

La Grande Evening Observer

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CITY CANNOT TRY ANY BOOZE CASES

HAS CITY RIGHT TO TRY ALLEGED BOOTLEGGING

Judge Ramsey Checks Advance of Second Atkinson Trial—Witness Keller Held in Jail Pending Completion of Trial—State Has Another Charge Against Atkinson—Evident That Case Will Last Until Tomorrow Sometime.

That the city of La Grande has no right to pass an ordinance prohibiting the sale of intoxicating liquor under the state local option law, was the effect of a decision handed down at 4:15 this afternoon.

The jury in the Atkinson trial was instructed to return a verdict of not guilty and the third case against the same defendant was dismissed. Henceforth the city has no right to meddle with a booze case. It is all up to the district attorney and sheriff.

Another attempt to puncture the city ordinance prohibiting the sale of intoxicating liquor is being made today by Attorney Ramsey for Ralph Atkinson. It is being argued this afternoon that under the state law the right to prohibit the sale of liquor is taken out of the hands of the municipalities and that the charter of La Grande makes provision for such prohibition. There will be no session today as some new witnesses are yet to be called.

This legal argument checked the trial this morning after the defense had placed Atkinson on the stand. The facts in the case, according to the state's witnesses are that Atkinson sold a bottle of whisky to Keller. The whisky is in evidence and witnesses swear positively that they bought it of Atkinson.

The state's detective witness, Keller, who has spent the past six weeks in the county jail awaiting the trial,

NORTH BANK TRAIN TOPPLES

ENGINEER BIGELOW KILLED NEAR ROOSEVELT.

Several Passengers Hurt And Two Are Fatally Injured.

PORTLAND, Oct. 6.—Train No. 4, leaving here at 5:40 last night on the North Bank road, crashed into a landslide across the track between Fountain and Roosevelt, Washington, outside of Vancouver. The engine and baggage car left the tracks. Engineer Bigelow was killed. The fireman and mail clerk were fatally injured. Several of the passengers are also seriously injured.

It was learned this afternoon that Fireman R. F. Bear was badly injured, Express Messenger F. A. Koshler, seriously, and Mail Clerk H. C. Pettit was badly bruised. It is believed they will recover.

is the man who claimed he was robbed in the O. R. & N. yards here. The men accused, it will be recalled, were tried and released by Justice Stewart.

That Keller has yet a long time to remain in his lonely cell because he knows too much is evident. The state has brought the same charges against Atkinson that he is now being tried for by the city. After the outcome of the present trial at the hands of the city attorney, District Attorney Ivanhoe will take a shot at him and Keller will be held as a witness in this trial also.

Several Bills Returned But no Announcement of Nature.

After inspecting the public offices at the court house and visiting the county poor farm this afternoon the work of the grand jury will be completed unless something unforeseen occurs to require further deliberations. All witnesses were examined at noon today.

Regarding the results of the deliberations Attorney Denham and the court officials are silent. It is known that a number of indictments were returned, but as none of the arrests have been made the names were not made public.

THIRTY-FOUR IN MINE DEATHTRAP

SAD SCENES ENACTED IN VICINITY OF EXTENSION

Victims of Extension Disaster Will Not be Rescued For a Week at Least—Some of The Eighteen Already Rescued Are Badly Burned And Lacerated While Others Merely Suffocated—Relatives Hurrying to The Stricken District.

EXTENSION, Via Ladysmith, B. C., Oct. 6.—Thirty-four are known to be dead in the terrible mine disaster here yesterday. Others are missing, and there is little hope for their safety, and owing to a cave-in it will be nearly a week before the bodies are reached.

Sad scenes are enacted at the mines where the frantic relatives are arriving. Rescues were resumed at daylight, but no other bodies, in addition to the 18 recovered, have been brought out.

Football Hero Killed.

Among the bodies recovered was that of Tom O'Connell, full back of the Ladysmith football team. He had run against a pillar in the dark and was stunned and lay where the after-damp caught and suffocated him. Alexander Milos, a giant Greek, and the camp's strong man, ran farthest of any, but was caught by suffocating fumes. Milos was so badly burned that his skin peeled from him in strips.

Marriage at Alceel.

Solomon E. Keltner of Enterprise, and Iva E. Gaskell, also of Enterprise, were united in marriage this morning at the home of L. L. McKennon in Alceel, Rev. L. E. McLeod of this city, officiating. The bridal couple left on the noon train for Enterprise, where the groom has a good hardware business.

WALLOWA DAY NEXT FEATURE

MID-WEEK BRINGS THE BEST IN THE PROGRAM

Tomorrow is an All-Important Day For The Fair—Program Tonight Hinges on The Himes Address—Program Tomorrow Evening Will be Principally a Musical One—Local Choruses Ready For The Entertainment Thursday.

Wednesday Evening.

7:30—Free concert and vaudeville performance outside the exposition grounds.

8:30—Stereopticon show and lecture on views of historical interest and Indian scenes by Geo. H. Himes, of Portland, and Lee Moorhouse, of Pendleton. Platform dancing and merry-go-round every afternoon and evening.

Thursday, Wallowa County Day.

3:30 p. m.—Addresses by prominent speakers from Wallowa county, and other interesting features.

4:15—Football game, Enterprise high school vs. La Grande high school.

Thursday Evening.

Evening program will be rendered in the auditorium inside the exposition enclosure.

7:00—Music by the La Grande band.

7:45—Chorus by the L. D. S. Choir, "Let the Hills and Vales Resound," by Brinley Richards.

Piano Solo—Miss Sarah Collier, "La Ville Du Regiment," Sidney Smith. Selection by the La Grande band.

Chorus by the La Grande Choral Society, "The Rose Maiden," Cowen. Anthem, L. D. S. Choir, "Holy is the Lord," Waff.

"Wallowa Day," Thursday, is the next event on the extensive program for fair week, and the local committees headed by John Collier are seeing to it that the day will be replete with great features. Though there are lectures and addresses on the slate, perhaps that which will attract the greatest attention tomorrow evening is the musical features which have been fully explained previously. Tonight's program is published above, and will be an event hinging on the Himes address and lantern slide pictures.

The week has progressed now to the point where the best treats of the week and a greater number of attractions, are on the list as feature events.

The International Grand Opera company at the Opera house, and appearance at the exhibit two choruses from are really excellent. The four is surprisingly good. The chief will be the chief.

Stock Parade Off.

Due to the frowns and rushes of tears from the rain-soaked faces, the parade of stock planned for this morning has been called off. The blue ribbon parade occurs Saturday, and it is just possible that some arrangement can be made for arranging all the stock in the pens before the public's gaze sometime before that.

HIMES HERE TO LECTURE

HISTORY-MAN OF OREGON TO LECTURE TONIGHT.

Historical And Relic Features to be Shown on Canvass.

Secretary George H. Himes of the state historical society, arrived from Portland this morning, and spent the afternoon at the pavilion explaining the curios and historical relics in exhibition there. This evening Mr. Himes will deliver a lantern slide lecture on the history of the state.

The illustrations which he will throw upon the canvass begins the history of the state with the landing of Captain Robert Gray in 1792, and including the old forts of the state, the block houses, immigration trains, etc. One of the pictures which will be of interest to the people of this section of the state is that of Peter Skene Ogden, who came through eastern Oregon in 1820.

Mr. Himes enjoys the well deserved reputation of being the best living authority on the subject of Oregon history.

A movement is being agitated to get the state to appropriate money with which he may employ stenographers to catalogue and explain the vast herds of valuable old relics at the office of the Historical society in Portland. He is the only living man who can do it and it is considered that the loss of his knowledge of these relics would be irretrievable.

BENCH SHOW IS DANDY AFFAIR

MANY "CLEVER" CANINES ARE ON EXHIBIT NOW.

Large List of Entries in Dog Show at The Exposition Hall.

La Grande's first bench show opened today in connection with the fair, and a splendid array of pedigreed canines are now on exhibit at the building. The list of exhibitors is larger by far than had been hoped for, and the grade of dogs exhibited is surprisingly splendid.

The dogs will be judged next Friday and made a part of the parade on the day following. Yelps of doggie glee and doggie resentment at the confinement within the exhibit pens has attracted scores of dog fanciers this afternoon and the animal occupants of adjacent pens are looking on with unfeigned jealousy at the loss of attention paid them.

La Grande's Grand Opera Season.

One of the most notable bookings at the Steward Opera house is the International Grand Opera company, which comes to La Grande on October 7th, direct from its successful run of six weeks in San Francisco, and two weeks in Los Angeles. This is the same Grand Opera company which has had such a successful run in New York, Boston, Chicago, and the eastern cities, and was brought to the coast on a large guarantee.

The principals are: Mme. Therry, Bertossi, Norelli, Strauss, Zorad, Mm. Bari, Colmanini, Arcangeli, Gravini, Samoiloff, Oteri, Gulliani and down to those who keep operatic. The company, and an orchestra, under the direction of Mr. Vinaccia. The four is under the personal direction of Mr. Frank Norcross.

Lone Bandit Robs Four.

CHICAGO, Oct. 6.—Threatening to shoot if they resisted, a masked bandit robbed two men and two women in an automobile in the outskirts of this city last night. He compelled the victims to drive him into the country, and escaped. The robbers secured \$30 in money and considerable jewelry.

FAIRER WEATHER FOR TOMORROW

WEATHER MAN PREDICTS MORE SHOWERS TONIGHT

Pioneer Day Attendance Not up to Expectations Due to Heavy Rain All Last Night And This Forenoon—Indications This Afternoon Encouraging to The Promoters—Pin Hopes on Tomorrow's Visit From Wallowa County.

"Showers and cooler tonight, fairer tomorrow."

Thus reads the weather forecast for Thursday, and the fair promoters and the county as a unit, trusts that the weather man knows whereof he speaks. Pioneer Day, the attraction for this day, was given a serious setback by the heavy showers of last night and the incessant rain this forenoon. Farmers were held back.

This afternoon's balmy weather with indications of fulfillment of the weather forecast, brought a few farmers to the city, who had given up hopes earlier in the morning, but the attendance has not been up to expectations. However, the fair people are praying for better climatic conditions tomorrow when the Wallowa special will arrive with its sight-seers.

Wreck in Illinois.

CLINTON, Ill., Oct. 6.—Miss Clara Watson is dead, and 18 are injured as the result of a head on collision between a north bound train loaded with sight-seers from the U. S. fair at Springfield. The south bound train was on the Illinois Central. The wreck occurred at Farmer, at 9:50 last night.

DRUMMING UP TRAFFIC.

Traveling Passenger Agent Now in Wallowa to Arrange Excursion.

Traveling Freight and Passenger Agent C. F. Van de Water of Walla Walla, came in this morning and left at noon for the Wallowa valley town to arrange for and manage the big excursion to this city tomorrow. Three of the coaches were taken on the regular train at noon today and seven will follow on a special tonight.

Mr. Van de Water will have charge of the excursion owing to the absence of Traveling Passenger Agent J. H. O'Neill, who is in Seattle at the present time. With fair weather a crowded train is expected by the railroad officials.

DUCK-LIKE SHED PROTECTS STOCK

BIG RAINFALL FAILS TO DO ANY DAMAGE.

Attendance at Exhibit Building Improving Every Day.

After a night of rain during which time one-tenth of an inch fell, the exhibition was not affected.

game" in proper season. At 6 o'clock the attendance exceeded that of the opening day including the evening. In the evening crowds filed through the doors and fairly filled the pavilion. The best feature is the fact that all who were in attendance found entertainment which they liked and also the best exhibits they had ever seen. If Jupiter Pluvius sees his way clear to give clear weather during the remainder of the week the exposition will come out with flying colors.

YOU WANT A SUIT

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The Fair



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