

REYNOLDS ONCE NEARLY HANGED BY FALLING LOG

Near-Fatal Mishap Shows Poet-Scribe Dangers of Circumstantial Evidence As Any Conclusive Proof

By J. C. REYNOLDS

What a diabolical thing circumstantial evidence is. What terrible mistakes have been made and will be made in its name. What misery and grief has, numberless times, been forced onto innocent people in its use.

There are men and women today serving sentences in our penitentiaries who are entirely guiltless of the crimes with which they were charged. Occasionally true facts come to light and unfortunate sufferers who have been paying the penalty for the real criminals are released, with apologies. In other cases many have been executed before the real truth was learned.

Any person convicted on circumstantial evidence alone has my most sincere sympathy. There was a time in my own life when, if events had not broken right, I could have been arrested, tried for murder and convicted. And the penalty for murder in that state at that time was hanging.

When I was about 24 I had wandered back into Colorado and had taken a job logging at a lumber mill. I was at that time a husky lad, a good teamster and a top hand at logging. Not bragging on myself, I must say that when it came to handling logs I was a natural. In fact, I was so good that I was paid two-bits a day better than top wages, and jobs were open to me at any of the mills throughout that section.

The dozen or more loggers working at this mill usually worked in pairs for mutual assistance, and I was paired off with a fellow named George Dodson. George drove four of the company mules and I four horses, both fine teams, and our job was to haul the logs from where they were decked in huge piles in the woods to the mill. The logs were mostly pine, from one to four feet in thickness, and ranged from 12 to 20 feet in length. They were not hard to handle and, except for the perversity of my partner, who had a mania for doing everything the hardest and clumsiest way, it would have been an ideal job.

If George could load his logs uphill, pull, pry, lift and strain unnecessarily all day, get stuck with his load on the road and have to be helped out and come in late every night, he was happy regardless of the showing he made at the mill. And all this deliberate bungling was simply the result of pure contrariness, as I was always ready and willing to show him how to take advantage of adverse conditions. By doing all my own work and a large share of his, I managed to get along with him fairly well for five months, but there

were times when my forbearance was strained to the limit by his dilatory tactics and we had violent quarrels. And though we never came to blows, there were occasions when I told George, quite often in the presence of others, that some day I was likely to lose my temper entirely and hammer some sense into his wooden head with a cant-hook handle. Mere empty words and soon forgotten. But loggers are a rough lot, lead a rough life and talk rough. And I was no exception. So when roasting George I made it plenty strong, knowing the other boys got considerable of a kick out of it, as George was not very popular on account of his obstinacy and self-assertedness.

Eventually we cleaned up all the logs where we had been working, excepting one large load. So we left my horses in the barn that afternoon and I was sent with George as it was thought he might have trouble if he went alone. Everything moved along smoothly, for a wonder. I managed to induce him to set his wagon where the logs could be loaded downhill instead of uphill and we got on all the logs but one without a bit of trouble. George's lead-team of mules were a swell loading team and knew more about loading logs than half of the loggers themselves and were also quiet and trustworthy and good to mind, so everything went fine. By this time the load was getting high and the skids steeper so, placing the loading chain around the last log, George gave the word to the mules to pull while he stood at one end of the log and I at the other to steady it as it went up. Just as it was about ready to settle into its place on top of the load the chain broke and down came the log, gaining momentum with every revolution. Both of us were too experienced in the game to be caught napping so each stepped back out of the way at his respective station. On the ground, close to where George stood, lay the seven-foot binding pole with 10 or 12 feet of rope attached, where it had been tossed when we were preparing to load the wagon. I was horrified to see a knot on the swiftly racing log catch this rope, wind it up with a snap and hurl pole with terrific force against George's head. There was a dull, sickening thud and he fell like a steer in a slaughter pen.

My senses were so paralyzed by this disaster that I have never been able to remember how I bound the load, lifted George's dead weight of 190 pounds up on it and drove that top-heavy outfit over the three sidling miles to the mill. It is like some dim, horrible nightmare, only fragments of which can be faintly recalled.

When I came to myself I was driving into the mill yard and the boys were running up to help George down and into a bed. I explained what had happened but could see my story was not believed. Too improbable. Nothing like that had ever happened before in logging operations anywhere. They were convinced to a man that there had been a scrap and that I had laid George out cold as they had often heard me threaten to do. The doctor came but looked grave and held out no hope. I went ahead logging from another place and endeavored to preserve a calm exterior, but was sick at heart. I soon became aware from black looks cast at men and chance remarks overheard that my former "fair-weather" friends had turned and now considered it their duty if George died to swear that in their opinion I was guilty of a brutal murder. Such is human nature.

For 72 hours George laid unconscious. Then he roused for 10 minutes and the first question asked him was "Did Jack hit you?" He said "No" and relapsed into coma for 24 hours more. Finally his tremendous vitality began to assert itself and gradually he regained his strength after a blow that would have killed an ordinary man. Questions were showered at him: "Are you sure Jack didn't hit you? What did hit you? Jack said it was the binding pole," etc.

George told them it happened so quick he couldn't see what hit him. If I said it was the binder it must have been, though he had never heard of such a thing in his life. But it was impossible for me to have hit him as I was too far away. And there had been no quarrel. So that settled that and

cleared me. The lesson, bitter as it was, proved of benefit to me in more ways than one. It taught me something of human nature, and also to never under any circumstances to threaten any one, even if I did not mean it.

Local Bus Driver Hailed Into Court Facing 4th Charge

After failing to pay previous fine in six months period allowed him by the court, Fred W. Bartley, bus driver of this city, was arrested Saturday for operating a vehicle for hire without possessing a public utilities commission permit. He plead not guilty when hauled before Justice of the Peace W. R. Coleman and demanded a jury trial, which was held Tuesday. The justice court jury found Bartley guilty as charged, and recommended leniency by the court.

Justice Coleman continued passing of sentence until September 24, at 2:30, to allow Bartley an opportunity to be examined for driver's license. Bartley was ordered by the court to refrain from hauling any passengers other than his immediate family pending passing of sentence.

Last February Bartley, who operates a jitney between this city and Medford, was arrested on three counts for operating a common carrier without a permit, for improper license plates, and for driving for hire without a chauffeur's license. He was tried on the improper license charge and found guilty, fined \$25 and \$4.50 costs and given six months in which to pay. According to Justice W. R. Coleman, Bartley has failed to pay any part of the fine or costs, although the six months have elapsed.

Should Bartley pass driver's examination, he will be required to obtain PUC permit, liability insurance and a chauffeur's license before legally operating his jitney, said the court. Bartley's arrest leaves Jacksonville with no Medford bus connection.

LETTERS to the Editor

Why Always Pick On the Striker?

To the Editor: The longshoreman's strike we read much regarding the losses, the injustice and the hardships represented as being heaped upon the public by the strikers. Now the public has long received this kind of treatment from firms, corporations and persons too high in political circles to be mentioned here. This has been going on longer than the oldest male child of Jackson county can recollect, still, in connection with the aforementioned strike this was heralded as great news.

In only one paper that came to our attention did we read the illuminating information that the longshoremen had given their consent for gasoline to be moved for the harvesting of the farm crops of Oregon. If one side of a story is news why isn't the other side also?

In regard to the present strike, are they giving us the truth, the WHOLE truth and nothing but the truth? If so, how shall we reconcile radio reports that the homes of private citizens are open to shelter destitute textile strikers with press reports that the wages they already receive are more than is necessary to supply their needs and that in their action to better their condition the public is against them?

When the press is criticized for giving us some of their greusome

stuff they claim to be morally compelled to cover everything just like the old style Mother Hubbard dresses did. You are a young editor. We consider you to be a little different from the average bull-run of editors, as editors run. Could you tell us how they come to be that way or just what is the matter? Are they poor tasters when it comes to telling what good news is? Are they willfully partial? Or do they think it all right to be dishonest in some cases, such as making a striker ALWAYS play the part of the villain in this drama of the competitive system? If so then the news sources themselves are primarily responsible for much of the bloodshed that occurs in our labor disputes.

Many people do not hold the news agencies in too high regard, as is proven by the enclosed clipping from the Oregon Grange Bulletin which I am sure your patrons would appreciate if you would publish in connection with this letter. Yours truly,

BERT HARR, Jacksonville.

The Passing Show

(From the Grange Bulletin)
 "Sometimes we wonder if the American people will ever get a square deal out of the New Deal when the newspapers of the country are arrayed against them in the fight for better economic conditions amongst the masses. The current issue of 'Editor and Publisher,' a trade paper circulating among newspaper owners and editors, gloats over the fact that San Francisco newspaper publishers 'whipped the public sympathy against the strikers and finally divided their ranks.' The article even claims that the newspaper combine, composed of every daily newspaper in California's chief seaport, forced General Johnson to retreat from his original position 'favoring the striking longshoremen.' These newspapers controlled all channels of information concerning the strike of marine workers, not only for the citizens of San Francisco, but for the entire country, and they used that power not for the purpose of giving the real news of the controversy, but to beloud the situation and make it appear that the strikers were entirely in the wrong when they were fighting for rights guaranteed under NRA. William Randolph Hearst telephoned from England congratulating the newspaper cabal on its power to change public opinion, and William is the man who is always prattling about the 'freedom of the press,' which, in this instance, showed its servile sycophancy to big business.

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San Francisco editors wrote a black page in the history of modern journalism in its attitude toward the striking workers, one that will long be remembered by the rank and file of the people of California's bay region."

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