—Mesdames Dedrick, Arnold and Soule.

The booths will contain many articles suitable for Christmas presents.

The program will appear next week.

Butler Fairchild of Siletz was in the city Wednesday.

J. Wiley Parrish returned Wednesday evening from a business trip to Albany.

The Yaquina Bay Mercantile Co. and Stewart & Vant display new ads this week.

Attorney W. S. McFadden of Corvallis had business in the city Wednesday night.

H. E. Derrick of Eddyville was in the city yesterday, the guest of his brother Jim Z. M.

Bensell Orton returned Tuesday evening from "all over" and went to his home at Siletz next morning.

George McCluskey returned yesterday from his homestead in Lane county and left this morning for Hammond, Or., where he has accepted the principalship of the schools for a term of six months.

Grit, granulated bone, bone meal, nest eggs and Pratt's Poultry Food are what everybody uses now-a-days who are in the poultry business for the money there is in it. All for sale by Krogstad.

Conductor Billy Hoeflein was made happy Wednesday morning by the return of the O. R. C. emblem locket which he lost several weeks ago. Section Foreman Henry Gannon found it between the platform and the railroad track just east of the depot, but very generously refused the \$5 reward offered for its recovery. However, Billy insisted on setting up the peanuts, and Henry had a high old time.

Presiding Elder T. B. Ford and Dr. Driver of Eugene arrived yesterday evening and the latter lectured at the M. E. church. He will also lecture this evening, Saturday evening and Sunday morning and evening. There will be services at 2 o'clock each afternoon up to, and including Sunday. Dedication service at 10:30 Sunday morning. Dr. Driver will answer questions on the Bible before each lecture.

REAL ESTATE TRANSFERS.

Record of Recent Exchanges in Lincoln County.

November 27—John A. Olsson and Anna Olson to Thomas Beck, lot 4 in block 26, Fredericksburg. \$30.

November 27—John A. Olsson and Anna Olson to James Bradley, lots 5 and 6 in block 26, Fredericksburg. \$20.

December 1—S. G. Irvin and May Irvin to C. H. Poiran, lot 7 in block 10, Irvington. \$47.50.

November 25—Anna L. Foster and Hiram N. Foster to A. L. McFadden, net section 34, township 10 south, range 9 west. \$450.

November 27—State of Oregon to W. F. Hyde, sw 1/4 of sw 1/4 section 16, township 10 south, range 9 west. \$50.

December 2—L. E. Dale and Ella Dale to C. S. Gideon, w 1/2 of lot 2 in block 2, Waldport. \$5.

December 2—David Ruble and Orlena Ruble to Ella Dole, lot 1 in block 2, Waldport, subject to following conditions: That on the premises no building shall be erected or used as a gambling house or for the manufacture or sale of intoxicating liquors. \$10.

Robbed Roddy's Roost.

WINANT, Nov. 28, 1903.

The quiet and orderly little town of Winant has been disgraced by the presence of sneak thieves. On the night of November 27 they robbed my hen house of five hens and a rooster. I wish they would come back and get the few feathers they left, as they are no use to me now. As I think I know the two people, they better look out. When able-bodied men have to resort to stealing chickens in a country so easy as this to live in they are pretty low down dith.

M. RODDY.

The LEADER regrets to learn that any of its readers can be guilty of such an act. For several years we have been trying quietly but earnestly to teach that "honesty is the best policy." We hope the guilty parties will repent at once and return the chickens, or their equivalent in cash, to Mr. Roddy before sunrise tomorrow morning. We know they'll blush when they read this.

For Sale.

Several fine Brown Leghorn cockerels, from the famous Boney stock of Woodburn. Apply at once at my place on Mill creek or address: L. F. Hosen, Toledo, O.

Miss Mamie Wakefield of Eddyville was in the city last night, the guest of Mrs. G. R. Schenck.

The Ladies' Aid Society will meet with Mrs. Ellsworth next Tuesday afternoon to complete arrangements for the Fair.

Superintendent George Bethers informs THE LEADER that a local teachers institute will be held at Chitwood Saturday, December 12.

The Ladies' Guild met Wednesday with Mrs. A. T. Peterson. A good attendance, a good lunch and a good time marked the occasion.

George Heckel is back from a visit at his old home in Michigan. It didn't take him long to enough of the frozen east and back-track to Webfoot.

Miss Winnie Davis departed Tuesday morning for Stockton, Calif., and tomorrow she will be united in marriage to Fred C. Ross. A host of friends of the popular young couple forward congratulations, coupled with the wish that they will be happy and prosperous for ever and ever.

Marriage Licenses.

Nov. 24—V. D. Seibert to Kattie Sue Gillette.

Nov. 25—Fred C. Ross to Winnie L. Davis.

Nov. 27—Ralph Hamar to Lennie Norton.

For Sale.

My 2 lots, each 50x100 feet, house and furniture, good well, winter's supply of wood in shelter, good chicken house, good blacksmith shop and complete set of tools. Will take \$900. A big bargain. JAMES ANDERSON, Toledo, Oregon.

For Sale.

25 head of steers, age 18 months to 2 years. Cheap if taken during the next two weeks. Call on me at the old Logan ranch on the Yaquina, or address CHAS. EWING, Elk City, Or.