

MADE IN PORTLAND
GREAT OREGON

(Continued from Page One.)

To make a test of the matter by going into the dungeon for seven days, where there could be no possibility of the drug being smuggled in to him, if on the other hand, the city physician who has intimated that he thinks Martin is a drug addict, will be required to resign if he is proved wrong. Martin says he has taken no drugs since he went to the county jail, and he has lost his appetite for them.

The failure of the defense to make any extended cross-examination of several of the chief witnesses against him has caused some wonderment among the courtroom spectators. To all inquiries as to why they are pursuing this policy the attorneys for the defense reply that they will have some surprising evidence when their turn comes. They pool-pool much of the testimony of the state, and the attempted identification of the bloody overcoat is a failure, because the witnesses have declined to swear positively that the crimson stained garment is the one they saw Martin wear.

Will Close Case Soon. Apparently the case will not be finished before Tuesday. It is not believed that the testimony for the defense will last more than a day. Then probably a few days will be required for argument, as the state has an intricate fabric of material to be put together in sequence when the case is finally closed.

Mrs. Alice F. Grub, wife of Adam Grub, living at 349 Penney street, made a good witness in telling of her conversations with Martin concerning revolvers and her having loaned a weapon to the defendant the day before the murder. She said she has lived in Portland for seven years and has known Martin since June, 1907. She became interested in him through reading in the newspaper that he had been arrested for use of morphine. From the chief of police she learned that he lived at 569 Marshall street, and she secured a note of introduction from Father McDevitt. She wanted to help him cure himself of the drug habit, and she directed him in the use of a cure, for which he had often expressed gratitude.

Call at Martin Home. The witness said she called three or four times at the Martin home and had been to her house an equal number of times for the last six months. On April 30, the day before the killing of Wolff, he came to her home for a friendly call, and she was expecting to get appointment to submit kind of an office. He told her he felt grateful to her because she had helped to cure him and make him a better man.

Mrs. Grub's Story. Mrs. Grub said she remarked that she had a revolver of her own, having bought it in the city of Portland several years ago. She got the weapon and Martin examined it, remarking that it was a pretty good one. She said she had a nickel plated gun, with a black of dark red handle, and a shorter muzzle than Martin's. She said she had seen it in a store, where it had been in a display case. There was no identification mark on it and she could tell the caliber. While they were talking a female messenger went past and she remarked to him that there is only a thin veil separating us from eternity. Martin said he had seen her and they also commented on the turnout to the funeral.

Finally Martin remarked that his "crew" was within waiting for him and told her good-bye, having oiled his revolver. The next day, the day of the murder, Martin came back. He said he would like to borrow her gun for a few days if she was not using it, as he wanted to go to the city of Portland and show her the revolver and also wrapped up several cartridges for him. She had heard he would bring the gun back in about three days in better condition than when he borrowed it, and would also bring a box of cartridges. She never came back, and she has not seen the gun since. That Martin used this gun to shoot off is the theory of the state, but it has never been found.

Defense Asks Questions. The defense asked few questions of Mrs. Grub. She said Martin had often spoken of his army life and told her he contracted yellow fever in the war with Spain. He told her about his medals for bravery and his service in Cuba. No questions were asked by the defense concerning Martin's conversations with her about revolvers.

Frank Montgomery, local weather bureau forecaster, was the first witness of the morning. From the records he testified that it rained on the evening of May 1. During that time the rain fell continuously. Little rain fell after 7 o'clock.

A. H. Dougherty, clerk in a cigar store at the southeast corner of First and Morrison streets, testified that on the evening of May 1 he heard a report that he thought indicated the starting of an automobile. This was between 7 and 8 o'clock. He went to the door and looked up and down First and Morrison streets, but could see nothing unusual. Several persons were walking on both streets. He then returned to his work.

Other Witnesses. Herman Leavitt, clerk in Nathan Solomon's jewelry and pawn shop, to whom Martin first tried to pawn surveyor's instruments on April 24, was next called. He refused to make a loan on the goods, and Martin waited until Solomon came. Drey came in with several shirts and Martin talked about buying them. Martin and Drey went away, and soon after the witness started home. On a bench in the plaza he saw Martin and Drey sitting. He walked over and spoke to them. They had the shirts out of the box in which Drey was carrying them, and Martin was examining one of them. He asked Martin whether he had bought the shirts, but did not remember. Martin answered.

Martin seemed much interested in this testimony and smiled broadly when the witness said he spoke to Martin in the plaza. On cross-examination Leavitt said that Drey opened the box of shirts at the store before going to the plaza.

Ben Lynch of 264 Front street testified that he was painting a wagon in a blacksmith shop at Water and Harrison streets on May 5 when his attention was attracted by John Schlott, who brought in a gun in a case that he said had been found in a covey about half a block away. He said there was a bundle there also and the witness went with Martin to get the article, which proved to be the bloody overcoat. He described the finding of the coat much as the witness Fraser did yesterday.

Findings of Coat. Schlott, the man who pulled the coat from its hiding place, has not yet been found, and the state hopes yet to get him in time to put him on the witness stand.

Lynch created amusement when he was asked to come by trying to open it from the little end of the case. He said he was not an expert on guns, and he thought the make or caliber, but thought the coat was the one Schlott found in the wagon. The defense devoted some time to questions concerning a mysterious man

who was said to have first called Schlott's attention to the hidden article, the policy of the defense being to discredit the finding of this garment and gun, and to create suspicion that these articles were "planted" by some one acting under direction of detectives.

"Identified" Wearing Man. Charles Kirchner of the Turin Halle cafe in which Martin first learned from the newspaper extra that he was wanted by the police, created much amusement when he identified Attorney Jeffrey as Martin. He said Martin was in the cafe on the day of the arrest, and he had seen several times and he thought he could identify the man. Asked to point him out, he nodded toward the table where Martin sat with his attorneys.

Martin repeatedly threw up his hand, with the evident purpose of assisting the witness in his identification, but Kirchner said he thought the man seated next to Fitzgerald was Martin, thinking he might do better if men were standing. Jeffrey, Attorney Seneca Fouts and Martin stood up, Martin still waving his hand to indicate that he was the man. But Kirchner insisted on Jeffrey, and the district attorney gave it up, proceeding no further with the examination.

E. Arquet, who lives with his son-in-law on East Davis street, between Eighth and Ninth, testified that he knew Martin and that the defendant came to his house on the day he was arrested, entering by the rear door. As Martin appeared to be somewhat excited and perspiring, he asked what was the matter. Martin said he thought the police were after him. The witness knew nothing about the affair, and in response to another question Martin said it was about a murder case.

Dresses His Suit. Arquet asked him if he did it and Martin said "No." The witness then asked why he did not give himself up, and Martin replied that he believed he would soon after he left the house, going west on Davis street. As he was going down the stairs one of the women left his overcoat and the witness took the coat to the door and called to him. But Arquet told him they did not want it there and tossed it to him. It was a black coat. The witness was not cross-examined.

Detective B. E. Smith testified that he got a revolver from a pawnshop at 61 Third street, and identified it as one that was shown him by Martin in the weapon Martin sold on the day of the murder. The defense started in on questions indicating that it intended to try to prove that Wolff was not particularly in the kind of pledges he took, but Judge Cleland cut this short, saying it was not pertinent.

M. H. Hook, clerk in the pawnshop at 61 Third street, testified that he knew Martin and that he sold him a revolver May 1. He identified the long-muzzled blue steel gun examined by Smith, and also produced a receipt for the weapon. He gave Martin \$7 for the weapon.

Buys a Journal Extra. Mrs. Ida Patkus, who was proprietress of a rooming-house on Union avenue in Portland, testified that she saw Martin on May 1, the room in which he was arrested. This was soon after he had asked for a glass of water, and then he asked for a Journal extra, and the witness sent her little girl to a news stand near by to purchase one for him. Martin took the Journal and went into the room, after telephoning to a woman who lived in the room. He had a long dark overcoat and an umbrella. Soon after she learned that officers had come and arrested him. He wanted him. Martin said he "supposed so, or made some similar remark, and he added that he was intending to give himself up. He was perspiring and had his hat and coat off. He asked for a glass of water, which was given him. When they started to go he tried to leave the overcoat and umbrella behind, saying it was too warm to carry them. The witness took the coat and the cigar stand near by and left them there for a day or so, when Hellyer went and got them.

Coat and Umbrella Shown. E. A. Blakney, the cigar dealer referred to by Hellyer, told of receiving the long dark overcoat and Detective Tichenor testified of having seen them from Hellyer after he had gone back for them. The coat and umbrella were exhibited and identified by the witnesses.

This black overcoat is one of the most important pieces of evidence in the state succeeds in establishing that it is Wolff's coat. The prosecuting officers say this will be satisfactorily done. The name of the maker had been removed from the lining when it was taken from Martin, and the state points to this as the reason for believing that it is Wolff's.

Shirts and Man WHO SOLD THEM ARE PRESENTED. The testimony for the state yesterday afternoon was made available by the introduction of the bloody shirt, traced to Martin by the testimony of Max Drey, who came from Chicago to testify, and further identified by laundry marks as one of four shirts sold to Drey by Emanuel Sichel. The links in this chain, which first led the police to regard Martin as the guilty man, were presented in such a fashion, to make this one of the most difficult things that Martin will have to explain away.

Of little less importance was the testimony of R. W. Phillips, a Yamhill street barber, who swore that he saved Martin on April 30, the day before the murder, and that the defendant then had no other clothes on his back. This establishes the fact that the numerous cuts and scratches that the prisoner bore when he was arrested, however they were made, were not carry the day before Wolff met his death. Phillips said he was acquainted with Martin, who had been in his shop about three times a week for a month before the murder.

Story of the Rifle. J. M. Fraser, the first witness of the afternoon, said he first employed at a wagon repair shop at Water and Harrison streets in May. This is near where the rifle was found. He said the Wolff shop and the bloodstained overcoat alleged to have been owned by Martin were found by him. The witness then saw him draw forth an overcoat from beneath the seat of a building, some distance away from a building, which was covered by the back and a seat curtain further protected the hidden article from the weather.

The witness told of taking the rifle from his case and looking at it. There was an empty shell in it, he said, and he identified the rifle and the shell previously exhibited to the jury. He said he was good shot with a rifle and had made a hole in the coat. On cross-examination Attorney Jeffrey asked him if he had ever left it cocked when he put it aside.

"I should think a gun man would know enough to put the trigger down," he remarked for the benefit of the jury. Fraser said that as the gun and overcoat were not in his shop, he telephoned to police headquarters, and he offered them for them. He identified Patrolman Lytle as the officer.

Bloody Marks Outside. Edward Burk a newspaper reporter, in his testimony went over the familiar ground as to what was to be seen in the Wolff shop after the alarm was first given on the night of May 1.

Two new points were brought out that are regarded as important by the state. One is that the door was not seen on the sidewalk leading south from the shop, indicating that the murderer turned in that direction. The other point was that the collar and tie of Nathan Wolff remained undisturbed, showing that the bloody collar and tie found on the north side of the front room were not worn by the dead man.

Captain C. E. Harty, City Physician Zeigler and Patrolman J. W. Inskoop were then called in succession to identify the bullet and empty shell found in the pawnshop. All agreed that there was a bullet hole in the glass case on the wall, but that there was only one hole. They also agreed that the bullet was found on the counter between the show cases, opposite the bloody hole, but several feet away. Inskoop gave his theory by saying that the bullet bounced back from the wall and lodged on the counter.

The alarm grows numerous. The story of the alarm had some fun, this time at Inskoop's expense. He asked Inskoop if he meant to say that the bullet bounced back through the hole to enter the room. Inskoop said he supposed it did, as there was no other hole for it. This brought a laugh from the crowd.

Nathan Solomon, jeweler and money lender, testified that on April 24 Martin came to his shop with surveying instruments that he wanted to pawn or sell. At first he refused, but finally Martin gave him the money on the latter's promise that he would redeem them in a day or two. While Martin was there Max Drey came in, carrying several shirts in a box. Drey did not agree on a purchase. Drey went away followed by Martin. The latter wore a short, brownish box overcoat. The witness could not swear that the bloodstained coat in evidence was the one Martin wore, but said it resembled the Martin coat.

Max Drey Appears. Then came Max Drey. He said he had been in the clothing and second-hand business in Portland for many years until a few months ago, having a store on Front street. Shortly before the Wolff murder he sold out, having been advised to seek a more favorable climate. While getting ready to leave he put in some of his time buying and selling clothing in this way. He bought four shirts from Emanuel Sichel, a cigar dealer at Third and Washington streets, and was wearing one of them when he encountered Martin in Solomon's shop.

He said Martin talked a lot in the store. He offered to sell three of them for \$1, but Martin seemed not to want them at that price. He went on his way as far as the market. Dicker with Martin was resumed. He showed Martin the garments and they talked on both sides. Drey was a lot of haggling he sold Martin three of the shirts for 45 cents, and he gave Martin a piece of the piece that he had raised at Solomon's.

Tale of "Bloody Shirt." Drey at this point identified Sichel as the man from whom he bought the shirts and then proceeded to identify each of the three garments as those shown to him. One of these was the famous bloody garment found in a pawnshop on Front street. The other was the shirt that Drey had kept for himself and for some time wore on his back. The third was the shirt that Martin was wearing when he was arrested. On cross-examination Drey said he came to Portland from Chicago, arriving here Sunday, and he had to return by the district attorney, and was furnished a ticket. He said he could not be mistaken in his identification of the shirts. He said he had a netting when the attorney referred to him as a peddler. He said he had a place of business and was in the practice of peddling. All of the shirts were clean when sold to Martin.

Martin Intensely Interested. During the examination of Drey, Martin's interest kindled to a high pitch. He leaned so far over the table to get a better view of the pile of shirts that Attorney Ambrose laid a warning hand on his arm and he reminded that he was not to be so eager. But in a little time he was again leaning forward to catch a glimpse of what the witnesses were saying.

Emanuel Sichel testified that he sold four of his shirts to Drey for 50 cents. He identified the three in evidence by their striped colors and appearance. He said the shirt of the witness is 10 years old when he sold them. Asked if he had sold other shirts to peddlers at other times, he said he did not remember that he ever sold any shirts before, but had sold other clothing. He said he had a laundry at the Opera House and Star laundries, and that both of them used the same mark for his goods.

DE ROUX-CHICAGO
GAME BY INNINGS

Table with 2 columns: Team, Innings, Score. Rows for First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth Innings for Detroit and Chicago.

CHICAGO VS. DETROIT

(Continued from Page One.)

ance when the game began was estimated at 15,000 persons. Chance's men emerged from their clubhouse at 1:30 o'clock and crossed the field at a friendly welcome from the crowd. The big ovation came when Jennings and his men came out in their uniforms later.

The batteries announced were: Killian and Schmidt for Detroit, Reulbach and Kling for Chicago. The Detroit lineup was: McIntyre, left field; O'Leary, short stop; Crawford, center field; Cobb, right field; Rossmann, first base; Schaefer, third base; Schmitt, catcher.

McIntyre, left field; O'Leary, short stop; Crawford, center field; Cobb, right field; Rossmann, first base; Schaefer, third base; Schmitt, catcher. Kling, catcher; Reulbach, pitcher.

Sheppard opened the game with a two-bagger. Evers fanned. Schulte went out, Schaefer to Rossmann. Chance walked and stole second. Steinfeldt to Crawford. No runs.

First Inning for Detroit. McIntyre singled. O'Leary struck out. Crawford did the same. Cobb singled and McIntyre scored. Cobb was put out at second by a throw from Sheppard to Evers. One run.

Second Inning for Chicago. Hoffman was out, Downs to Rossmann. Crawford singled a marvelous running one-hand catch of Tinker's drive. Kling walked. Reulbach forced Kling, who went out. O'Leary to Downs. No runs.

Second Inning for Detroit—Last Half. It was raining smartly when Detroit went to the bat. Rossmann was down, Kling, catcher. Schaefer sent a liner to Hoffman. Schmidt was out. Reulbach to Chance. Score unchanged.

Third Inning for Chicago. It was still raining when Sheppard came up. He landed a second two-bagger, and Evers bunted safely. Schulte singled to right, scoring Sheppard. Crawford singled. Evers sent a liner to Schaefer, retiring Evers. Steinfeldt singled and Schulte scored. Summers succeeded Killian with the bases full. Tinker, catcher. Hoffman, Downs to O'Leary. Chance scoring. Schaefer fumbled Kling's drive, and Steinfeldt tallied. Kling scored. Steinfeldt to Rossmann. Four runs.

Third Inning for Detroit, Last Half. Downs went out, Tinker to Chance. Summers hit a liner to Crawford. Tinker to Kling. No runs. Score: Chicago 4, Detroit 1.

Fourth Inning for Chicago. The storm increased, but the umpires refused to call the game. Evers fanned, Sheppard singled to center. Evers went out, Summers to Rossmann. Schulte hit a liner to McIntyre for the third out. No runs.

Fourth Inning for Detroit, Last Half. O'Leary went out, Tinker to Chance. It was a superb play by Chance, who caught a liner from Tinker. Tinker had been excused for missing, even in good weather. Crawford lined one to Evers and Cobb scored. Chance. No runs. Chicago 4, Detroit 1.

Fifth Inning for Chicago. Chance fouled to Schmidt. Steinfeldt walked. Hoffman forced Steinfeldt, who went out. O'Leary to Downs. Tinker was out, Schaefer to Rossmann. No runs. Chicago 4, Detroit 1.

Fifth Inning for Detroit, Last Half. Rossmann fanned, Schaefer flied to Sheppard. Schmidt flied to Hoffman. No runs. Chicago 4, Detroit 1.

Sixth Inning, First Half. Rain fell heavily and the crowd expected the umpires to call the game, but they did not. Kling flied to McIntyre. Reulbach was out, Downs to Rossmann. Sheppard flied to McIntyre. No runs.

Sixth Inning, Last Half. Downs went out, Reulbach to Chance. Summers perished the same way. McIntyre beat out an infield hit. O'Leary singled to left. Crawford flied, Reulbach to Chance. No runs. Chicago 4, Detroit 1.

Seventh Inning, First Half. Evers singled to right. Schulte sacrificed him to second. Summers to Rossmann. Chance was safe on Downs' fumble. Steinfeldt flied to Crawford, scoring Evers. Chance took second on Rossmann's high throw to O'Leary. Hoffman went out, Downs to Rossmann. One run.

Eighth Inning, Tie. Detroit tied the score in the eighth and is still at the bat.

Eighth Inning for Detroit, Last Half. Crawford walked, Brown replaced Rossmann. Crawford took second on a wild pitch. Cobb was safe on ground throw to first. Rossmann singled, scoring Crawford. On Evers' wild relay of Hoffman's throw, Cobb scored. Schaefer sacrificed, Kling to Chance. Schmidt was out. Evers to Chance. Downs flied to Hoffman. Two runs. Chicago 5, Detroit 4.

Ninth Inning for Chicago. Evers grounded to Rossmann. Schulte singled. Chance bled near home, was singled, hitting the bases. Hoffman singled to left, scoring Schulte and Evers. Tinker singled, scoring Steinfeldt. Hoffman and Tinker worked a double steal. Kling singled to center, scoring Hoffman and Tinker. Brown sacrificed, Summers to Rossmann. Sheppard flied to Crawford. Five runs.

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CHICAGO VS. DETROIT

(Continued from Page One.)

Final score: Chicago 5, Detroit 4.

Notaries Commissioned. (Salem Bureau of the Journal.) Salem, Oct. 10.—Commissions as notaries have been issued to Lella Mitchell, William H. Schroeder, Cassius J. C. Marquand, Marquand, J. M. Finch, Carleton, John F. Hennessey, William H. Hennessey, W. C. Drish, South Forest Grove, and Andrew T. Lewis, W. Y. Masters and E. T. Taggart, Portland.

Advertisement for CAPITOL SOAP, Scouring Soap for General Cleaning Purposes. Price 5c. All Grocers.

Advertisement for BROKE HER ARM WHEN PROTESTED. Mrs. Rosa R. Merlo filed suit against the Oregon Electric company, the Williamsite Construction company and W. S. Barstow & Co. in the state circuit court this morning for \$10,350.

Advertisement for TEACHER APPOINTED TO NORMAL VACANCY. (Salem Bureau of the Journal.) Salem, Oct. 10.—Miss Abigail Lynch of Ipeyanti, Mich., has been elected to a place on the faculty of the Southern Oregon normal school at Ashland by the executive committee of the normal school board of regents.

Advertisement for PORTLAND TRUNK MFG. CO. It's a Good Backing. For a fellow on the road, whether for business or pleasure, to have a good, strong trunk to carry his clothes and outfit.

Advertisement for Malaria and Heart Trouble. Read the interesting story told by Mr. J. H. Riley, pensioned fireman of South Boston, Mass. We print Mr. Riley's recent letter verbatim. Mr. Riley's comrades in the Fire Department consider his restoration to health almost miraculous.



MR. J. H. RILEY.

up to die. What wonder is it that doctors of all schools prescribe and great tonic-stimulant, blood-purifier and body-builder.

Advertisement for Duffy's Pure Malt Whiskey. It is an absolutely pure distillation of malted grain. It is the most effective tonic stimulant and invigorator known to science; softened by warmth and moisture its palatability and freedom from injurious substances render it so that it can be retained by the most sensitive stomach.

Advertisement for Elmer Turner, young men caught stealing amalgam from the gold dredge near this city, and who pleaded guilty to a charge of grand larceny, were this morning sentenced by Judge Hughes to 10 years in prison.

Advertisement for Prison Breaker Will Hang. (United Press Leased Wire.) Sacramento, Cal., Oct. 10.—Francisco Quijada, a vicious Spanish convict, who was found guilty yesterday of making a murderous attack on a guard at Folsom in a prison break four years ago, was this morning sentenced by Judge Hughes to hang at Folsom, December 11.

Advertisement for Ten Years for Stealing Amalgam. (United Press Leased Wire.) Sacramento, Cal., Oct. 10.—Camille Cordell, L. F. Cole, Wilbur Wells and

Advertisement for PORTLAND TRUNK MFG. CO. It's a Good Backing. For a fellow on the road, whether for business or pleasure, to have a good, strong trunk to carry his clothes and outfit.

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Advertisement for Oregon Life. The Policyholders' Company. Is Best for Oregonians.

Advertisement for WOULD PUT UP BIGGEST STORE HERE. An inquiry from Buffalo, N. Y., received by the chamber of commerce this morning relative to the establishment of a large department store in Portland. The writer, who was withdrawn by the chamber, claims that if he decides to come to Portland he will locate in a corner of the city in the state of Oregon. He claims to be the owner of a large department store in Buffalo.