

CHAS. EARHART IS KILLED INSTANTLY BY PISTOL SHOT

FATAL SHOT FIRED BY CASON WHO GIVES "SELF DEFENSE" AS REASON; IS GIVEN RELEASE UPON DEMAND OF A. E. JOHNSON, IONE ATTORNEY

Visitors to the fair, townspeople and all in Heppner were shocked Saturday evening when the word was passed from lip to lip that a man had been killed on the main street. The crowds surged towards the spot in front of the Palace Hotel where the tragedy had occurred and where the dead body of Chas. A. Earhart lay on the sidewalk. Some said it was murder, others said it was self-defense. Walter Cason, field deputy of Sheriff Evans, and who is also city marshal of Ione, was the man who fired the fatal shot and when officers arrived on the spot he said, "Here's his gun and here's mine, I shot in self defense." He was immediately taken into custody by the officers and a hearing was given him at the office of District Attorney Walls. After the hearing he agreed with the officers that he remain in their custody and was taken to the court house where he spent Saturday and Sunday nights in jail. Coroner Chick was notified of the tragedy and ordered Justice Cornett to proceed with the inquest. Justice Cornett selected the following jury: Geo. Currin, Frank Gilliam, Wm. Barratt, M. D. Clark, W. O. Minor and Chas. Thompson. The inquest was held at the Court House beginning at 11 a. m. on Sunday. Walt Cason was the first witness called. He opened his remarks to the jury with the statement that he acted in self defense. He said Earhart came up the street within a few feet of him and remarked, "Wait, it is all off." Mr. Cason testified that Earhart then drew his gun and fired one shot. He (Cason) then shot once or twice and attempted to rush at Earhart. He grabbed Earhart's gun before he could fall to the ground. He testified that a few seconds later Marshal McCraw arrived and he turned both guns over to him. Mr. Cason said he had not spoken to Earhart that day. He had seen him through the window at Robert's saloon earlier in the evening. Hugh Rourke, who testified that he was standing about ten feet from the parties, said he heard three shots but couldn't tell who fired them. He saw no guns. He heard no talk prior to the shooting. Marshal McCraw was the next witness called. He testified as follows: He heard shots, two or three, and ran as fast as he could to the scene; he saw Earhart on the walk and Cason was standing; Cason handed him both guns; he did not examine the guns but turned them over to Sheriff Evans a little later; he had warned Cason earlier in the evening not to "rib" up anything with Earhart; he did not see Cason pick up the small gun; he did not see a gun about Earhart at any time. Sheriff Evans said that about ten minutes before the shooting Earhart came into Searcy's place and appeared very nervous. When he heard the shooting he ran for the scene. The balance of his testimony was practically the same as McCraw's. Mr. Cason at this time identified the larger of the two guns as being his. Frank Roberts said that about seven o'clock he saw Mr. Cason standing outside the Rock Saloon and that he feared trouble. He said he told Earhart that if there was about to be trouble he didn't want it to happen in his place. A little later Earhart left and went up the street. Mr. Roberts testified that he then went and warned the marshal that he expected trouble between the two men. He said that Cason stood in front of his place somewhere between a half hour and an hour. Cason was not inside the saloon that day that he knew of. Earhart bought another party a drink during the evening but took a cigar himself. Mr. Roberts did not know whether Earhart was armed or not, and Earhart had not said anything to him about any trouble pending. Mr. Roberts didn't think he had ever seen Earhart have a gun. Deputy Sheriff McDuffee said that he ordered the body taken to Case's undertaking parlors. He saw Mr. Cason remove the clothing and saw him take the various articles from his clothing and examined the wound. He said he and Mr. Cason took about a dozen cartridges from the clothes. (Mr. McDuffee at this point opened the small revolver and compared the bullets found in Earhart's clothing with those in the revolver. They were identical.) Mr. McDuffee said he picked up the revolver that fell from the wound. He said that there was an abrasion on the front of Earhart's head seemed to have been made by either the fall or a blow. Guy Cason said that he was standing at the corner by the Palace Hotel talking with his father and that his father had told him he was going to stay clear of Earhart if he could. Just about that time they saw Earhart, alone, coming up the street towards them. He testified that Earhart pulled out his gun just as he came even with them and said, "Well, wait, the game's on," and that

Earhart then fired at his father. He said his father sidestepped and fired. He didn't know whether or not the two men had met prior to that during the day. He couldn't tell whether Earhart was struck by his father or not. He said his father attempted to rush at Earhart as he fired. He testified that Earhart held his arm just above his waist as he shot. He didn't know how many shots were fired. He did not see the gun taken away from Earhart but saw his father have it a few seconds later. He testified that when Earhart fell he (Guy) took hold of his father and held him and that his father moved only a foot or so. He said Earhart only groaned after the shooting. Ed. Case of Lone Rock testified that he was sitting on the steps at the south side of the hotel and that he heard men quarreling but didn't know who they were or where they were at and for all he knew they might have been across the street. There was a small space between the first shot and the rest, he said. He heard one man call another a liar. Both reports from the guns sounded about the same he said. M. L. Case said that he removed all the clothes and personal effects from the body. He found some money and about a dozen cartridges. The wound was that of a rifle ball, he said, and entered at the right side, passing through the heart and out the left side below the shoulder blade. Mr. Case said he understood that Earhart was on his back when his brother arrived to move the body. He said the cartridges were partly in one pocket and partly in another pocket of Earhart's overalls. Riley Miller said that he came down from the direction of the Brewery saloon with Mr. Earhart a few minutes before the shooting and that Earhart told him he had better go the other way as he (Earhart) might have trouble. Mr. Miller didn't know whether or not Earhart had a gun. W. D. Newlon was coming up the street and was about even with the steps in front of Woodson's office when he heard a shot fired, and then two more shots. He said he did not see one man strike at the other as he fell. He said the two men were standing a little way from the tree at the corner, near the edge of the sidewalk. He noticed no difference in the sound of the shots. He saw no flash from the first shot and couldn't tell where the shots came from. Dr. Allison testified that death was instantaneous and that the dead man could not have lived over 30 seconds, as the bullet passed through his heart. The jury adjourned for dinner and resumed their session at the office of the District Attorney. They brought in a verdict to the effect that Chas. A. Earhart came to his death from a pistol bullet from the hands of Walter Cason. Monday about noon a steady stream of autos poured into the city from Ione and it seemed as though nearly every grown person from that place would soon be in Heppner. At 2:30 a large number of friends, headed by A. E. Johnson went in the direction of the jail where Mr. Johnson demanded from Sheriff Evans the release of Mr. Cason. As there had been no complaint sworn out against Cason by a private prosecutor, his release was given forthwith and he left the jail in the arms of his friends. A waiting auto at the foot of the steps bore him homeward and he arrived at Ione an hour later. The score between Earhart and Cason is an old one and generally quite well known to most of our readers. On July 3, 1908, Earhart in a fit of drunken rage, caused by what he considered just grievances, proceeded to "shoot up the town" during the celebration. He wounded different parties and was finally wounded himself. He gave himself up and was brought by Mr. Cason, who was an officer at that time, to Heppner. On the way here, he threatened Cason saying that if he lived to return he would shoot him and burn the town over his head. These words were heard by Mr. J. T. Knappenberg. Other parties informed Cason that Earhart had made similar threats in their presence and for that reason Mr. Cason said he was on a continual lookout while in Heppner, in order to protect his life. For his action in Ione on July 3, 1908, Earhart was sentenced to serve five years in the Oregon State Penitentiary. He did so and was released in the summer of 1913. In Ione he was regarded as a desperate character when under the intoxication of liquor, but was universally well liked when sober. In Heppner he was regarded in much the same way. He had many warm friends here, and some of them were quite outspoken in their belief that he had no gun on his person when he met Cason. However, the fact remains that no one was willing to file a complaint and charge Cason with murder and therefore the officers had nothing to

hold him for. The body of Earhart is at present at Case's Undertaking Parlors in Heppner. Mr. Case said yesterday that he had communicated with one of Earhart's brothers in the east and that if he did not hear before night from another brother in Baker, the funeral would be held today. If he heard from Baker the body would be held until tomorrow.

The C. W. Lawson family will move to Portland in the Spring. Mrs. Lawson was in the city during the fair and told us that the farm had been taken off their hands and they were going to enjoy life for three years at least in Portland. Mrs. Lawson said that they wanted to be placed on our Portland list as they couldn't get along without the Herald.

Drs. Lowe & Turner, the well known eye specialists of Portland will be in Heppner again Sunday, Monday and Tuesday, Sept. 27-28-29, at the Palace Hotel Parlors. Don't fail to consult them about your eyes and glasses.

Mr. and Mrs. Dell Ward kept open house during the fair. Mr. Morgan Ward and wife, parents of Mr. Ward, were over from Lone Rock; Mr. and Mrs. W. B. Jenks, of Monument; Carl Farnsworth and family of Cecil; A. E. Johnson and family, F. G. Jackson and wife and J. T. Knappenberg and family, all of Ione were also in attendance. J. T. Knappenberg was judged the biggest eater and A. E. Johnson was picked from the men to wash dishes.

MORROW COUNTY PIONEERS HEAR PRAISES FROM TWO PROMINENT SPEAKERS

One of the most masterly addresses ever heard in Heppner was made by Hon. R. A. Booth, candidate for United States Senator on the Republican ticket on Friday of Fair Week. It was delivered before the pioneers who had gathered from all parts of the county. Mr. Booth's parents were pioneers of Oregon and his address was especially well received by many who are acquainted with him and his parents. The following extract was his appreciation of the work of the pioneer and the duty which devolves upon the present generation. "My knowledge of the pioneer does not come from historians' records or the romancers' tales. I know them. They were and are my kin. The first thought of protection that came to me was suggested by the tender care of a pioneer woman. The first emotion of my heart was born in response to her affection and in the years that have since followed there has come to me no impulse more noble than the one to make more restful, more cheerful the declining years of that woman. "The words that I now speak are for the purpose of kindling a flame in some heart that will make some worthy pioneer mother more happy. Out beneath the sunny skies of Southern Oregon a granite shaft bears the name of that pioneer woman. Mothers of Oregon forgive me for speaking in a manner in any sense personal to myself. I do it because there is no other way in which I can convey to you the regard, the reverence, I have for you, for what I have said of my mother can be said also of yours. Praise of Works Well Done. "What you have given your children, your country, your race, the world, is beyond all words to describe. Such acts can never again come to any people. There is no more West; there are no more new worlds to subdue; there is no other prize so valuable, no other hands able to perform, no other hearts so strong and true.

Kenneth Binns won the prize of \$7.50 offered by the First National Bank of Heppner, for the best essay on Diversified Farming in Morrow County. He also walked away with \$11.75 in prizes on his fair exhibits. He took a prize on every article he entered and most of them were first premiums. Not bad for a boy to do, we think.

The Second Annual Shoot held in connection with the Fair was held last week and all events were closely contested. The last day's shoot was exceedingly close and Adam Knoblock and Bob Watkins tied for second place after Loren Matteson barely won first. Below is given a summary of each day's events. On Thursday in the 60 yard match with a rest, Joe Hayes was first; A. B. Searcy was second; John Sprouls was third and B. K. Searcy was fourth.

The four winners in order in the 40 yard off-hand shoot held on Friday were Gene Matteson, Elmer Matteson, Jeff McFerrin and Harley Matteson.

The last shoot held on Saturday was a 60 yard match with Loren Matteson taking first; Adam Knoblock and Bob Watkins tying for second; Jeff McFerrin taking third place and B. K. Searcy fourth.

Mr. L. A. Doble, a prominent Irrigon man, was in the city for the last two days of the fair. Mr. Doble expects great things from the Irrigon country when the Government finishes the ditch there.

A complete line of new and up-to-date set rings at Haylor's.

ANNUAL FAIR PASSES INTO HISTORY AS A MOST SUCCESSFUL EVENT; BUILDINGS ARE SOURCE OF GRATIFICATION

The Second Annual Morrow County Fair has passed into history. Judged by any standard that you may please to choose, it was a revelation to the most optimistic concerning its ultimate success. For three days thousands of people viewed the exhibits of every conceivable order or kind and everywhere were expressions of wonder and amazement heard. The result which this fair will have in demonstrating that nearly everything can be grown here and improving quality and yield of ordinary products grown here will be far-reaching for good. It was an advance over last year's exhibition in nearly every particular. This in the amount, quality and diversity of the exhibits and also amusement features.

The entertainment which was furnished reflects very complimentary upon the fair management. No expense was spared to furnish high-class attractions which were in themselves a source of education and polish. Parsons' Band and orchestra, the Portland Ad Club Quartet, the baloon and double parachute drop, the speeches by our next United States Senator Hon. R. A. Booth, of Eugene, and Judge Wm. Galloway, of Salem, all were far above the average and in general keeping with the high standard of the fair.

Another source of gratification to the visitors was the new home of the fair. What six weeks before was an unsightly feed yard and weed patch is now the most complete county fair grounds of any county in Eastern Oregon. The dance hall, notably, could scarcely be improved upon. The main pavilion, 60x130 feet, is ample for all purposes; the chicken house is well made and much better than the average fair building, large and commodious; the stock department arranged around the north end will hold a large stock exhibit and will be improved next year and special inducements made to have on hand a larger exhibit in this department, which is the only department of the fair which could have been improved upon this year.

In the main pavilion there were eleven booths arranged on the north and south sides. The first booth on the south side was the Singer Sewing Machine display. In it were two sewing machines running by electricity and one of them was a center of attraction as it was making fancy work of various kinds. The second booth was Case Furniture Company's display of furniture. Andy Rood and Jim Huddleston were anxious onlookers here as there was a sign reading, "You furnish the girl and we'll furnish the home."

The third booth contained the Children's display. These represented the effort of children under fourteen years of age. At the front of the exhibit at both ends and in the middle were large sundowners, fourteen feet high. On the table in front were cakes and small vegetables of all kinds. On the west wall were a few samples of fancy work and a bird cage, well made. Along the back were arranged flowers of many kinds, canned goods, fruits, vegetables, grains, jellies and manual training work consisting of stands, tables and other pieces. On the east wall were dozens of sewing exhibits consisting of all kinds of garments, many of them which would make many grown-ups hustle to excel.

The Children's exhibit was one of the main attractions of the entire fair. One of the fair directors said, "The exhibit that most impresses me is the children's exhibit. They are the ones who will be the exhibitors in the future and I am glad to see that they are taking an interest in it." Judge Patterson who had charge of the exhibit said, "We have had a great number of people visit our booth and they all speak in greatest praise of the showing the boys and girls have made." County Supt. of Schools, S. E. Notson, said, "The exhibit is an improvement over last year. The sewing department strikes me as the most commendable part of the display. The work is of high order. There are more vegetables, more corn, the canning display is larger, as is the mechanical work. I consider it an exceedingly wide, well selected and complimentary showing for the industry and perseverance of the children." Supt. Notson has carried on an active campaign for industrial work among the school children and was much gratified at seeing his efforts realized in the exhibits. When one considers that this year was a dry year and the grasshoppers were numerous, he can see that the children deserve much praise. Over 150 prizes were awarded in this booth. The exhibit compared with last year's is about three times as large. Competition was keen and the winners were hard to pick. Next year, with the experience of two years behind them, the children's exhibit will undoubtedly be one of the wonders of the fair. Watch for the Children's work next year!

In the fourth booth was given a demonstration of Golden West Coffees. The booth was tastefully decorated with canned and package coffees and hot coffee and waters were served to all visitors. Many compliments were

heard about the good quality of the beverage.

In the next booth was the Irrigon display. Irrigon was well represented both in this display and in the fancy work, having over two hundred in the latter display. On the table in front were boxes of dried peaches, boxes of almonds, also pumpkins, corn, melons, turnips and ground cherries, all blue ribbon products and examples of fruit raisers who have mixed brains with dirt. Along the back were some of the finest boxed apples ever displayed in a Morrow County Fair and what will compare favorably with any grown in any state. Grapes and peaches of every kind were here in abundance and canned goods of all kinds. One row of peaches on trays had six blue ribbons in the seven trays. Above the display in the back was the word IRRIGON made of white grapes with blue grapes as a background, a commendable piece of work.

The Irrigon display was one of the most attractive and most commented exhibits on the grounds. The fruit shown was well displayed and the quality was pronounced by the judges and men informed on fruits to second to none. Some of this fruit so impressed the business men that a great deal of the credit of their intention to send it to the State Fair and the Land Show goes to the Irrigon people. Irrigon won the prizes for the best Community and the best Fruit exhibits. Mr. and Mrs. Roadruck were in charge of the booth and they are old hands at the job. Both are experienced fruit judges and come in for a large share for Irrigon's success.

The last booth on the south side was the Minor exhibit. This exhibit without question was one of the steller attractions and centers of interest during the three days of the fair. On the table in front were pumpkins, citron, egg plants, grapes, onions, pop corn, field corn, potatoes of several kinds and nine varieties of apples. Arranged above these on the table were over seventy-five jars of canned fruits and vegetables of all kinds. These were taken from the Minor cellars and not prepared for exhibit purposes. One of the interesting articles were the jellies. These were made by Mrs. Tom Pettigohn on one of the Minor ranches south of town and had their been entered individually for ribbons they would have walked away with many firsts. The canned gooseberries, one of Oscar's favorites, were mistaken for olives and various other things. The canned beans, peas, plums, pickles, tomatoes, are what the Minor's put up for their sheep ranches, over 1400 jars being placed in the cellars this year.

In the back of the display and on the west wall were the grains and grasses, over 125 kinds in all, and a more comprehensive idea of what will grow to advantage in Morrow County could not be gained elsewhere. These were far superior to the general county exhibit in the quality and quantity of the yield, as was remarked by the many people who examined them carefully. One can hardly imagine that there were over 75 different kinds of grasses alone which these brothers have been testing and growing. Grains of all kinds were here in profusion. Mr. Booth was greatly impressed with the grain and grass exhibit and remarked in glowing terms of the Minor display.

On the east side was a wire cage in which were several Chinese, Gold and Silver pheasants which attracted much attention. Above this was a beautiful floral display made by placing the stems of flowers in bottles. A swastika design was made of purple and white flowers with an attractive colored border. There were dozens of varieties of dahlias and astors and roses sprinkled throughout the display.

A table was placed in front of the exhibit to care for the cooking exhibit of the Minor Brothers. Here were the old-fashioned pumpkin pies, white and brown bread, cakes, butter and cream. One of the things worthy of mention were the signs which were distributed over the display. On the eye exhibit was a card reading, "Eye-A species of grain grown and used for filler by sheepmen during the Democratic Administration." The Butter Creek visitors appreciated a little notice when they saw a dish of grasshoppers with a sign reading, "Not so large as Butter Creek hoppers but better rustlers." Another feature which the Republicans liked was a China hen apparently giving up in cooperation with a sign showing her despondency reading, "Wheat \$1, Eggs 15c, UGH, can't do it—won't try." This due, of course, to importation of China eggs.

The Minor exhibit took the Sweepstakes premium for the best Fair Exhibit in the fair. The most lasting impression which one can gain by looking over the Minor exhibit is the fact that every farmer can have just what they have if they just want it bad enough. This, also, is the side attraction with them. They just had to go down in the cellar, out in the fields and to the barns and bring in what they had. They (Continued on Page Two)

The editor witnessed a remarkable automobile demonstration last Monday when A. B. Bowker took him to the top of the hill on which the water supply is located just south of town. The Buick car went up the grade without the slightest difficulty, a thing which we are told no other car has done.

Alex Wilson was up from Rhea to see the fair. He was guest at the family home, the Wilson Hotel. Alex said that his father was going to collect his board bill and room bill but he got out too early in the morning.

Mrs. Mike Marshall and children, who came up from Castle Rock for the fair, returned Monday morning. Mrs. Marshall was greatly surprised to see all the good things which Morrow County can produce.

Mr. I. M. C. Anderson left the county yesterday for Corvallis where he will finish college this year. He says that if he could change his first initial to Y, he would be a preacher.

J. Putnam, a well known Monument man, was in the city for the fair.

LEXINGTON ITEMS

School has commenced again after a week's vacation, attending the Institute and the Fair. Mr. and Mrs. Breshears enjoyed a very pleasant Sunday at Hynd Bros. Ranch on Sand Hollow. While there they were treated to an enjoyable ride in the Hynd Bros. Co. new Over-

land car. There was a lady came down on Sunday morning and gave a very entertaining lecture at the hall on Sunday morning.

Mrs. Anna Pickett took charge of the Lexington hotel while Mrs. Beyer attended the fair.

Word was received here that the wife of Henry Burchell of Portland, died the 9th of this month. Henry is well known in Lexington having been a former resident of Lexington.

Some one gained entrance to the yard of Mrs. John Moyer and helped themselves to a lot of the finest peaches. In fact all off of one tree. They only asked 2 cents a pound for them, surely this is cheap enough without taking them for nothing.

Mr. Burzyne is running the mill again these nice days.

Miss Merle Carmichael assorted the mail while Miss Bauman attended the fair on Saturday.

Grandpa Wright was among those who attended the fair from Lexington on Friday, and taking advantage of the special train.

Chas. Burchell and nephew, Claud, are batching now on the former's ranch. Mrs. Burchell and daughter, Hulda, have gone to Monument, Oregon, where Mrs. Burchell will keep house for her daughter, who will attend school there.

A person can travel by auto or carriage now with some comfort since the welcomed showers of rain. Even the wheat haulers are appreciating the better roads.

John McCormick who is sick at his home is still very low.