

WALTER CASON IS GIVEN FREEDOM IN JUSTICE'S COURT

FAIR EXHIBITS GO TO STATE FAIR AND PORTLAND

The Morrow County exhibit for the State Fair and the Portland Land Products Show left on yesterday's train. They will go to Salem from Heppner where Mr. Smead tells us he will have the assistance of Mr. Freytag to help him arrange and prepare them for exhibition.

Last Tuesday Mr. Fred Evans, of Milton, brother of Sheriff Evans of Heppner, accidentally stepped on a carpet staple. At first nothing was thought of the incident but it gradually began to swell and finally pained him so that he went into spasms and it was found necessary to administer an anesthetic to keep him quiet.

The Goulder family, with the exception of Will, left yesterday morning for their new home in Tangent, Oregon, where Mr. Goulder will fill a new position as pastor of the M. E. Church South. Will intends to go to Medford in the near future.

The Ladies of Heppner gave an informal reception to the Public at the Masonic Hall last Friday afternoon between 2 and 5:30 p. m. The Parsons' Orchestra furnished music during the afternoon. Punch and wafers were served. Below is a partial list of those who called:

There was a little war feeling in the Hardman district last Monday when E. J. Merrill and Chester Saling met in the road south of town. The men had not been on the best of terms for some time and during the exchange of blows Mr. Merrill was battered in considerable. He came to town and filed information against Mr. Saling, who pleaded guilty and was fined \$40 and costs by Justice Cornett yesterday.

TO THE PUBLIC: Last Friday evening while my house was crowded with guests, Harry Elliott and a young Brown boy entered my place of business and came and stood in the kitchen door, which kept the waiter getting through and as we were very busy we hollered at them to get out of the way. They would not do it. I told them to get out of the doorway. Brown said he wouldn't do it and talked like he wanted to fight but I did not want to fight him, I only wanted him to get out of the doorway. I took a broom and hit him and he tried to hit back at me. My waiter then tried to put him out and he fought the waiter, hitting him in the back. Several witnesses saw this disturbance. One of my waitresses had a peeling knife in her hand when she asked the boys to leave and they went and told the marshal that the lady had a long butcher knife and had threatened their lives. The marshal came to arrest Miss Dexter but was informed by Mr. Holgate, a witness, just what the true circumstances were. The marshal forced me to put up \$40 bond for myself and waitress and the Recorder now wants us to pay a \$10 fine each. The eye witnesses know that I tried to have no trouble and only wanted the boys to get out of the doorway so as not to obstruct the passage of the waiters. The action of the officers impresses me as being very unfair and they seem to want to give me no protection from drunken men nor allow me to protect myself.

Harvey Young has reconsidered his intention of attending the U. of O. this year and is back in Heppner. He said it was almost impossible for a stranger to secure any sort of work in Eugene this winter and therefore he would have to put in a year gathering up necessary shickles to pay his expenses next season.

GONG LANE.

By Heppner Branch No. 1 Do you know what it means when one cent per pound is added to the price of sugar? IT MEANS \$70,000,000 A YEAR INCREASE OF PROFITS TO THE SUGAR TRUST.

For every increase of one cent a pound in the retail price of sugar the trust increases their profits \$70,000,000 in a year. Within two months the trust has raised the price of sugar from 4 1/2 to 7 1/2, this being an increase of 3 cent a pound in the price of sugar. \$210,000,000 increase in profits in one year for the sugar trust. So you see that it pays to add one cent and the other little cent to the price of sugar. You can see why it is that in spite of the increase in wages and improved methods of manufacturing and of farming the people feel poorer and more worried every year. The robbing of the people is done so quietly, so gradually that the people themselves hardly understand how it is done. They don't realize that a lot of organized capitalistic bandits are laying upon them taxes so heavy that only the richest nation in the world can pay them.

We kicked King George and his army out of this country because he taxed the people. His taxes were light compared to the present taxes these Capitalistic bandits levy on us today. What would King George think if he could come back and see the taxes which we stand for today? He would say that these glorious Americans are a queer people, they who made such a fuss over my little Stamp Act. And then allowing themselves to be taxed with hundreds of millions a year without ever taking the trouble to vote against it. If a fleet of Chinese, Japanese, German, English and other armed bandits landed on our shores and captured a great city and took a ransom of two billion dollars and sailed away, how would all roar. What mass meetings and protests there would be. What resolving, arming and beating of drums, preparations for war, ships and fortifications, call for volunteers—see them go 16,000,000 strong. But these bandits are nothing else but Big Capitalists banded together in trusts. They do their work very quietly, so quietly that the people scarcely notice it. They do not understand it and do not have the courage and energy to unite and vote against it. On the contrary they decide at each election which particular set of officers they will support and which ever side they support and elect the robbery goes on.

A cent added to this and that commodity and so on, quietly, steadily, irresistibly just as the little pennies build up the vast fortunes. The sugar bandits take \$210,000,000, the Railroads another \$200,000,000, the Railroad bandits \$2,000,000,000, and so it goes. But the \$210,000,000, \$200,000,000 and the two billion charges against the whole nation in one year does not make us wonder why we are hard up and worried in spite of great crops and high wages and having the use of great machines which multiplies the power of man's production many fold.

These men are good men at heart, they are only creatures of circumstances, making a living on the lines of least resistance to themselves. Don't blame them, you, yourself is the one to blame, as you and your fathers have sustained them for the last one hundred and twenty-five years. Vote the Socialist Ticket this Fall and let the Nation own the trusts and then you will not be robbed of the surplus values of your labor. (Paid Adv.)

JUSTICE CORNETT RULES THAT DEFENDANT WAS JUSTIFIED IN TAKING LIFE OF HIS ASSAILANT, EARHART

District Attorney Wells swore out a warrant Monday evening for the arrest of W. C. Cason, charging him with the murder of Chas. Earhart on the night of Saturday, Sept. 19, 1914. As was noted in the columns of our last issue, Mr. Cason had been released from custody upon the demand of A. E. Johnson, but later that night returned to Heppner in the custody of Sheriff Evans.

The preliminary hearing was held before Justice Cornett beginning at 9:30 Tuesday morning. A large number of lone people came up to be present at the hearing.

The prisoner plead "not guilty." The State opened their case by introducing Mrs. Fine as a witness. Her testimony was to the effect that she was walking from the Star Hotel towards the Palace Hotel on the night of the shooting and heard loud quarreling. She was positive that the parties involved in the shooting were the ones who were alleged to have been quarreling. She saw the shots fired, two quick ones, a pause and then another. She testified that she rushed from the side of her husband and up to where the shooting had been done. She said she was the first person on the spot and that she remained there for ten minutes or more. She heard Mr. Earhart gurgle before he died.

Guy Boyer was the next witness. His testimony was to the effect that he saw the defendant standing in front of the Rock Saloon while Earhart was inside of that place on the evening of the tragedy. Harry Brown testified that he was tending bar at the Rock and saw Mr. Cason standing outside while Mr. Earhart was inside and also that Mr. Cason came into the place, walked back into the room and then turned and went out again. At that time he thought Earhart and Cason were about ten or twelve feet apart. He testified that Earhart took one drink of liquor during the hour he was in the place.

Frank Roberts was next called. His testimony was the same as that of the Coroner's inquest and which was noted in our last issue. In effect it was practically the same as that of Mr. Boyer and Mr. Brown.

Chas. Grogan was the next witness called by the State. He made a most capable witness, but what he said was more to the benefit of the defendant than to the State. He testified that just before the shooting occurred he was standing behind the bar at Vic

Groschen's Saloon, directly opposite the shooting, and as there were no customers in the place at the time, he was gazing down the street. He saw a man with a light suit and stiff hat (which tallies with the description of the defendant) standing on the corner and a little farther down the street another man was coming up along the sidewalk close into the building. As the man coming up reached a point near the steps on the corner in front of the hotel he saw the flash from a pistol and heard the report very distinctly. In an instant he saw two more flashes and heard two more reports and saw the man on the edge of the sidewalk jump at the man near the building. The man near the building stepped up on the first step and then reeled and fell to the sidewalk. Mr. Grogan saw one other man standing near the man with the grey suit before the shooting. He testified that he heard no quarreling.

Marshal McCraw was the next witness and his testimony was identical with what he gave at the Coroner's inquest.

The State then rested their case. The defense introduced Wm. Padberg as their first witness. He testified that he had known both parties a long time and that Mr. Earhart had threatened the life of the defendant several times in his presence, and once about two weeks ago.

Doug. Gurdane testified that Mr. Earhart had threatened the life of the defendant and other lone people in his presence, and in his place of business about two weeks ago.

Sheriff Evans gave identically the same testimony as he did at the Coroner's inquest. Upon being questioned regarding the presence of a lady when he arrived upon the scene of the shooting he stated that he had taken particular notice of those around and that there positively was no lady in that immediate vicinity.

Mack Gentry was called by the defense and identified the gun alleged to have been used by Earhart. He said he had been placed behind the bar at the Brewery Saloon last Thursday or Friday and that Earhart had been behind the bar several times since then and that he would have had ample opportunity to appropriate same and the bullets found upon his person at the morgue.

The defendant was called next. He told the same story as he recited to the Coroner's jury and was quite positive regarding his movements on

the night of the shooting. He did not really know whether he shot more than once at Earhart. He recited to the Court his differences with Earhart in the past. Along about 1905 he said, when he was deputy sheriff under Shutt, he was called upon to arrest Earhart on a gambling charge and from that time on Earhart was his bitter enemy. Some time later while on the streets of Lone, Earhart came up to him in the dark and, with a pistol against Cason's breast, forced him to agree to help him extricate himself from his trouble. Cason agreed to do so and got away with his life. During the shooting scrape at Lone on July 3, 1908, Cason was again called upon to arrest Earhart, and while on his way to Heppner with his prisoner, his life was again threatened. For his first offense Earhart served a year in the penitentiary and for the 1908 scrape he served five years at Salem. The defendant said he had been warned many times that Earhart was threatening his life and that when he came to Heppner for the fair he came armed both as an officer and for the protection of his life. He told his story in a straight forward manner and was seemingly at ease.

Guy Cason, son of the defendant was next called and his testimony tallied exactly with what he told the Coroner's jury.

Riley Miller again testified to meet Earhart a few minutes before the shooting, near the McNamee saloon and that Earhart told him that he had better go the other way, as he, Earhart, was expecting to have trouble.

M. L. Case gave the same testimony as at the Coroner's inquest.

Geo. McDuffee's statement was the same as he gave to the Coroner's jury.

W. B. Barratt testified that he heard the shots very distinctly and that one shot preceded two more.

Chas. Grogan was called by the defense and testified that he saw a woman in the vicinity of the shooting when the shots were fired or immediately afterwards. He said that he heard one shot and then two more.

The defense then rested on their case.

The State called Willard Herren who testified to seeing Mr. Cason looking in at the window of the Rock Saloon while Mr. Earhart was inside. Frank Roberts was recalled to the stand and his testimony was practically a repetition of what he had previously given.

There were no more witnesses on either side and the Prosecutor summed up his case, declaring that in his opinion the defendant should be bound over to appear before the grand jury and be required to explain his action in apparently seeking trouble with Mr. Earhart, inasmuch as a meeting in front of the saloon would have been in his opinion, unavoidable had Mr. Earhart chosen to come out through the front door. Mr. Wells stated that he could not see why the defendant should have been standing in front of the place where Mr. Earhart was before the bar, when he had declared upon the stand that he was not seeking trouble with Mr. Earhart and that he had always tried to keep out of his road.

The case of the defense was handled by C. E. Woodson of Heppner and Knappenberg & Johnson of Lone. Mr. Woodson addressed the Court with a plea for the immediate release of the defendant upon the grounds of self defense. His address was a masterly effort. He summed up the evidence of the various witnesses and showed that the life of the defendant had been threatened many times; he showed that the testimony of the majority of the witnesses tallied with the blank shell in the pistols, which had been offered as evidence. "The very fact alone," he declared "that the life of the defendant had been threatened so many times, was justification enough for Mr. Cason to have taken the life of Mr. Earhart on sight, and thus act in the defense of his own life." "But the testimony proved," he said, "that Mr. Earhart had fired the first shot and had not the defendant the right to fire upon his assailant and kill him if necessary to protect himself?"

The Court gave his opinion as follows: "I have heard the testimony as given by the witnesses and have given close attention to the same, and I do not find sufficient grounds upon which to hold the defendant to appear before the grand jury. Therefore the defendant is at liberty to go wherever he may choose."

The Courtroom was crowded and friends immediately pressed forward to shake the hand of the defendant and the Court and the attorneys for the defense.

FAIR NOTES. The weather was stormy, somewhat, without harmony prevailed within.

The interest manifested by the children in the Juvenile Department was commendable.

The hotels fed all of the people and none were turned away hungry.

A few more beds were needed but most everyone found a good place to sleep who wanted to sleep.

Things were lively while the Pendleton crowd was in town.

Andy Rood rented an automobile to make a better impression on the girls.

Jim Huddleston was handicapped because his new trousers did not arrive. He was up town at night several times.

The merchants were generous with their clerks, all of which had ample opportunity to see the Fair.

Al Binns said that the vegetable display was fine. Al knows.

SPECIAL TRAIN FROM HEPPNER TO THE ROUND UP

Joe Wilkins and Dr. Christensen believe in that old Irish motto which is to the effect that action speaks louder than words. So to show the people of Pendleton that Morrow County still has an affectionate feeling for her and Umatilla County, even though they had a divorce suit some time back, these men went out in the highways and byways and in the final "Roundup" had enough men and women corralled to order a special train to take them to the "Epic Drama of the West," the Round-Up, in other words for you people sitting over there in the back row who can't see well.

This train will leave today (Friday) at 9:00 p. m. and will stop at Lexington and the Egg City for all recruits who wish to go from those places. It will stop at all other points on the Heppner Branch for those who wish to go. The train will carry Chair cars and Tourist Sleepers and there will be plenty of room for everyone. The special will leave Pendleton at 1:00 a. m. Sunday and get at Heppner at 7:00 a. m. This will enable everyone to see the entire show on Saturday and no sleep will be lost on Friday or Saturday nights.

Heppner and Pendleton have always been on the most friendly terms and this is an opportunity for us to visit our sister city and repay her recent visit. They tell us that she is looking for us over tomorrow. Let's all go over and see Miss Uma Tilla County.

Many Heppner people went to Pendleton yesterday to be on hand for the Roundup. Joe Hayes took a load in his car consisting of Jeff Neel and wife, Tom Brennan and Will Smith. Then Anderson and wife and Mr. and Mrs. Dan Barlow went in the form of a car. Jim Thompson took Andy Rood and W. C. Grogan in his car as far as the Hynd Brothers ranch, where they met the Hynd Brothers who took them in their car to Echo. At Echo they will take the train to Pendleton.

The Moral Squad held their regular meeting at Doug. Gurdane's parlors last night. When the roll call sounded there were only three or four members present. Lieut. Slorum being the ranking officer present detailed Private Rogers and Ball to look up the missing members. They went up the street and found them at the red bench. They pleaded that they forgot that the Squad had chosen new quarters since the colder weather started. Just as the meeting was ready to commence a knocking was heard at the back door and when Corporal Cornett opened it, in came Jim Huddleston. "I hated to bother you gentlemen but I came in the back way because, well, you know the condition of my trousers."

The meeting was called to order by Lieut. Slorum who introduced the first business. He called attention to the fact that the Squad should take some steps to stop the stealing of exhibits at the fair. This year many valuable exhibits were taken from the main pavilion, notwithstanding that several good policemen were down to guard against such work. "It's a downright shame that women can't bring valuable articles there to exhibit without running the risk of them being stolen. Harry Cummings told me that several people walked up to his flower exhibit and deliberately took flowers, thereby spoiling the exhibit. Several members of the Squad told me that they knew of some of these people and I want the Squad to go on record as being opposed to this practice and publishing the names of such people in the future."

Corporal Cornett and Sergeant Hoffman spoke on the legality of the matter, saying that it was a part of the Squad's duty to look into such matters and put a stop to them. A. Farm Hand gave the farmers side of the question and said that farmers would not bring exhibits to the fair if they were not assured that they would get them back. A few of the members joined in the conversation and agreed to work in connection with the Fair Board next year to do away with this bad practice.

Eli MacJohan then addressed the Squad. Eli has never put in his application for membership but he usually always attends the meetings and his talks are always relished by the members. After a general conversation on many topics the Squad adjourned. Jim Huddleston went out by the back way.

The voting contest which Minor and Co. have been conducting for some time has been concluded and last Saturday the winners were awarded their prizes. Miss Hanna Wilson won first prize, a gramophone; Miss Ruth Huddleston took the second premium, a sewing machine; Mrs. Frank Moyer and Miss Minnie Winters took third and fourth prizes respectively consisting of handsome ladies' gold watches; Miss Nellie Thompson the fifth prize, a toilet set.

Ralph Adkins was in the city yesterday with a load of hogs.

IRRIGON ITEMS

John Egbert left for Minneapolis, Wednesday, where his wife has been staying during the summer. Mr. Egbert is one of Irrigon's pioneers and will be missed by nearly all of Irrigon. F. M. Wadsworth will carry on the store business alone now.

The four Indian ponies that were taken up here some time ago were sold last Monday afternoon to L. M. Davis. Jesse Davis broke them and sold one to W. A. Walpole.

The construction camp is located about a quarter of a mile east of Rand's farm. There are five children attending the Irrigon school from there at present, but there will be several more later on. They are taken to school in a light wagon, which expense is met by the School Board.

H. H. Weston and wife, of Castle Rock, were Irrigon visitors Tuesday. They drove down to get some apples and returned in the evening.

Irrigon School Notes.

The School Board met September 21, and decided upon many features for the school. Among these was a Manual Training course. Twenty-five dollars was laid aside to purchase tools and Principal McCann is going to instruct the pupils in the making of the many new playground apparatuses required by the State law. Several magazines and Current Event papers were ordered for the library reading table. An election is to be held Oct. 5, to determine whether or not the School Board shall continue to buy the school books.

The Government Camp which is located half-way between Umatilla and Irrigon sent a half dozen more children to school Sept. 21, and will in time send many more. The total enrollment is now 32. Miss Vince has 20 and Principal McCann has 12 in the High School.

For the next few weeks, O. M. Yeager, the carpenter contractor, will be at the R. F. Wigglesworth farm on Butter Creek, and anyone wishing to consult him on the subject of building or repairing, please call him at that place.

John Beckett, who formerly lived in Eightmile and is a brother of the Beckett boys in that neighborhood, is numbered among the players sure of a position on the Varsity football squad at the U. of O. this fall. John had a great record while a member of the Washington High team in Portland and also showed up well in his first year at college.

SCHOOL NOTES

By Supt. S. E. Notson. The following resolution was unanimously adopted by the teachers of the Morrow County Institute:

Whereas, the professional training required of those who may teach in the elementary schools of Oregon is rapidly advancing in order to keep abreast of the times, and

Whereas, Oregon is one of the largest Commonwealths of the Union, making it inconvenient and prohibitively expensive for the teachers of Eastern Oregon to attend the Normal School at Monmouth, therefore,

Be it Resolved, by the teachers of Morrow County in annual Institute assembled, that they appeal to all friends of the public schools of Oregon to work for the success of Referred Bill No. 316, providing for the establishment of an Eastern Oregon Normal School, at the election to be held November 3, 1914, and be it further,

Resolved, that a copy of these resolutions be placed in the secretary's book as a part of the permanent records of said Institute and copies be forwarded to the county papers, the Oregonian, and the Oregon Teachers Monthly for publication.

Superintendent Hoffman dropped into the Herald office yesterday and told us that the school year had opened with the finest prospects of the best year in his stay with us. In attendance the average is from ten to fifteen per cent better in all grades. The First grade has between thirty-five and forty enrolled which is the largest enrollment in years. The Commercial Department is fuller than common and the Biology class has about fifteen members. Many of the Freshmen wanted to register for this class but it was found impossible to accommodate them all. Special equipment is on hand for this interesting and profitable subject. Supt. Hoffman is exceedingly pleased with his teaching staff, they are very enthusiastic and are working for the best interests of the school. The students have shown fine spirit and everything is working harmoniously and we can feel satisfied that it will be a profitable year for the school.

M. H. Kapple left for Seattle on Wednesday where he will buy a big line of goods for the Fair Store. Mr. Kapple says that he will meet with a warm reception in Heppner and appreciates the fact. He will be back in a week. In the meantime his brother, Marcus, who lately arrived from Seattle, will conduct the store.