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The Weather—Rain tonight and Wednesday; southerly winds.

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JOURNAL CIRCULATION YESTERDAY WAS 30,824

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# STATE RESTS CASE AGAINST MARTIN

## DEFENSE HAS CHANCE TO REPLY

Martin Pleased When Testimony in His Favor Begins to Come In—Witness Waddy Nervous on Stand—Prosecution Confident.

Half an hour after the opening of court this morning the state called its last witness to prove that the blood of Nathan Wolff rests on the shoulders of Edward H. Martin, and announced that its case was complete. Then the defense went to work in its effort to hammer out of shape the credibility and probability of the many-circumstanced case that the state has made.

Its first witness was Charles Waddy, a logger. If the jury believes his evidence the suspicious scratches that Martin carried on his face will be eliminated from consideration, for he asserted that on the night of April 30, the night before Wolff met his death, he drank beer with Martin in Erickson's saloon and that Martin's face was scratched "as if he had had a fight with a wildcat."

Undergoing cross-examination, he displayed a sudden lack of memory as to many things and writhed about in his chair, causing the courtroom crowd much amusement. Finally he produced a handkerchief and wiped away the perspiration that had gathered as the result of his discomfort. Deputy District Attorney Fitzgerald believes that his examination broke the force of Waddy's testimony, and that the jury will not place any reliance in his story, but the attorneys for the defense declare they are well satisfied with the showing he made, attributing his confusion and lack of memory to the fact that a logger cannot be expected to conduct himself like a court-house habitue.

Experts to Testify. This afternoon the defense will devote its time to expert testimony concerning the scratches, gloves, collar and shirts that form the main part of the state's case and try to show that so many such articles are not alike that they are nearly alike that the attempted identifications by witnesses for the state cannot be relied upon.

The defense also expects to reach another important part of its case this afternoon. Several witnesses are ready to testify that two or three men left the Wolff pawnshop between the hours of 8 and 7 p. m. on May 1, and the defense will hold forth the theory that these men were the murderers of the pawnbroker. This theory, it is contended, is borne out by the blood marks and other conditions existing in the store.

Martin Pleased. Martin was aglow with pleasure when the testimony in his favor began to come in. He seemed as much amused as anyone with the antics of the logger witness and the latter's efforts to the district attorney on cross-examination. He declares he is not disturbed by the showing made by the state, and that the testimony will, in the end, show his innocence.

Long before the hour for the opening of court all seats were taken and no more spectators were admitted. The rib-jamming scene of yesterday afternoon outside the doors was not repeated, the balliff keeping the crowd cleared from the doors. A room three or four times the size of Judge Cleveland's department would not hold half those who are turned away.

Waddy, who may be regarded as one

## CHICAGO WINS TELLS STORY OF CANAL GRAFT

DETROIT . 0 CHICAGO . 3

Detroit, Mich., Oct. 13.—A vociferous and enthusiastic welcome was given the Tigers when they returned to their lair today. The victory of Mullin made him the real royal Bengal and so strenuous were his admirers in expressing their appreciation that the police were compelled to rescue him from his ardent friends.

Hundreds of fans flocked about the Tigers as they emerged from the trainshed. Every one of them, especially Cobb, was given an ovation and they were tumultuously escorted to their hotel.

At Bennett park the "bugs" showed substantial appreciation of the victory by turning out early in the day to secure available seats for the struggle of the afternoon. At 11 o'clock the jam at the gates was taking the energy of the police and from the box office extended a line of fans half a mile long.

Jennings announced early today that he would rely on Summers to defeat the Cubs, while he was not entirely sure of the outcome. He expected his own

DETROIT-CHICAGO GAME BY INNINGS

First Inning	Detroit	0	Chicago	0
Second Inning	Detroit	0	Chicago	0
Third Inning	Detroit	0	Chicago	0
Fourth Inning	Detroit	0	Chicago	2
Fifth Inning	Detroit	0	Chicago	0
Sixth Inning	Detroit	0	Chicago	0
Seventh Inning	Detroit	0	Chicago	0
Eighth Inning	Detroit	0	Chicago	0
Ninth Inning	Detroit	0	Chicago	1

William F. Brothers Relates How Administration Investigates Him but Not the Accused—Little Hope of Success of Plans.

Recently telegraph reports told of an exposure of graft in the Panama canal zone. The press associations carefully kept more than a mere mention of the statements attributed to William F. Brothers, president of the Balanced Cable Company, showing gross favoritism of administration appointees. The following from New York gives minute details of the investigation:

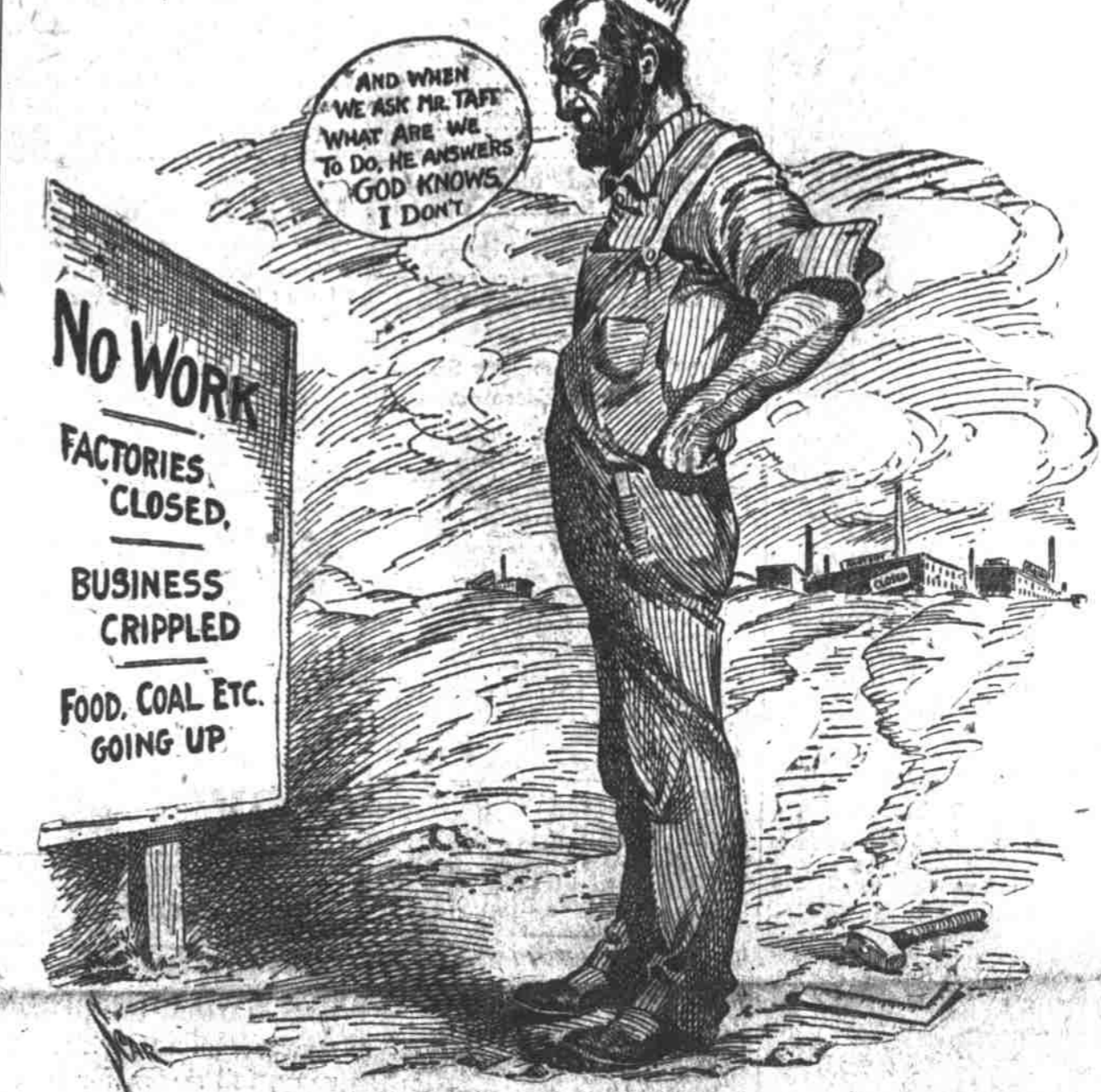
(By a Staff Correspondent.) New York, Oct. 13.—The inquiry ordered by the secretary of war into alleged corruption in the awarding of contracts for the construction of the Panama canal was continued yesterday, Major E. A. Garlington presiding. After the day's session William F. Brothers, president of the Balanced Cable Company, who says he was deprived of a contract for important work, although he had been the successful bidder, was called to the witness stand. He testified that a contract of substantial proportions would come to light before the inquiry was finished. Mr. Brothers was represented at the inquiry by Samuel B. Thomas of 233 Broadway, Colonel George W. Goethals, chairman and chief engineer of the commission, against whom the charges are aimed, was the chief witness. The testimony was confined principally to proving the competency of Mr. Brothers as an engineer, and to efficiency of his machinery.

Congressman Le Gage Pratt, of the eighth New Jersey district, testified that Brothers told him he was persecuted by the government. "Did he make any open offer to you for your influence?" asked Major Garlington. "He did not."

Brothers' Statement. Mr. Brothers was not quite ready yesterday to disclose the details of graft in the construction of the Panama canal which he has possessed, and how the corruption fund has been distributed among men "higher up" at Washington, but he did state this statement: "Perhaps as an explanation for proving the Panama canal construction by the United States government to have been a colossal blunder and a stupendous engineering mistake may be figured out on three premises, from which may be drawn a logical conclusion. "First, the French company after spending about \$500,000,000, sold their property for \$2,000,000, according to general belief in France. It is possible that the price may have been \$40,000,000, but why did the Panama canal company finish the work on its own account? The conditions were that it would require less than \$100,000,000 to complete the canal and that it would earn a handsome dividend on \$100,000,000 capitalization. This is a matter of record. "At the time this deal was consummated I was in Paris and associated with the various officials who were personally affiliated with the canal in a

(Continued on Page Two.)

## REPUBLICAN PROSPERITY



## SUPREME COURT HOLDS J. W. REED GUILTY OF ELECTION FRAUDS

(Special Dispatch to The Journal.) Salem, Or., Oct. 13.—Conviction of J. W. Reed, former mayor of Estacada, for complicity in the Sellwood election frauds of June, 1906, was affirmed by the supreme court today in an opinion written by Commissioner King. Reed was convicted in December, 1906, before Judge Arthur L. Fraser in the circuit court of Multnomah county and sentenced to pay a fine of \$1,000. The penalty carries with it ineligibility to hold office. The statute under which Reed was found guilty follows:

Text of Statute. "Any person who shall by promise of favor or reward or otherwise induce or persuade any person to come into the state, or into any county or precinct within the state, for the purpose and with the intent that such person shall, by so changing his habitation, vote at any general election which may hereafter be held in this state at any place where such voter or person is not a bona fide resident, shall be deemed guilty of felony and upon conviction thereof shall be punished as hereinafter provided."

Against Local Option. It was shown by evidence at the trial of Reed he had induced Harry Young to move into Sellwood precinct the day prior to the election of June 1, 1906, and had induced Young to vote against local option in that district. It was shown also that Reed paid Young's expenses for so doing.

In opinion Commissioner King takes occasion to say language used by Judge Fraser during the trial was highly improper because it tended to influence the jury against the defendant. However, this circumstance was not sufficient to set aside the verdict, as the



J. W. Reed, Who Must Suffer for Sellwood Election Frauds.

facts were so conclusive of Reed's guilt.

The Sellwood election frauds were the most glaring that have been attempted in recent years in Multnomah county. They were perpetrated in the effort to

## "DOC" HOLMES DIES IN THE EAST

Well Known News Dealer of Portland, Prominent Elk and Clubman, Passes Away—Suffered Many Financial Reverses.

C. E. Holmes, familiarly known as "Doc" Holmes to thousands of Portland people and to almost every traveling man on the Pacific coast, is dead. News of his death, which occurred last week at Cape May, N. J., was received today in Portland, through letters to personal friends, written by Holmes' relatives in the east.

"Doc" Holmes was but a few months over 60 years of age. For 16 years he was a resident of Portland, where he was in the drug business, afterward in the stationery and cigar business. The Oregon News company on Sixth street near Harrison owned and conducted by Holmes for a number of years, was the best known place of its kind in the city. It was a gathering place for hundreds of men from other cities who never failed to call upon Holmes whenever in Portland, and it was frequented also by a large number of local people. But like many other men of social habits, Holmes began, to neglect his business. Several outside ventures in which he had engaged turned out unfortunately, and about three months ago he became involved in serious financial difficulties. At the same time Holmes was stricken with paralysis and his mind as well as his body was affected. He was confined to his bed, but his affairs were found to be in such shape that it became necessary to surrender his business to his creditors. Holmes was taken to a local sanitarium where he spent several weeks. As soon as he was able to travel, he was sent east to the home of his brother, in Cape May, New Jersey. Those who saw him before his departure realized that he had not long to live, though Holmes himself refused to believe that his condition was so serious.

"Doc" Holmes was a prominent member of the Elks. He was unmarried and all of his relatives are said to be living in the east. Few men in this city possessed a larger circle of warm personal friends than he enjoyed. "I have known Doc Holmes for nearly 20 years," said Dr. C. W. Cornelius today. "He was one of my warmest personal friends. No man in Portland was better known or more generally liked than Charlie Holmes. He was a whole-souled, good-natured fellow, loyal to his friends, liberal to a fault and spent his money like a prince."

## TUCKER'S WIFE STILL PURSES

Daughter of General John A. Logan Charges She Was Deserted.

(United Press Leased Wire.)

Chicago, Oct. 13.—W. F. Tucker, formerly a paymaster in the United States army, was arrested today at Decatur, Ill., charged with having deserted his wife, daughter of the late General John A. Logan. Tucker was taken to St. Louis, whence he will be brought to Chicago this afternoon. Tucker was arrested on a warrant issued by Municipal Judge Gemmill at the instance of Mrs. Mary Logan Tucker, his wife, who charged that he abandoned her July 25. Tucker was ill when he was arrested and upon his return to Chicago he was out demanding requisition papers he was allowed to go to St. Louis. He was accompanied by a nurse and two men servants.

The trouble between the Tuckers is of long duration. Mrs. John A. Logan, mother of Mrs. Tucker, died in 1894 and stated that he believed them to have been guilty of misconduct while he was stationed in the Philippines. Taft investigated the charges at that time and stated that he believed them to be founded. He exonerated Tucker. Tucker was relieved from the quartermaster's position here two months ago by Major Ray on account of ill health.

## REGISTER NOW. IT'S YOUR DUTY

Have you registered? If not, don't fail to do so without delay. This is an important matter and should not be overlooked. Every good citizen of Oregon should vote at the coming general election, but it will be impossible to do so unless your name appears on the registration lists. There are yet some thousands of residents of Multnomah county who have so far failed to register. From now until next Tuesday the registration books will be kept open until 5 o'clock every evening for the accommodation of those who can't get to the courthouse during ordinary business hours. Register now.

## MAROOED ON BARREN ISLET

Two Fishermen Fight for Command and One Sails Away.

(United Press Leased Wire.) San Diego, Cal., Oct. 13.—Certain to die of starvation unless aid reaches him soon, Pinto Cosimo, a fisherman of this port, is marooned on a small barren islet and south of Santo Thomas, Lower California.

The fishermen who abandoned their partner, Lorenzo Zolezzi, who arrived at port last night and declared he was compelled, by fear of death, to maroon Cosimo. The fishermen sailed from San Diego to Lower California waters October 2. Zolezzi owned the boat and Cosimo the lobster traps. Last Sunday both drank heavily and quarreled as to which should be head of the expedition. Cosimo armed himself with a knife and Zolezzi used a hatchet, but neither was seriously hurt. Another fisherman separated them and they set sail for camp. Upon their arrival there Cosimo went ashore first, but Zolezzi refused to follow because of the likelihood of removal of hostilities, sailed away alone.

## AERONAUTS SAVED FROM SEA

Pilots of the Balloon St. Louis Sighted at Night by the Steamer's Searchlight as They Are About to Sink With Wreck of Balloon.

(United Press Leased Wire.)

Berlin, Oct. 13.—Probably the most remarkable experience in the history of ballooning was reported today by H. E. Arnold, the pilot, and H. G. Hewatt, assistant pilot, of the balloon St. Louis, one of the three American entrants in the international race for the Bennett cup, when they were landed at Cuxhaven, after having fallen into the North sea at midnight. The two Americans were enveloped in the folds of the great gas bag, which was being lashed by the waves, when a searchlight from the steamer Langrood happened to rest upon the great dark object, which attracted the attention of the lookout. When it was seen that the men were in danger of drowning, a small boat was put out and the men hoisted aboard the ship were able to make it clear to the rescuers how they happened to be out in the middle of the sea floating on a great loose bundle of canvas.

Both men, undoubtedly, would have been drowned had it not been for the fact that the balloon had not fallen within the range of the light of the passing steamer. They had already been under water once or twice and were struggling blindly, with no hope of escaping death.

The men had no idea they were over the ocean, as there was a heavy fog below them. They were traveling rapidly, but were going along comfortably and without any thought of danger, when a rapid fall of temperature caused the balloon to shrink. The big bag then began gradually to descend and the pilot and his assistant threw out

## MAIL POUCH IS SPIRITED AWAY

(Special Dispatch to The Journal.)

The Dallas, Oct. 13.—It has just been learned that a locked mail pouch was stolen here the night of October 8, from the mail cart at the O. R. & N. depot. The mail was taken from the postoffice to the depot by the O. R. & N. messenger. While he was in the depot, the cart and being outside, the mail pouch was stolen. The police officers were notified but no clue has been found. Fair was in progress here and the city was full of strangers. The police are still at work on the case.

## REPORTED HILL HAS ANNEXED THE KATY

(United Press Leased Wire.) New York, Oct. 13.—That James J. Hill has finally secured control of the Missouri, Kansas & Texas railroad in the belief in Wall Street. It is reported that the stock held abroad has arrived in this city and is being held here pending the final negotiations. The cash is said to have been paid to the stockholders of the Northern Pa-

## SCHOOL MAINTAINED FOR A SINGLE BOY

(Special Dispatch to The Journal.)

Spokane, Oct. 13.—Johnny Jergensen, 11 years old, occupies a peculiar position under the public school system in the United States. He is the only child of school age in the district near Kettle Falls, Ferry county, Wash., and has a teacher all to himself. The instructor is M. R. Honeyman, formerly of Spokane, who took charge of the school early this month. There were three pupils at the beginning of the term, soon after which the parents of two of them moved out of the district, taking their children with them. The district is regularly organized and has a school board, with chairman, secretary and treasurer. It also has ample funds to its credit.

## WEE MILES IN FATAL ACCIDENT

(Special Dispatch to The Journal.)

Hillsboro, Or., Oct. 13.—The three small sons of Mr. and Mrs. Charles George, living about 10 miles southwest of this city, were injured in a runaway accident Friday evening. The oldest boy, about 11 years old, died Sunday night, and the youngest, 8 years, is in a critical condition, having had one arm nearly torn from his socket. They were out with the team after a load of fodder. In the runaway the oldest boy fell upon the double-tree and the youngest, 8 years, is in about a mile on a quarter over ground before the team was stopped. The other two were thrown out, but the second boy was not so badly hurt.

## Government Men at A.Y.P.

(United Press Leased Wire.) Seattle, Oct. 13.—William D. Golden, Jesse Wilson and William D. Golden, comprising the United States government board of managers for the Alaska Yukon-Pacific exposition, are expected in Seattle October 20, according to ad-