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BOB ESTES SHOT AND KILLED BY JOHN M'MANUS

THE EDITOR OF THE PILOT ROCK RECORD TAKES THE LIFE OF A WELL KNOWN MAN IN PENDLETON SALOON

Pendleton, Feb. 10.—John P. McManus, editor of the Pilot Rock Record, shot and killed Robert Estes, yesterday afternoon about 5 o'clock, the tragedy occurring in the rear of the Pullman saloon on Main street. McManus was drunk at the time and it is believed by many that he shot him while shooting McCarty, who is alleged to have robbed him twice last week, when the Pilot Rock editor was in the city on a protracted spree.

Estes was shot in the back, while standing in the toilet in the rear end of the saloon and falling over backwards, expired without speaking a word.

McManus was apparently making no effort to escape, but as he was walking excitedly out of the saloon he was seized by ex-city marshal and was taken to the office of Recorder Friz Gerald where he was kept until the arrival of Sheriff Taylor, when he was taken to the county jail.

When interviewed a few minutes after the shooting McManus was too drunk and too badly excited to give any intelligent explanation of the tragedy or of the events leading up to it. About all he said was that his victim had robbed him twice, taking his money and his watch, and that he was trying yesterday afternoon for the third time to rob him. He insisted that the fellow was trying to take the same watch which he had stolen before and which was returned to him by a woman supposed to be Mrs. McCarty, when her husband was arrested by the officers. These statements lend color to the belief that he shot him while shooting McCarty, when he killed Estes.

A confirmed report on the street last evening was to the effect that McManus had been looking for McCarty and that the latter had stated that he gave the

drunken editor the slip at the same saloon just preceding the shooting. The rumor had it also that McCarty escaped from McManus by stealing out the back door of the saloon.

Coroner Folsom was one of the first persons on the scene of the tragedy and at once impaneled a jury to investigate the affair. The inquest was held at the morgue, lasting from 7:30 to 10 o'clock the final verdict being that Estes met his death by a bullet fired by John P. McManus.

McManus is a well known newspaper man of this state, being a brilliant editorial writer, but his fondness for the flowing bowl has been his ruin. He formerly was on the Pendleton Oregonian and at one time was editor and proprietor of the Tribune. About two years ago he was married to Mrs. Ida McGallister, of Salem who is now in Pendleton, having come in with him yesterday about noon from their home.

Robert Estes is a young man about 30 years of age. He is a son of William Estes of Athena and has a sister and wife in North Yakima, who will make an effort to reach this city in time to attend the funeral. He also has several relatives in Pendleton, his brother John Estes, being half proprietor with Casa Matlock in the saloon where the shooting occurred.

COURSE FOR FRUIT GROWERS

(Scripps News Association)
Lansing Mich., Feb. 11.—There was a gratifying attendance today at the opening of a two weeks' course in fruit growing at the Michigan State Agricultural College. It is a short practical course for fruit growers and those who desire to be fruit growers, pointing out the errors of mismanagement and the methods of overcoming diseases and insect pests in the orchards.

BINGER HERMAN AGAIN

(Scripps News Association)
Washington, D. C., Feb. 11.—The case of Representative Binger Hermann of Oregon, charged with the destruction of certain letter press copybooks when he retired from the office of commissioner of the general land office, was called in the criminal court today before Justice Stafford. The case, which has been pending for a long time, has attracted considerable attention. Since the charges were first brought against him, Mr. Hermann has been reelected to Congress.

Binger Hermann is a Republican and represent: the first district of Oregon in the House. He was born in Maryland but after coming to Oregon engaged in teaching school. Later he studied law and was admitted to the bar of Oregon 1866 and has practiced continually since. He was elected to the Oregon lower house in the same year, to the senate two years afterwards. Then followed a term as deputy revenue collector and from '71-'73 was receiver of the land office at Roseburg. At the time of leaving this appointment, is when the allegations say he committed the crime.

WRECK AT JUNCTION CITY

(Scripps News Association)
Junction City, Ore., Feb. 11.—The Western Pacific passenger number 188, was telescoped from the rear by an extra freight this morning during the fog. Two brakeman and fireman bolider were injured. The engine of the freight and two coaches on the passenger were demolished.

FOR CONTROL OF GRAZING LANDS

(Scripps News Association)
Washington, D. C., Feb. 11.—President Roosevelt has designated Senator Warren to meet with the Public Lands Commission and committees from the American Live Stock association and the National Wool Growers' association in a joint conference today to consider the question of national control of the grazing lands of the West. Oregon is represented by Dan C. Smythe of Pendleton.

SMOOT CASE AGAIN

(Scripps News Association)
Washington, Feb. 11.—The Smoot case was brought up in the senate this afternoon by Berry of Arkansas who urged the adoption of the resolution reported by the committee on privileges and elections which holds that Senator Smoot, of Utah, is not entitled to his seat.

OBJECTIONS BY JEROME MAKE GOOD

(Scripps News Association)

New York Feb. 11.—Thaw's attorneys today endeavored to devise means to force the introduction of the defendant's will as evidence. An agreement to protect public morals as much as possible, now seems about to be broken, as prosecuting Attorney Jerome, to offset Evelyn's testimony to show that after the marriage, the reputations of many New York millionaires, will even attack Thaw's advertised love for his wife. He will introduce testimony to show that after the marriage, he frequently responded to the call of White in many ways. He will show that Thaw's crusade against vice, in which he enlisted the support of Anthony Comstock was carried on for selfish motives and under soiled banner. Such tactics will result in only one thing, and that is that the defense will resort to the same thing so that the trial will become a muck delving medium. The darkest orgies of half the world will be held up for inspection.

The first announcement in the Thaw trial today, was an edict from the judge that except the six actively engaged newspaper women, all of the gentle sex, must leave the court room. The announcement caused a buzz of indignation from the regiment of cackling scandal-mongers and sensation seekers who had been drawn out by the beautiful spring weather. Thaw entered the court at ten thirty, looking fresh and in good spirits.

Harry seemed disappointed that none of his family was present when he entered. Attorney Delmas accompanied by Evelyn remained in the clerk's office for some time. Then came J. D. Lyons, vice president of the Union National Bank of Pittsburg. He was the first witness called to identify the Thaw will. Jerome objected to Lyons as witness and raised the contention that the will was temporarily barred, because it contains no evidence to prove Thaw's insanity. Jerome insisted on further proof of mental weakness. Delmas maintained that the will would tend to show eccentricities. After a long wrangle, the witness was allowed to speak.

He testified that prior to 1905 he had received the will from the defendant, and it is over that document, then received by him, that the controversy was made. He declared that the envelope containing the will had not been broken from the time he received it until he surrendered it, in the latter part of November 1905. Attorney Gleason then took the stand and testified that the will had come into his possession on November of the same year.

At this point Delmas again offered the will in evidence but Jerome's objection was sustained. The will was temporarily laid aside and Evelyn Thaw recalled to the stand. Instantly the court room was aroused from the disinterestedness to excitement.

The wife was clad in her simple costume. On her entry, the shuffling of feet ceased, and eyes were craned to follow her down the aisle to the stand.

Delmas asked Jerome to turn over the note which Evelyn had written to her husband at the Cafe Martin on the night of the tragedy. Several minutes elapsed before it was produced. During the interval all eyes were turned upon the witness who appeared calm and smiled several times at her husband. The witness identified the note and said she had written it. Delmas read the note to the court. It said "The b— was here a moment ago but went out again."

"To whom did b—refer?" asked the attorney.

"To Stanford White."

"Now I will ask you," said Delmas very gently, "if you ever heard Thaw speak of any threat made against his life by White?" Jerome objected. The court sustained the question, but Jerome again jumped to his feet with another objection on the grounds that the question did not bear on the insanity of the defendant but had to do with the plea of self defense which the attorney for the defense had not yet established. Jerome's objection was then sustained. The court also sustained objections to questions about the malefactors Thaw was alleged to have set upon the trail of White.

Evelyn stated she knew that Thaw
Continued on page 2

COURT TOMORROW

If the court schedule is carried out, Judge White of Baker City will arrive on this evening's train and the case which has brought forth more comment and speculation than any case during the past two court sessions will commence at 9 o'clock in the morning. We refer to the case of the State of Oregon vs E. W. Bartlett and S. A. Gardiner, who were indicted by the last grand jury for extorting money.

Owing to the fact that one of the principal witnesses, Mr. Klein, is absent from the city, we have been informed that the state will file a motion for continuance. This of course will be fought by the defendants who will show that they have been clamoring for a speedy trial since the indictment and it is no fault of theirs if the state has not taken the necessary steps to have its witnesses here.

THE INDICTMENT

The following is the text of the indictment:

E. W. Bartlett and S. A. Gardiner, the above named defendants, are accused by the Grand Jury of the county of Union and state of Oregon, in this indictment, of the crime of attempting to extort money, committed as follows:

The said E. W. Bartlett and S. A. Gardiner did in Union county, state of Oregon, on the 18th day of May, A. D. 1906, then and there feloniously, willfully, corruptly, extorsively and maliciously obtain from J. N. Klein and J. C. Smith the sum of one hundred and fifty dollars, current money of the United States, the particular denominations and character of which is to the Grand Jury unknown, by putting them in fear, such fear then and there by the said E. W. Bartlett and S. A. Gardiner, by a threat then and there by them made in a verbal communication to the said J. N. Klein and J. C. Smith to accuse and prosecute them for a crime against the laws of the state of Oregon, to-wit: permitting gambling, by them the said J. N. Klein and J. C. Smith charged to have been done and carried on in certain buildings and rooms in the possession of the said J. N. Klein and J. C. Smith, situated in the county and State aforesaid, contrary to the statutes in such cases made and provided, and against the peace and dignity of the state of Oregon.

THOMAS A. EDISON IS 60

(Scripps News Association)

East Orange, N. J., Feb. 11.—Hard at work in his laboratory Thomas A. Edison did not pay much attention to the fact that today was the sixtieth anniversary of his entrance into the world. The birthday would probably have passed entirely unnoticed to him had he not been reminded of it by the receipt of a bushel or more of congratulatory messages from every part of the country. Mr. Edison is enjoying good health, notwithstanding the fact that recent reports have had him suffering from paralysis, nervous breakdown and other dire afflictions.

TO KEEP THAW OUT OF PAPERS

(Scripps News Association)

Washington, Feb. 11.—President Roosevelt has asked the Postmaster General to take steps to bar from the mails, newspapers printing the details of the Thaw trial, if this is possible under the law. The following official announcement was made this morning from the White House: "The President has communicated with Secretary Cortelyou to learn if it is feasible to bar from mails, papers giving the full disgusting particulars of the Thaw case."

POLITICAL CAREER IN THE SCALES

(Scripps News Association)

Washington, Feb. 11.—Mayor Schmitz and other Californians who are with him from San Francisco to confer with the President on the Japanese school question is receiving showers of telegrams, not only from people in San Francisco, but from all California, and other states on the Pacific coast, urging them not to make concessions without positive exclusion of the Japanese. Many messages are threatening. The delegation is in a peculiar predicament. Each member of that group know what their political careers will amount to if they do not bring about a satisfactory settlement of the question. For this reason, perhaps as much as any, they will stop of nothing short of exclusion. They themselves can not figure out how the President can make any guarantee. He can not promise that congress will pass any exclusion law, or that the senate will ratify a recall of the present treaty. The Pacific coast people demand that the President leave their affairs alone, yet demand that their representatives receive a guarantee that the executive will interfere with the legislative treaty making and the prerogatives of congress.

The Schmitz party will work under a great hamper, brot on by the San Francisco press. Several papers have already gone so far as to state the party having unconditionally surrendered to the President. This may be stated as untrue.

Still it is generally believed that the President will win the contest but nothing has been said by either President Roosevelt or the Schmitz party to substantiate this assertion. A second conference will be held this afternoon.

FULLER NOT TO RETIRE

(Scripps News Association)

Washington, Feb. 11.—Chief Justice Fuller of the United States Supreme Court entered upon his seventy-fifth year today. Although he has been eligible for retirement for four years, so far as his friends know he has at no time since he reached the age of seventy seriously considered taking advantage of the privilege. He apparently is in good health and enjoys Washington life.

Chief Justice Fuller is a Democrat, and tho he is compelled by precedent and good taste to keep out of politics he is yet a staunch party man and would leave no stone unturned to see his successor a man of the same political faith as himself. If Theodore Roosevelt is succeeded by a Democrat as President, barring ill health, Chief Justice Fuller will likely not retire before March 4, 1909, at which time he will be seventy-six years of age. By pursuing such a course the chief justice would have the pleasure of seeing his successor a Democrat.

TWO ADDITIONAL CIRCUITS

(Scripps News Association)

Washington, Feb. 11.—Senator Fulton's bill establishing two judicial circuits in Oregon, was reported favorably by the senate judiciary committee today.

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