

STAR THEATRE

WHERE THE PICTURES ARE ALWAYS GOOD

A Full Week of Superior Picture Plays

TUESDAY, MAY 20
"THE HONEYMOON"

THURSDAY, MAY 22
"THE STRANGE WOMAN"

FRIDAY, MAY 23

Mae Murray in "All Woman"

SATURDAY, MAY 24

Featuring Bill Hart

Also a Charlie Chaplin Comedy

SUNDAY, MAY 25

"Tongues of Flame"

A BLUEBRD PLAY

MONDAY, MAY 26

Mary Pickford

In "Less Than Dust"

A PARAMOUNT PLAY

Special Tuesday, May 27, Screen Version
of Rex Beach's Barrier

Indorsements

- The State Federation of Labor.
- The Central Labor Council of Portland.
- The City Commissioners of Portland thru its Commissioners
- The Portland Kiwanis Club
- The Portland Ad. Club
- The Portland Rotary Club
- The State Chamber of Commerce
- The Portland Chamber of Commerce
- The Men's Club of the First Congregational Church.
- The Hotel Men's Association
- Oregon Motor Dealers' Association
- Seventy-six Papers in the State
- Portland Papers
- Fifteen Granges throughout the State of Oregon
- Also 1000 letters from prominent men of all walks of life throughout the State of Oregon

VOTE 310 X YES

Special State Election, June 3rd

Roosevelt Military Coast Highway

"OREGON'S ROAD TO PROSPERITY"

JOHNSON WINS CATTLE CASE

(Continued from Page One)

that they steal a couple of cars of Johnson's cattle, run them out of the country and sell them. Colvin was to advance the money necessary for expenses in putting the matter over and was to receive his expense money back the others interested to divide all of the profits. Clark agreed to the proposal, so he testified, and Colvin then outlined the plan something as follows:

Clark and his wife were to go to a point on a certain day on Johnson's range near where the Johnson cattle had been salted and wait for Colvin who showed up about dark. The two men then quietly started the cattle and drove them to an agreed point where, about 2:00 in the morning they were met by Lester Goff and Monard Fix who took charge of the cattle, Colvin and Clark returning home. Mrs. Clark followed her husband on the stand and backed up his testimony. She said she did not help drive the cattle but followed behind and led the pack horse.

Lester Goff then took the stand and told of how he and Fix met the Clarks and took the cattle driving them at night and laying over by day until they reached the timber line near Lone Rock where Goff left them. During their trip they were joined by the man Jingles who, with Fix, drove the cattle on to Condon and Jingles shipped them to Portland and sold them. Going to show that Jingles was really a pretty square man at that, Goff testified that Jingles came back from Portland and cut the profits with his pals, Goff receiving something over \$300 for his share. Jingles then jingled along out of the country and, unlike the proverbial cat, he never came back, thereby proving his generosity by not only giving his partners their share of the swag but also all of his right, title and interest in the skookum house at Salem if they wanted to use it.

Clark's testimony developed the fact that he was once convicted of horse-stealing in Washington and sent to the Walla Walla penitentiary but he admitted that he had served only about five months when he was pardoned. It also developed that the old-time friendship between himself and Colvin has not been lately what it once was and Thursday morning he was recalled to the stand to tell how the estrangement came about and it was some interesting story. Clark said that Colvin, in the fall of 1912, got sore at him because he failed to "dig in" to Johnson as strong as Colvin thought he should. He said that Colvin came to his place one evening driving three of Johnson's cows, each with a fine, fat slick-ear calf following. Colvin, Clark testified, left the calves above Clark's pasture fence and drove the cows down and they put them in a small corral. Colvin then told Clark that he should drive the cows up in a deep canyon nearby and kill them for dog meat as a winter's supply for Clark's pack of hunting dogs. He was then to put the calves across the river with Colvin's cattle so that when the cattle were gathered later the calves could be taken to Colvin's place and properly branded. Clark failed to carry out these instructions and when Colvin learned that the cows went back home it made him sore. When asked by Col. Raley why he did not kill the cows Clark said that he wouldn't do such a thing. He didn't mind smooching a calf or even a cow if he wanted some meat or could use the animal in any way but to shoot a neighbor's cattle down and let them lay he thought wouldn't be the right thing to do.

The case was halted Thursday noon by the failure of Grover Andrews, a witness for the plaintiff, to appear. A bench warrant had been issued Wednesday and as the distance made it impossible for a return before 9:00 o'clock Friday morning court was adjourned until that time.

When the court convened Andrews had not yet appeared but as it was known he was on the way, the defense introduced a few witnesses relative to the receipt which was given the Benson Commission Co. by Mr. Johnson when they settled with him for the stolen cattle. T. C. Benson president of that company, took the stand and swore that he made the settlement with Johnson and took a receipt for the amount but that he was now unable to find the receipt in his files.

A. D. Leedy, an attorney of Canyon City, who started the present case against Colvin, but who later withdrew from the case on account of objections raised on the ground that he was one of the attorneys for the defense in the old larceny case against Colvin, was called to the stand and swore that he believed the receipt might be with some other papers pertaining to the case he had placed in a safe in Canyon City. Later Mr. Leedy was instructed to go in Canyon and bring the receipt into court if it could be found.

W. L. Thompson, state highway commissioner and mayor, of Pendleton, was also called and testified in the case.

Grover Andrews, having arrived in court, took the stand and swore that he helped Colvin drive Johnson's two bulls from pasture and that Colvin wanted to borrow witness' horse that night saying he wanted to give bulls a good "shove." Also swore Colvin said he wanted to see Johnson have to go back to Butter creek where he belonged. Witness also said that Colvin wanted him to help drive Johnson's cows (the ones that were stolen) away, and said he would put them where nobody would ever find them. Later, the witness said, he told Johnson about his conversation with Colvin.

The plaintiff then rested and Ben Colvin took the stand for the defense.

The defense here introduced a map of that part of the country on which Colvin, before the jury, marked the different pastures, creeks, houses, etc. His testimony was a direct contradiction of practically all of the testimony introduced by the plaintiff. He denied that Andrews helped drive bulls and also denied asking for Andrews' horse or making any of the statements about denied the statements made by HMM Johnson or his cattle which Andrews attributed to him. He also denied the statements made by Johnson, Clark and Goff in their testimony regarding the stealing of Johnson's cattle and declared that he had nothing to do with the affair. He also denied, positively, that he ever asked Clark to kill three of Johnson's cows or any other number. He admitted having paid the expense of the larceny cases in which himself, Goff, Fix and Clark were arrested for stealing the Johnson cattle, that he paid all of the attorney's fees and also loaned Goff \$700 with which to appeal his case. He said, however, that he took a mortgage on Goff's ranch as security and later got his money back.

Colvin's son-in-law, Porter, then took the stand and gave some testimony about the two bulls. Porter has a vein of humor in his make-up and his droll answers to some of the questions brightened an otherwise rather dull afternoon.

While on the stand Colvin gave a detailed account of his movements on the day the cattle were stolen and later a number of witnesses were introduced to substantiate his statements. These were his two sons, his daughter, Mrs. Nellie Baker, — Baker, Henry Slaughter, and Dexter Waller, all of whom swore to having seen and talked with Mr. Colvin on the day in question. The evidence was completed Saturday forenoon and the court limited the arguments by counsel to the jury to two hours for each side.

Able arguments were made by counsel Judge Fee and John L. Rand for the plaintiff and Col. Raley and Sam E. Van Vactor speaking for the defendant. All are brilliant lawyers and able pleaders and their arguments received close attention from the crowded court room.

The case went to the jury at 4:00 p. m., Saturday and at about 8:00 they returned a verdict for the plaintiff allowing him pay for the cattle for which he did not receive compensation from the Benson Commission company, his time and expenses while hunting the cattle and \$5000 exemplary damages.

The case will be taken to the supreme court on appeal.

WAY OPEN TO GROWING OF CERTIFIED SEED POTATOES

A way to grow certified, disease-free, standard-type seed potatoes is open to the farmers of Oregon. By use of good seed and directed cultural practices, with inspection by a potato specialist, seed will be certified for the benefit of the producer and also of the grower who wants to grow the best quality of potatoes.

The 1918 list of certified seed growers has been issued by the Oregon Agricultural College, and free copies may be had on application. It was written by M. B. McKay, inspector, and associate plant pathologist. It tells the how and why of certification and gives information on making application for entry in the 1919 season.

POTATO CERTIFICATION PROFITABLE

It pays to grow certified seed potatoes. Better quality, yield and price are received. It is profitable, even to try for certification if the requirements are followed because the more careful selection of seed, use of undiseased ground, seed treatment, spraying of plants and care in harvesting will give a bigger and better crop. Only twelve farmers in all Oregon grew certified potatoes last year. Those who want to try this year may get free blanks with bulletin on potato certification by writing to the agricultural college at Corvallis.

A fine rain visited Heppner Friday much to the satisfaction of the farmers and all of their friends.

PROMINENT PENDLETONIANS HERE

W. L. Thompson, who runs a bank for a living over in Pendleton, and and builds good roads all over Oregon as a pastime, was here last week as a witness in the Johnson-Colvin case. Accompanying him or accompanied by him, as the case may be, was Sheriff Till Taylor, also of Pendleton and Umatilla county and the state of Oregon, who keeps the peace over there as a steady job and runs the Round-up as an amusement.

Sheriff Taylor gained a degree of unpopularity in Morrow county last summer by coming into this county and destroying and carrying away to Pendleton one of the county's most popular manufacturing establishments—the same being an infant industry that was being jealously guarded.

Mr. Taylor tried to square himself Thursday, however, by explaining that he went 50-50 with us and only took away one of the two plants. Still it was bad enough and there are those who say that the sheriff's explanation is all moonshine.

BUTTERMILK CANYON GRADE COMPLETED

County Roadmaster McCaleb went out to Buttermilk canyon, beyond Rock Creek Thursday to inspect the new rock grade there which has recently been completed by Vic Groshen and his crew. Mr. McCaleb says the road is in good shape now and that a large amount of wool will come to Heppner from this district this summer. Mr. McCaleb also inspected the road on this side of Rock Creek and will have some needed improvements made there by which two bad fords will be eliminated and the road made passable the year round. He also expects to put some men on the Willow Creek road near Slooms mill soon and put that thoroughfare in shape for getting lumber and wood out of the mountains.

BOARDMAN HAS NEWSPAPER

The Boardman Era is the latest journalistic venture in Morrow county the first issue of which has just reached our table. The paper is a six-column folio and is to be issued monthly. The subscription price is only 25 cents a year which is certainly reasonable considering the price of print paper and provisions. Cramer, Kelly & Cramer are the publishers. F. E. Burns, secretary of the Boardman Commercial Club has an interesting article in the first issue descriptive of the town's past history, present attainments and future aspirations. The advertising columns are well patronized by the business people of Boardman and altogether the new paper presents a prosperous appearance. Long may she wave.

MADE RECORD RUN TO CANYON CITY AND RETURN

A. H. Leedy, Canyon City attorney who was required by Judge Phelps to go to Canyon City and if possible to bring into court a certain document pertaining to the Johnson-Colvin case, made a record trip to the Grant county capital and return with Ed. Adkins driving his speedster. They left Heppner at 3:00 p. m., Friday, covered the 110 miles to Canyon, there an hour and a half while Mr. Leedy made a search for the papers and were back in Heppner at 9:00 o'clock Saturday morning. They left here soon after the heavy rain storm of Friday noon and report the roads being in bad condition all of the way.

METHODIST CENTENARY ESSAY CONTEST

After endeavoring to educate the entire country as to its gigantic missionary program, the Methodist centenary wants to find out what the young life of America knows about the reasons for this \$105,000,000 drive, now in progress.

For that reason a prize of a \$50 Victory Bond was announced recently for the best essay on "The Methodist Centenary—What It Is and What It Will Do." Essayists must be students at grade school, high school or Sunday school. They should send their names, address, ages and school with essays, which must be mailed before June 1 to Joint Centenary Committee, 409 Platt building, Portland, Oregon.

Information regarding the centenary will be furnished to would-be essayists by any Methodist pastor or Sunday school superintendent.

Of this \$105,000,000 fund for world-rebuilding, \$40,000,000 will be spent abroad for schools, hospitals, dispensaries, orphanages and missionary work; \$40,000,000 in America for the Americanization of foreigners, city and country community church plants, open seven days a week, industrial churches with employment bureaus and dormitories and other features. The remaining \$25,000,000 will go for direct war reconstruction work, such as the \$2,000,000 Methodist mission ship.