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# Oregon

SUNDAY JOURNAL CIRCULATION YESTERDAY WAS 30,985

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## SERBIA FACES INTERNAL STRIFE

### People for War, Parliament for Peace; Dynasty May Be Overthrown—The Powers Hope to Avert War—Serbia's Puny Army.

(United Press Leased Wire.) London, Oct. 11.—A Central News dispatch from Belgrade says that at a midnight session of the Serbian parliament a vote was taken which showed 55 members in favor of a declaration of war against Austria and 93 against the proposition. While the action diminishes the prospect of a formal declaration of war today, it is believed that should the news reach the populace it may mean the overthrow of King Peter's dynasty. A party of war enthusiasts marched through the streets tonight and created a demonstration before the residence of the crown prince. The prince appeared on the balcony of his home and made a speech in which he said: "I hope that in a few days we may all be able to offer our lives for the honor of the king and the fatherland." He was wildly cheered.

Belgrade, Oct. 10.—Serbia's declaration of war against Austria cannot be withheld beyond Monday, is the belief here tonight. After an epoch-making day spent by King Peter and his ministers in vainly trying to allay the warlike spirit of the Serbians, the people are tonight more clamorous than ever. Nothing but the opening of hostilities against Austria will satisfy them. Denial of their demands means certain overthrow of the present regime.

Mobs are parading the streets tonight and the anti-Austrian feeling is at its height. Two Austrian flags were burned in Theatre square this evening. The military was summoned to stop the demonstration, but the soldiers in sympathy with the mob made but half-hearted attempts to quell the rioters. Threats were made against King Peter, the ministers and all members of peace, and to prevent their assassination heavy guards have been stationed at the royal palace and the homes of the ministers.

Foreign Minister Milanovitch made an impassioned appeal at a secret session of the deputies late this afternoon and showed Serbia's powerlessness to defy Austria. Trembling with emotion he urged the deputies to save the kingdom of the Serbs away, by inviting a struggle, the fatal outcome of which would be the death of the king.

The deputies hooted his appeal, the leader replying that it was "better to perish than to submit to dishonor." When Milanovitch found the temper of the deputies unchangeable he reported to King Peter that war was inevitable.

## PEACE MOVEMENT GOING FORWARD; PETER'S PUNY ARMY

(Hearst News by Longest Leased Wire.) London, Oct. 10.—While it is true that the Balkan situation does look extremely serious on the surface, the hope is confidently expressed in diplomatic circles that a way will be found to prevent hostilities between Austria and Serbia.

The war spirit in Serbia is shown by the election of Professor Jovanovitch, one of the most prominent anti-Austrian agitators, to the presidency of the skuptschina, and the burning of Austrian flags in the streets of Belgrade.

Austria, on the other hand, while professing peaceful intentions, is hurrying troops to the frontier and has already placed a fleet of gunboats in the Danube in front of Belgrade. In view of these warlike preparations and movements, it may not be amiss to compare the strength of the military forces of the two countries. The most reliable figures are as follows: Austria-Hungary: Available for action (Continued on Page Two.)

## MARTIN SAYS POLICE "COOK UP" EVIDENCE



The Accused Man, His Wife and His Sister-in-Law. From Sketches From Life by Seed.

### Never Bought Ready-Made Clothing on Broadway—His Story of Defense

"The truth is what I want—just the truth." These were the words of Edward H. Martin yesterday afternoon after he had been returned to his cell from the courtroom. It was with great emphasis that he spoke the words. He declared that he had no fear of the truth, but said that several of the witnesses for the state had lied, and he accused some of the city detectives of "cooking up" evidence against him.

Martin also spoke with great emphasis in denying that he had used morphine or other "dope" in the last few months. He used emphasis of words, manner and voice. Unlike the man who was thrown into association with criminals, and unlike a criminal, he is not addicted to profanity. If he swears at all, he does it infrequently.

To furnish further evidence of the truth of his denial, Martin testified himself before the reporter. His body does not show the multiplicity of tell-tale marks from the needle that might be expected in the case of the confirmed user of morphine. Around his shoulders and on his thighs there are many fading bluish marks, with others of more recent date that show in spots of red. But none of these, said Deputy County Physician McCormick, who was present while Martin was stripped, appear to be recent scars. All of them, according to the physician, were old.

**Cured of Craving.** "I have never taken drugs," said Martin. "I have always taken it by shots." (Continued on Page Two.)

Whether or not Martin will go on the stand to tell his own story is something that has not been determined, but it seems likely that he will. Besides answers published elsewhere on this page to the damaging web that makes up the case of the state, the defense will supply a theory of its own as to how the murder was committed.

According to the defense, more than one man engaged in the fight with Wolff. From the blood spots, the location of the counters, the position in which the shot was fired across the counter, and other conditions shown in the Wolff pawnshop on the night of May 1 it will be asserted that two men, and possibly three, were engaged in the affair.

Just here, also, it will be claimed that the state's case is fatally defective in supplying a motive for the murder. The state has already declared that robbery was the motive, and it will be argued that if this was the case the robbery should have been laid in the indictment, since under the Oregon law to sustain a charge of first degree murder where the intent was to rob the state can only be relieved of proving premeditation by linking robbery with it in the indictment. The state will insist that the borrowing of the revolver from Mrs. Grub supplies the element of premeditation.

Then the defense will assert that the most of the identical pieces of clothing, guns and shirts by the witnesses for the prosecution are of little value and could not be recalled on by the state. Such a serious matter as when a man's life is at stake. Witnesses for the state in making these identifications said that the garments or guns "were similar" or "looked just the same," and the defense will insist that these identifications will not carry convincing weight.

**Discrepancies Help Defense.** Another thing always to be made use of by the defense in such a case are discrepancies in the testimony of the state's witnesses, and it is safe to say that the testimony of the state will be overlooked. For instance, Herman Leavitt, clerk in the Nathan Solomon jewelry and pawn shop, said that Drey opened his package of shirts and did not open the package until he and Martin reached the plaza. Drey also said that he saw Martin and Drey along and spoken to them while he and Martin were sitting on a bench in the plaza.

The defendant's attorneys will also dwell on the possibilities for mistakes in identifying garments and guns that have no distinguishing marks. Liability to the same mistake in identifying persons will be illustrated by an episode that happened in the presence of the jury, when Charles Kirchner of the Turn Hall cafe "identified" Attorney John A. Jeffrey as the defendant's lawyer.

**Will Put Direct Question.** When all of these points have been reviewed the defense will ask the jury whether they are willing to say that Edward H. Martin, a man of fine attainments, a medal-winner for bravery, a man whose previous record, so far as shown by the testimony, is clear, is guilty beyond a reasonable doubt of the revolting crime that is charged against him.

Deputy District Attorney Fitzgerald, in charge of the case for the prosecution, thinks he may be able to finish his case tomorrow. Attorney Jeffrey thinks the defense may get through in one day. If these estimates are sustained the argument to the jury can be started Wednesday morning. Allowing a day for argument, it seems unlikely that the case can go to the jury before Wednesday night.

Neither Mrs. Martin nor her sister, Miss Emily Griffin, will be witnesses. This is shown by the fact that they have remained in the courtroom, all witnesses being ordered excluded, as well as the argument of the case. The defense will make. The attorneys for the state say that the defense did not dare to put Mrs. Martin on the stand because any testimony she might have attempted would be contradicted and torn in shreds.

**Fitzgerald Confident.** Deputy Fitzgerald declares that when all the testimony is dovetailed the state will have a case that Martin cannot escape from. He says that his final case had in the courtroom earlier, as guilty beyond a reasonable doubt of the revolting crime that is charged against him.

Judge Cleland's courtroom, where the trial is in progress, seats barely two spectators. Every day many scores have been turned away. Yesterday many persons were turned away at noon Monday, and a crowd of the expectant ones took seats in the room long before 1 o'clock, although court sessions do not begin until 2 o'clock. Consequently there was a disgusted crowd when Judge Keese, the court house janitor, announced to the waiting hundred that their seat warming had been to no purpose.

**Women Through Courtroom.** Every day there has been a sprinkling of women among the spectators. (Continued on Page Two.)

## MARTIN WILL PUT VITAL POINTS

### Accused Man's Lawyers Will Try to Convince the Jury That More Than One Man Killed Nathan Wolff—May Testify Himself.

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## MOB THREATENS USED SPOON NEGRO PRISONER TO GAIN LIBERTY

### North Carolina Citizens Bent Upon Lynching Black Man Who Attacked Woman.

(United Press Leased Wire.) Charlotte, N. C., Oct. 10.—A special from Spartanburg says the mob which for hours has surrounded the jail in which the negro John Irby is confined has fired on the jail and the deputies and members of the Hampton Guards have returned the fire, wounding several members of the mob. One deputy is reported to have been shot through the arm by a mob member who was being dragged into a clump of woods and a number of the leading citizens of the town are addressing the mob this morning, promising a speedy trial for the negro, but the dispatch says the mob is demanding the prisoner tonight. If a leader develops an attempt will certainly be made to storm the jail.

John Irby, the negro, was identified this afternoon by Miss Dombey, a stenographer at the Saxon cotton mill, as the man who seized her while she was on her way home from work, dragged her into a clump of woods and attacked her in a brutal manner. As soon as she was released she sounded an alarm and Irby was arrested within a few hours.

Although he denied his guilt, Miss Dombey identified him positively. The word spread rapidly among the mill operatives and crowds congregated about the jail early this evening and threatened to lynch him. A number of deputies were sworn in by the sheriff and the Hampton guards were called out to assist in quelling the disorder which seemed inevitable.

**Death Shadow Over Czarina** St. Petersburg, Oct. 10.—Only the shadow of her former self, with nerves shattered from what the doctors fear is incipient consumption, Empress Alexandra has refused to take the only possible course that will save her life, the abandonment of Russia's rigorous climate for the sunshine of southern Europe.

She will take the advice of the court physicians only on one condition. She announced today that either the czar or czarvitch must accompany her. For political reasons that is impossible. The fear of terrorist violence has reduced her to such a condition that she believes she would never see her husband or son again were she to leave them.

With steam up and every sailor at his post, the imperial yacht, the *Orion*, has waited for many days for the czarvitch's arrival. If it were not for his advisor's case would be a lot of the youthful czarvitch to go with his mother, but it is considered certain that if the czar were killed, or even died a natural death, during the czarvitch's absence the terrorists would overthrow the dynasty.

**Convicted by Jury of Liquor Selling** Pendleton, Or., Oct. 10.—With a verdict of guilty, the jury tonight convicted Billy Bogart, Dick Keegan and Henry Noble of selling liquor in violation of the prohibition law. The case was the hardest fought of all the liquor prosecutions and it is believed that the conviction will result in breaking down all defense by the accused men, and that pleas of guilty will be made in every case now outstanding. Already \$4,450 has been paid in fines and almost as much more is expected as the result of the prosecutions.

**One Head Money.** About 15 years ago he fell heir to \$30,000 by the death of his father, a highly esteemed resident at Martinsburg. W. V. Young Bowers had developed a passion for education, and soon owned a number of swift pacers and became a plunger on the race tracks. He also acquired a taste for fast women, and fell into heavy disrepute. His pace was too fast, and in a few years all he had was gone. He (Continued on Page Two.)

## SUBMARINES LOST AT SEA

### Mosquito Fleet Encounters Storm and Crews Face Death by Asphyxiation and Drowning—Boats Become Separated.

(Hearst News by Longest Leased Wire.) Philadelphia, Oct. 10.—Just why the submarine fleet, consisting of the *Viper*, *Cuttlefish*, *Octopus* and *Tarantula*, under the convoy of the gunboat *Scorpion*, made the trip from New York to Philadelphia in four and a half days, instead of 24 hours, was revealed today by officers and crews of the little flotilla, despite orders that only the navy department at Washington should know of the occurrence. Every man and every piece of defense by the accused men, and that pleas of guilty will be made in every case now outstanding. Already \$4,450 has been paid in fines and almost as much more is expected as the result of the prosecutions.

Caught in the terrific storm of Thursday night off Sandy Hook, each of the submarines was filled with poisonous gas caused by floods of sea water coming in with the gas from the engines, and the men, forced to stay below by the terrific waves, were nearly smothered. One and all show the effects of the poison, and it will be days before they recover. The generation of these gases opens a new problem for the department in its consideration of the submarines.

**Viper and Tarantula Afloat.** In addition, the *Viper* and *Tarantula* became lost, and the balance of the fleet spent Thursday night in a search for them. When found they were in an almost sinking condition, and the men almost suffocated and drowned. From the moment the storm began conditions became serious. There was a series of huge waves that struck the submarines and a vessel before they could be closed. Into the salt water, swashing more than a foot deep on the oval hulls, the poisonous gas began to seep. With immense difficulty the little boats managed for a time to keep afloat, but it was found that the *Viper* and *Tarantula* had vanished. The *Scorpion* was notified, and in the raging sea the gunboat, with the two cigar shaped craft beside it, began the search.

**Men Nearly Dead.** The *Scorpion* floundered its signals in every quarter. Mist and rain swallowed them. In the meantime out far from help, the *Viper* and *Tarantula* were fighting for their lives. Smothered by the gases, pitching and tossing they wore away the night. At last, long after midnight, they were seen. The men were nearly dead with asphyxiation and in the raging sea they were awash. With a few more waves they would have been gone forever. Assistance had to be sent to the stricken boats. The sailors were rescued. The holds were pumped out, and at about John light the flotilla finally gathered together. It was a relief to see the men who had been nearly dead. The men were nearly dead with asphyxiation and in the raging sea they were awash. With a few more waves they would have been gone forever. Assistance had to be sent to the stricken boats. The sailors were rescued. The holds were pumped out, and at about John light the flotilla finally gathered together. 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