

La Grande Evening Observer

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NUMBER 318.

AN INDICTMENT THAT IS FOLLY

TEXT OF CHARGE WHICH WAS BROUGHT AGAINST SCOTT.

Justice of the Peace at Elgin Commits Folly That is Almost Unpardonable—Indictment Stipulates the Theft of One Apple, for Which Defendant Spent 40 Days in Jail Before His Trial—Public Expressions Are Numerous and Sympathetic.

Each day brings more public expressions of chagrin in the monster farce on justice which was committed by an Elgin justice of the peace, 40 days ago, when a foreigner named John A. Scott, was bound over to the grand jury on a charge of stealing "one apple." As explained before the district attorney cannot draw indictments under the new law, and the prosecution was forced to await the setting of the grand jury to dispose of the case which the justice of the peace at Elgin saw fit to bind over to the grand jury which was to sit 40 days hence from that time. From the evidence brought before the grand jury the indictment was drawn and is published herewith. What Scott has suffered mentally and physically as a result of nervous breakdown, cannot be expressed, for the poor fellow cannot translate his feelings in words. Enough to know that he spent about 40 days in the county jail, each and every day heaping up useless expense to the county, all on a charge of having "stolen" one apple. The indictment in the case is published herewith verbatim, and tells its own story of a misapplication of justice, that, often repeated, cannot help but propagate anarchistic germs in any human being:

The indictment. In the Circuit Court of the State of Oregon for Union County.

The State of Oregon, plaintiff, vs. John A. Scott, defendant.

Accused by the grand jury of the county of Union and state of Oregon, by this indictment, of the crime of larceny in a building, committed as follows:

The said John A. Scott, on the 1st day of August, 1908, in the county of Union and state of Oregon, did then and there unlawfully and feloniously take, steal and carry away, one apple, then and there of the value of five cents, and then and there the property of some one unknown to the grand

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POLITICIANS TO BE EXPOSED

HEARST WILL READ SOME OF HIS FAMOUS LETTERS TONIGHT

San Francisco, Oct. 9.—William R. Hearst, and Candidate Higgen, of the Independence league, speak here tonight. A big crowd is expected, because Hearst promises to read other letters involving new names in the expose which has been conducted of late. He refused to give any inkling as to what he will say, but intimates that politicians not yet mentioned in his exposures, will be named.

Bryan's Speaking Tour.

New York, Oct. 9.—The final speaking sales of Bryan's campaign were announced at headquarters today as follows: Madison Square Garden, October 11; Brooklyn, 23th; Syracuse, 24th; Buffalo, 30th; Chicago, 31st. The final address will be made at 11 o'clock the night before election, from whence he will go to Lincoln and return.

Fox Skin Worth \$500. Nome, Oct. 9.—A black fox with a skin worth \$500, was driven from the hills by the gold, and killed in the streets of Nome after being chased by a hundred persons. The animal was killed by a tenderfoot prospector.

Result of Enforcing Game Laws. Tacoma, Oct. 9.—Enforcement of laws protecting the game has resulted in an increase of deer, bear, elk and small game in the Olympic mountains, according to James Lyman, a prospector. He arrived here today from that region, and says he saw a large herd of elk, which numbered about 80 head.

LOVING WIFE AIDS A VICTORY FOR CHICAGO CUBS

MRS. CHANCE SENT BRAVE LITTLE NOTE TO HUSBAND.

Victory Which Chicago Cubs Scored Yesterday Because Wife of Captain Chance Sent Encouraging Message at the Crucial Moment—Wedding Anniversary.

Chicago, Aug. 9.—"This is our wedding anniversary; you just have to win," was flashed from Chicago yesterday by Mrs. Chance, wife of Captain of the victorious Cubs. This was flashing through Chance's mind yesterday afternoon when he went to bat in the eventful third inning. With Evers and Schulte on bases, Chance swung hard at the first ball pitched, sending it far out into the crowd and scored both men.

After the game Chance received this from his wife:

"This seems to be your day. "EDITH"

NEW POLITICAL PARTY FORMED

ASKS BALLOT FOR WOMEN AND DISTRIBUTION OF WEALTH

Chattanooga, Tenn., Oct. 9.—This city was awakened today to the fact that a new party was proclaimed, and that the platform demands radical changes in the governmental institution. The name is "Liberal" party. The ballot for the women and distribution of aggregated wealth are dominant principles. Where citizens accumulate such wealth making him a menace to society, the liberals urge that a portion of the property revert to the government, to be used for humanitarian purposes. Legislation to accomplish this is urged.

Taft Resting Today Again.

Cincinnati, Oct. 9.—Taft is resting at the home of his brother until Monday, when he starts for his tour of Ohio and Virginia.

Mail Order House Marriage.

Spokane, Oct. 9.—Lizzie Satt, of Petersburg, Ind., was married last night to W. J. Moore of Blue Creek, Wash., whom she never had seen until she stepped from the train. They courted by mail.

Flooding to Glenn's Ferry.

Boise, Oct. 9.—Land seekers are flocking to Glenn's Ferry, where next Monday 18,000 acres of fruit land will be thrown open to the public entry under the Carey act. The land is irrigated from the Malad river.

Rebuilding Cliff House.

San Francisco, Oct. 9.—Preliminary work on the new Cliff house, San Francisco's famous seaside resort, destroyed by fire, was begun today. It is to cost \$42,549, and will be ready within five months.

WARSHIPS HURRY TO TURKEY'S AID

NO HOPE FOR FURTHER DELAY OF BALKAN WAR.

With English Ships Hurrying to Grecian Archipelago, Servians Calling for War and Entire Near East Country Expecting War Momentarily, Aspect in War Horizon is Very Gloomy—Turks Realize Weakness—Russia Mobilizing Fleet.

London, Oct. 9.—England today abandoned all hope of avoiding war over the Balkan states, Roumania, Servia and Bulgaria. Hostilities are expected.

England today ordered the battleships Glory and Prince of Wales and the cruisers Diana and Lancaster to proceed from Malta to the Island of Lemnos, a Turkish possession in the Grecian archipelago. Turkey says that only the presence of English ships can prevent the destruction of the empire. The British press openly hints that a breaking up of the present alignment in the Balkans will be the cue for England to annex Egypt.

Today's liquidation in the stock market is the heaviest in a long time, indicating a serious view of the situation is taken by financiers.

Empire Breaking Up.

Vienna, Oct. 9.—The British ships are ordered to steam to Lemnos, a Turkish dependence immediately. A general breaking away of the Turkish empire is imminent. The complication confronting the powers becomes more tangled every hour.

Russia's Fleet Mobilizing.

The Turkish forts at Constantinople have fired on vessels in the straits of Bosphorus, which were flying the new Bulgarian flag of independence.

Russia's fleet is mobilizing in the Black sea, south of the seat of dispute. A declaration of war between Servia and Austria is momentarily expected.

Servians Clamor for War.

Belgrade, Servia, Oct. 9.—Preparations were completed today for the removal of the seat of government from this city to Nish, a fortified town 130 miles southeast and the second largest city in the country. King Peter is still holding out against a war with Austria. The people continue to clamor for hostilities.

Vienna, Oct. 9.—Lieutenant Field Marshal Oscar Potiorek was appointed commander of the army today, to assume charge this afternoon. Activity

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WORLD SERIES ON TOMORROW

DETROIT WILL OPEN GAME WITH KILLIAN ON MOUND

Detroit, Mich., Oct. 9.—An army of carpenters is working today on Bennett park, erecting additional tiers of seats to accommodate the great crowds expected tomorrow to witness the first of the world's champion series between the Detroit Tigers and the Chicago Cubs.

The size of the bleachers will be doubled. Captain Jennings of the Tigers, will use Killian as pitcher in the opening game, reserving Donovan for Sunday's game at Chicago.

Trainloads to Detroit.

Chicago, Oct. 9.—Several trainloads of fans will journey to Detroit tomorrow to witness the game. Hundreds of telegrams from all parts of the country were received asking that seats be reserved at the various games during the series.

CORPORATIONS' SCHEME FOILED

EX-GOV. PARDEE FIGHTS THE FREE WATER RIGHTS.

Power Interests at Irrigation Congress in San Francisco Defeated on Every Hand—No Opportunity to Secure Free Water or Perpetual Rights—Take Steps to Prevent Forest Fires by Organizing Individual Fire Protection.

San Francisco, Oct. 9.—Frank Short, an attorney for the Huntington power interests, has amended his resolution to the irrigation congress, making it harmless. The original resolution provided for the control of all waterways in and out of national forests, by the state in which they are located, and perpetual granting of those water rights to any corporation applying, but the resolution met speedy defeat under the hammering of ex-Governor Pardee. Short withdrew all parts of the resolution providing for giving away water rights, and as it now stands it means nothing. The law compelling corporations and individuals owning land in forest regions of the west to adopt fire fighting systems similar to that of the government in national forests, was recommended in a resolution by Lewis E. Aubury. Pardee, in a strong speech, favored it, declaring the destruction of many million dollars' worth of national wealth by fires is traced in almost every instance to a fire started on privately owned land. Opposition to the government forestry policy was defeated in the

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200 MERCHANTS VISIT WALLOWA

PERFECT ENJOYMENT IN STORE FOR MERCHANTS' EXCURSION

Wallowa, Oct. 9.—(Special.)—With balmy breezes blowing down the valley, warm sun rays giving added life and interest to the county fair that is now in progress here, with the Wallowa band playing a lusty air at the improvised depot, 200 business men from La Grande, Island City, Imbler, Summerville and Elgin stepped from the special excursion train onto Wallowa county soil today at 11:30, and all afternoon has been a continual round of pleasure. Wallowa's welcome to the merchants and professional men from its sister county was warm and unlimited.

After calling en masse on the various business houses, the visitors commenced to break up into smaller groups and, when at 1:30, a stock parade such as few had ever witnessed an equal to, the strangers had become firmly acquainted in a business and social way.

Football Game Today.

Joseph and Wallowa football teams battled for honors this afternoon, and around this contest gathered a large portion of the visitors and inhabitants.

May Delay Return.

A committee was appointed during the afternoon to wait on the railroad officials with a request that the excursion train be held up until 4 o'clock before the return trip was started.

Not a man from Union county is bewailing the time spent in making the trip, for there has been nothing but interest to mark the train's advance through the snake-like canyons and the time of arrival until the engine's whistle called the excursionists together.

Want Constitutional Amendment. San Francisco, Oct. 9.—California bankers are advertising the passage of a constitutional amendment, permitting corporations to extend terms of their corporate existence 50 years from the time application is made. A similar amendment is now before the people for a vote.

Evidence of Murder. Wadsworth, O., Oct. 9.—With a bullet wound in the temple, the body of Ora Lee, aged 20, was found in the road near this city today. There is no evidence of a struggle. A suit case lay near the girl's body. Guy Rasor, engaged to marry the girl, has been arrested.

HOUSEWARMING IS SET FOR NEXT FRIDAY NIGHT

BALL, DINNER AND TOASTS PART OF THE PROGRAM.

Elks Last Evening Decide to Hold Formal Opening of Their New Quarters Next Friday Night—Event Will Mark Formal Opening of Spacious Quarters.

One week from tonight is the date set for the house warming and formal opening of the Elks' club in this city, according to action taken by the lodge at its regular meeting last night. The affair was to have taken place tonight but was postponed for the accommodation of the excursion to Wallowa.

A dancing party to which the members of the lodge will bring their wives and lady friends, an elaborate banquet at which speeches will enliven the occasion, are only some of the things planned for the opening. The Elks have a splendid home and the house warming will properly mark the acquisition of this spacious and comfortable lodge and club quarters.

Divorce in Steunenberg Family.

San Francisco, Oct. 9.—The wife of Captain George E. Steunenberg, of the United States army, stationed at Caldwell, Idaho, who is a son of former Governor Steunenberg assassinated by Harry Orchard, secured a divorce yesterday on grounds of desertion. She says that 17 months ago her husband gave her a ticket at Boise and told her to go to her father's home at San Francisco, and never return. She was granted alimony of \$15 monthly.

Killed in Collision.

Haverhill, Mass., Oct. 9.—A vestibuled Georgetown car was struck by a work car at the foot of a steep hill today, killing one man and injuring a score.

For a time this afternoon it was possible that the Morrison case would come to a sudden end by the introduction of a motion for non-suit by the plaintiff's attorneys. After raising perhaps a half score points, Attorney Finn concluded his motion for a non-suit, and was followed by attorneys for the state. In the end, Judge Knowles denied the motion and the case progressed.

The defendant is now producing its evidence. At 1:30 this afternoon the state rested, and as soon as the non-suit arguments were disposed of, the defense placed James B. Gilham, its first witness, on the stand.

Monday is generally conceded as the day on which the case will go to the jury.

REPUBLICANS COMING.

Likely That Malarkey of Portland, Will Be in La Grande.

The prospects this afternoon are bright for a series of first-class political speeches in Union county. Leading republicans have received information today that one of several prominent Portland republican platform artists, will be in the city early next week. The exact person has not been announced, but the selection will be made from Don Malarkey, Mr. McGinn or Judge George, all of whom are first rate speakers and orators.

While La Grande is to have one of these, Union and Elgin will be favored by a visit from George F. Rogers, mayor of Salem, who also stands as a talented speaker. The appearing date will be announced early.

BOAT AND TRAIN ADVANCE AS ONE

RAILROADS FEAR THE UTILITIES COMMISSION.

Theodore Shonts Expresses Himself as Believing Greatest Danger of the Country's Affairs is Physical Operation of Railroads by Commissions—Better Waterways Would Aid Railroads in Establishing Terminals Everywhere.

Chicago, Oct. 9.—"Public utilities commission law has killed railroad development in New York and the government ownership of railroads will be better than the state of affairs in New York now being made permanent," declared Theodore Shonts, former head of the Interstate Commerce Commission, and president of the Interborough Metropolitan Traction company of New York, addressing the Waterways convention. He said the deepening of waterways between the Great Lakes and the gulf of Mexico is a matter of international importance. He said it is not opposed to the development of railroads, for the greatest obstacle confronting the railroads is provision for adequate terminals. He said:

"The opening of a waterway would form a thousand miles of ocean harbor, every point of which would be accessible for railroad terminals. It would then be possible to strike a blow at railroads without hitting the canal. The greatest danger of the country's affairs to date is the physical operation of railroads by commissions."

STATE RESTS IN MORRISON CASE

SHARP LEGAL BATTLE OVER A NON-SUIT MOTION.

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CONVENTION IS ASSURED

GOOD ROAD BOOSTER SCOTT VISITS CITY BRIEFLY

Last evening County Judge Scott of Malheur county, met with a number of La Grande business men in the Commercial club parlors and presented to them an offer to hold a Good Roads convention in this city October 23. The gentlemen present, after listening to the judge's remarks, were heartily in favor of holding the convention and so expressed themselves. The meeting decided to present the matter before the Commercial club, with the request that the club take action at once. President Collier was present at the meeting last evening and expressed it as his opinion that the club would take favorable action at its next meeting, which will be held next Monday evening. All interested are invited to attend this meeting and express their views to the board of directors.