

La Grande Evening Observer

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O. R. & N. GETS RIGHT-OF-WAY THROUGH TO JOSEPH

As a Result of Decision by Judge Eakin Wallowa Valley Railroad is Defeated after Long and Bitter Fight.

The Wallowa Valley Railroad has no right of way from Elgin to Wallowa. This was the decision handed down by Circuit Judge Eakin from the injunction trials held some time ago. The Wallowa Valley railroad and the O. R. & N. have both surveyed a strip of land leading from Elgin to Wallowa and Joseph and as there was a conflict as to the real ownership of right of way, five injunctions were filed by the O. R. & N., and on the 16th of July the trial began. By mutual consent the five injunctions were treated as one and for two days the attorneys, A. C. Spencer of Portland, Crawford & Crawford of this city for the plaintiff, and Ramsey & Oliver for the defendant, fought the question in battle of words before Judge Eakin.

From the evidence presented at that time, the Court formed his decision, which says that the Wallowa Valley railroad shall forever and perpetually be enjoined

from constructing a track on the land in question. The decision, in regard to this phase of the question says:

"That the plaintiff is entitled to a decree in each case, that the deeds given by said Hug, Shelton, Parker Haigarth and Christianson respectfully to defendant, is in so far as it conflicts with the survey and location of Plaintiff's line of road and by the deeds to plaintiff, is a cloud upon the plaintiff's title thereto, and that said cloud be removed, and that the defendant be perpetually enjoined from excavating or constructing embankments thereon; and that the plaintiff recover its cost and disbursement of this suit."

This decision, which has been awaited by many anxious interested parties, simply means that from now on the O. R. & N. Company can build a track on the surveyed land without molestation from the other corporation.

CONTRACT FOR BUILDING DRAIN-COOS BAY ROAD LET

(Scripps News Association)
Portland, Aug. 9.—The contract for the construction of the first forty miles of the Drain Coos Bay railroad was let today by Harriman to C. E. Loss of San Francisco. The contractor is preparing to go to work at once, with several hundred men. A complete grading outfit will arrive at Drain next Sunday. The material, such

as rails, bridges and implements are already at Drain.

GRAIN MARKETS
Chicago Aug. 9.—Wheat opened at 72½¢ closed at 72¾¢; corn opened at 49½¢ closed at 49¼¢; oats opened at 31½¢ closed 31¼¢.

THE CARNIVAL AT NEWPORT

(Scripps News Association)
Newport, R. I., August 9.—Although the squadron of the New York Yacht Club sailed from here this morning for Vineyard Haven, where it will remain one day, there was no lack of interesting features in connection with the carnival celebration today. One of the land features of the day was the trades procession, which contained a large number of handsomely decorated floats. The aquatic features of the day include motor boat races under the auspices of the Motor Boat Club of America. About sixty boats have been entered for the event and the competitors will be divided into three classes. The race will be over the Dyer Island course with distances of 15 and 30 miles. Handsome silver cups will be awarded to the winners of the races.

CHARITY CANNOT GET ALL

(Scripps News Association)
San Francisco, Aug. 9.—Denis Kearney famous all the world over as "Sandlot", will institute a contest against the will of M. Theodore Kearney, the millionaire raisin grower of Fresno, who left his entire estate of one million to the University of California. He is first cousin to the eccentric capitalist Kearney, and is preparing to oppose the distribution on the ground that the testament violates the section of the civil code which makes it unlawful to bequeath more than one-third of an estate to a charity.

PICKED A COAT
Yesterday a tramp visited the residence of W. W. Berry on Adams Avenue, and demanded ten cents. Upon the refusal of Mrs. Berry to donate this small sum of money, he deliberately picked up a coat and walked off. Mrs. Berry immediately went after a gun and gave pursuit. Mr. Tramp soon returned the coat where he found it.

HUSBAND AND WIFE SUICIDES

(Scripps News Association)
Springfield Aug. 9.—Mrs. Thomas Reilly the wife of Dwarf Gambler, known the country over committed suicide this morning by taking carbolic acid. At the same hour George Reilly was taking his mother's body to this city from Peoria for burial. Enroute he dropped between the passenger cars and the baggage car containing the casket and was ground to pieces. It is thought he did it with suicidal intent.

LOUISIANA CONFEDERATES MEET
(Scripps News Association)
Baton Rouge, La., August 9.—The sixteenth annual state convention and reunion of the Louisiana camp of the U. C. V. opened here today with a large attendance. The convention will last two days. The Louisiana division of the Sons of Veterans is holding its annual convention here at the same time.

MURDERER IS HANGED

(Scripps News Association)
San Quentin Cal., Aug. 9.—William Trebilcox was executed at San Quentin prison this morning. The drop was sprung at 10:51 and a few minutes later he was pronounced dead. The man was game to the last and requested the attending clergyman to sing a familiar hymn to him.

He joined in the singing and as he mounted the scaffold he shouted, "Good bye boys, I hope to see you all in heaven. On the scaffold he murmured a short prayer. The holy communion was administered this morning. The man showed great vitality after his neck was broken. Trebilcox had murdered his wife and attempted the life of her cousin who was a boarder with their family. He had returned home one night from a long case of debauchery and without apparent cause shot his wife and wounded the girl in the thigh. He asked the court to set the execution as early as possible.

THE EMPEROR'S GRANDSON.

(Scripps News Association)
Berlin, August 9.—Preparations are being made for the coming baptism of the Emperor's first grandson. Nothing has been decided yet as to godfather and godmother to the baby prince. That there will be quite a number of them is quite certain. It will be recalled that the young father, the German crown prince had no fewer than 31 godfathers and godmothers, among whom figured the late Queen Victoria, King Edward VII., then Prince of Wales, Prince and Princess Christian, the Emperors of Russia and Austria, the Kings of Italy and Belgium and a host of German princes and princesses.

The Royal baby has already been photographed or, rather, picture post-cards are in circulation showing the Emperor with the infant Prince upon his knee. At the Emperor has not even set eyes on his grandson, this is certainly a remarkable performance on the part of the photographer.

POPE IS ILL

(Scripps News Association)
Rome, Aug. 9.—The Pope was seized by an attack of heart weakness after many fatiguing duties this morning. His doctor has ordered a complete rest. A few hours after the attack he was reported to be feeling better.

MIRACULOUS ESCAPE

(Scripps News Association)
Van Couver, C. C., Aug. 9.—Mrs. H. McArthur, the wife of the owner of Loine creek mining property near the Skeena river, fell into a sluice box and was carried nine hundred feet and thrown on a dump. She escaped with a broken leg and a few bruises.

FREE METHODIST WORSHIP IN WOODS

(Scripps News Association)
Rock Island, Ill., Aug. 9.—The meeting of the Free Methodists began here today in the woods on the North side of Eighth Avenue, near Twenty-fourth street. Several hundred members of the Kewanee district of the Free Methodists are in attendance, among the prominent workers, like the Rev. C. W. Sturdevant, of this city, the Rev. Mr. Doty of Woodstock, the Rev. Dr. Boone of Chicago and others.

QUEEN'S MOTHER STONED

(Scripps News Association)
Madrid, Spain, Aug. 9.—The Queen's mother was stoned today while automobiling near San Sebastian. She was not seriously injured.

PRESIDENT STENSLAND UNLOCATED

(Scripps News Association)
Chicago, Aug. 9.—Cashier Herring of the Milwaukee State bank has announced to the newspaper this morning that he will give himself up this afternoon. He said the reason he remained secluded was that he knew the people would not understand the position and wanted to secure the handsman. He has not been out of the city since Monday when he appeared and found a man posting a notice of the bank's close and went home with a friend. He said that several weeks ago he warned Stensland to arrange for the indebtedness of the bank or there would be trouble.

The examiners said this morning that the former figures placing the value of the alleged bogus securities at a million were approximately correct. It appears that the whole trouble lies with Stensland as he never paid many of the debts, and lost forty or fifty thousand a year. His rent bills and lights bills were never paid.

Chicago, Aug. 6.—Another warrant for Theodore Stensland, former president of the state bank, was issued this morning.

The Herring case did not appear at one this afternoon. Inspector Shippy and Examiner Jones said that certain parts of the Herring story were untrue. Shippy says that he is paying no attention to the reports that Herring has surrendered, but is keeping sixty detectives on the trail. Chief Collins says that he will have Herring as soon as the bank officials want him. All sorts of clues as to Paul Stensland's whereabouts are rumored. It is not known definitely where he is or anywhere near where he is.

AGITATORS BANISHED

(Scripps News Association)
Moscow Aug. 9.—A complete resumption of work was begun today. Many agitators have been banished.

COURT DOES NOT FAVOR PUBLICITY

(Scripps News Association)
London, Aug. 9.—The president of the divorce court today announced that the court had decided that hereafter the newspaper articles relative to divorce affairs, could not be published as the witnesses were in some cases prejudiced. The court holds that it is not conducive to public welfare to call attention to divorce cases.

TEXAS SHERIFFS HOLD CONVENTION

(Scripps News Association)
Dallas, Tex., Aug. 9.—The annual convention of the Sheriffs' Association of Texas opened here today with a large attendance and nearly every county in the state is represented at the meeting. Robert Goodfellow, sheriff of Coleman county, is president of the organization and will preside at the meetings, which will occupy three days. Many important matters will come up for consideration.

LABOR TO GO INTO POLITICS

(Scripps News Association)
Pittsburg, Pa., August 9.—The mass meeting called by the leaders of the Union Labor Party for the purpose of forming and organizing a new political party composed of the organized labor elements, will be held here today. Hundreds of delegates representing the various labor organizations will be in attendance this evening, when the meeting is called to order. E. M. Douglass, one of the projectors of the new party, M. F. Tigue, assistant secretary of the Amalgamated Association of Iron, Steel and Tin Workers; Simon Burns, Samuel Gompers, G. C. Douglass and other prominent leaders are here and are expected to deliver addresses before the meeting.

BISCUIT TRUST MEETING

(Scripps News Association)
New York, August 9.—The Board of Directors of the National Biscuit Company will hold a meeting here this afternoon. The main purpose of the meeting is to act on the question of dividends. The customary rate of 1½% on the preferred and of 1 per cent on the common stocks may be expected. It is stated on good authority that the company does not intend to buy the Butler store system in Greater New York. A plan for building an additional factory may be considered.

TEDDY CONFERS WITH STANDARD MEN

(Scripps News Association)
Oyster Bay, Aug. 9.—Former Senator Jones, and a man from Arkansas named Barstale, who is the Pittsburg representative of the Standard Oil company, was in a several hours' conference with the President this morning. It was tried to keep the matter secret.

MIDSUMMER SPECIALS

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