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LANDIS REFUSES TO HEAR BEEF TRUST CASE

PETITION FOR A CHANGE OF VENUE GRANTED BY THE COURT IN DISPUTE.

PROSECUTION CHAGRINED

Admitting He Was Interested in Government Prosecution of Alleged Beef Trust, M. K. Landis Decides to Not Hear Trust Busting Evidence—Another Important Issue Will Be Settled Next Monday.

Chicago, Nov. 18—United States Judge Landis today granted the petition for a change of venue to the indicted packers who faced trial in his court. Landis held the contention of the packers' attorneys that he was disqualified from hearing the cases because of his active participation as assistant United States Attorney General in the beef trust prosecutions in '95. However he refused to certify the cases to the United States circuit court and instead said he would transfer them to the United States district court. The packers' attorneys protested and finally Landis said he would reserve the decision until Monday.

"I have examined the application for disqualification of the judge sitting in this court," said Landis, "and find it is a fact that the present judge was employed as agent of the government in investigating the so-called beef trust cases. I find the quotation in the indictments against the so-called combination, making it obvious that I cannot hear this case. Verbiage makes it impossible."

The federal prosecutors were disappointed at the decision.

FATAL AUTO ACCIDENT.

Chauffeur and Two Women Meet Instant Death in Auto "Spill."

Bakersfield, Nov. 18—F. H. Stevens, a chauffeur, and two unidentified women were instantly killed near Naricopa today when an auto overturned. Stevens was married and had two children and lives in Oakland.

MORE ARMED MEN ALONG BORDER

SMALL ARMY OF MEXICANS SEEN AND THEN DISAPPEAR.

Revolutionists May Be Ready to Attack Mexicans, Not Americans.

El Paso, Nov. 18—Inability to learn the whereabouts of a band of armed Mexicans reported seen yesterday on the Mexican side of the Rio Grande opposite the town of Marathon has led to the belief that revolutionists were enroute to attack Mexican towns and not the United States communities. Scouts on the American side patrolled the river for miles without seeing a single armed Mexican and returned to day to Marathon where the citizens have been armed all night waiting for the attack.

Sheriff Walton who is investigating said there was no doubt but that Mexicans were seen last night but cant figure out where they went. He believed the revolutionists are active. Reports of other armed bands along the border give color to the report that revolutionists in Mexico are gathering to strike.

Important Road Meeting.

Portland, Nov. 18 (Special)—There will be a great good roads meeting in Portland December 12. Proposed good roads legislation will be taken up and a decision made as to what to ask from the legislature at the next session. It is the expectation of the State Good Roads Association that at least 5,000 interested persons will be in attendance at this convention.

Special invitations to attend will be sent to all the commercial bodies, boards of county commissioners, county judges, road commissioners and threshermen and to each member of the legislature.

President Smith of the Association has appointed a committee to draft bills to be submitted to the convention for reconsideration and then put in final form for presentation to the legislature for passage. Members of this committee are: M. C. Bristol, L. R. Webster, C. S. Jackson, F. C. Riggs and J. S. Beall.

STRIKE PENDING IN PANAMA.

No Assistance Will Be Given by American Machinists Says Leader.

St. Louis, Nov. 18—If the demand of the boiler makers employed at the Panama Canal Zone results in a strike, vacancies won't be filled by mechanics from the United States, declared President Franklin of the Boiler Makers' Union, who is a delegate to the American federation here. "I don't think there will be a strike," said Franklin, "but if there should, men in this country won't interfere. The men at Panama want not only an increase in wages but a 16-day leave of absence with pay."

INSURGENT HAS ADVANTAGE IN CALIFORNIA

NEXT CALIFORNIA SENATOR TO BE NAMED SHORTLY.

Prominent Insurgents of Bay State Gathered at Santa Barbara.

Santa Barbara, Nov. 17—It is believed the next United States Senator from California will be named in this city within the next two days, by those who profess to see significance in the gathering here of the Republican leaders and it is expected the arrival here today of Hiram Johnson, Republican Governor-elect.

John W. Stegson, Oakland; M. Estudillo, Riverside; B. A. Birdsell, Auburn; C. W. Bell, Pasadena are among the legislators already on the ground. All of them are insurgents.

Idaho Girls to Visit Rose Festival.

Portland, Ore., Nov. 18 (Special)—Charming Idaho girls to the number of 40 or 50 will be guests of the Portland Rose festival, June 5-10, as a result of a series of popular contests to be started by a string of 16 newspapers. H. M. Gibbons of Caldwell, Idaho, who has charge of the circulation work of these papers, finds the Portland Rose Festival so popular that it is very attractive to the people of his state. He therefore is offering trips to the Festival to girls of the Gem state who work for him in securing subscriptions to his papers.

Besides visiting the Festival, the visitors will make a number of side trips out of Portland and spend their vacation enjoying the scenery and hospitality of this particular section.

THE ORPHEUM THEATRE BUSY.

Workmen Rushing to Complete Building Before Monday Evening.

S. A. Gardiner has a large crew of men, experts and helpers, completing all the details of the interior finishing and equipment so that the place can be ready for the opening Monday night without fail. He has an Orpheum circuit program for the opening week, and it is so long that it will require too much time to permit two performances the first week.

INCREASED ARMY DEFENSE ASKED BY CONGRESS

DELEGATION AT SAN FRANCISCO PRAY FOR IMPORTANT "NECESSARIES."

FRISCO PANAMA FAIR SITE

Pacific Coast Congress in Session at San Francisco Acts on Many Very Important Measures Among Which is Demand for Free Passage For American Ships Through the Panama Canal—Want Better Army.

San Francisco, Nov. 18—A resolution calling for free passage of all American vessels through the Panama canal was adopted at the Pacific coast congress here today. Other resolutions fraught with importance to the entire nation but particularly the states west of the Rockies were adopted. Among those was one calling for twenty-five additional regiments of infantry to the coast division of the United States army and a corresponding increase in artillery and cavalry forces. If this meets with approval in Washington it means almost double the defense now for the Pacific Coast.

The congress approved the selection of San Francisco as the Panama fair site. The following officers were elected for the year: President, Gov. Gillet of California. Vice Presidents, Governor Brady of Idaho; Oddie, Governor-elect of Nevada; Wm. Spry, governor of Utah; J. D. Lowman of Seattle; E. W. Johnson of Alaska, J. S. Knapp of Arizona, A. B. Manly of Oregon and Joseph Scott of California.

THIEVES ENTER HOME.

Prof. Clark Sustains Loss Through Act of Pickpocket at Night.

Thieves or a thief entered the apartments of Prof. and Mrs. Clark of the high school faculty this week and removed about \$35 from the pockets of the professor while the instructor was asleep. The thief climbed through a window and over and around furniture in the home in the Zuber brick before he reached the trousers containing the money. With perfect success the thief made his escape and the fact was not discovered until daylight.

TEDDY STILL POPULAR.

Five Thousand Buy Tickets to Hear the Colonel Lecture Tonight.

Washington, Nov. 18—Roosevelt arrived here this afternoon on his first prolonged visit to Washington since he left the White House. He lectures tonight on "Wild Beasts in Africa I Met and How I Met Them." Five thousand tickets are sold.

PREMIER DISSOLVES PARLIAMENT TO SURPRISE OF ENGLAND

London, Nov. 18—Premier Asquith announced today that parliament will be dissolved Nov. 28, thus ensuring a general election before Christmas.

The announcement is a surprise as it was hoped that a compromise would be reached between the Conservatives and Liberals. The premier was defiant this afternoon when he addressed the commons.

He said, "It is useless to continue this farce any longer. To reform the house of Lords and simultaneously permit them to retain the right to veto simply makes the government a farce." It was learned that the cabinet

OFFER BILL TO REVIVE BOXING.

New York Legislature to Have Opportunity of Reinstating Game.

New York, Nov. 18—When the next New York legislature convenes a bill will be introduced legalizing public boxing exhibits of a limited number of rounds before incorporated athletic clubs.

Sporting enthusiasts here assert that they have received assurances of a strong backing for the measure and believe it will pass. The bill, as tentatively drawn, includes a novel clause, providing for a state boxing commission to be composed of three members appointed by the governor, whose duties will include the issuance of licensing of clubs of recognized stability.

The framers of the bill believe that clubs should pay high fees for licenses, probably \$1,000 per club annually, with a percentage of net receipts to be collected as a state tax, the entire money thus realized to be turned over to the state's charitable institutions.

The committee will also grant a permit for each contest and will have the power to prevent battles that might be termed "prizefights" because of the notoriety of the pugilists.

The bill, as drawn up by the boxing men limits the length of each contest to 20 rounds of three minutes each, with a compulsory rule that referees must prevent knockouts at all hazards. Clubs that permit open betting on bouts will forfeit their licenses, which may also be revoked by the commission for any other breach of the rules.

BLACK MASTER IS PHYSICALLY WEAKENED

JOHNSON BREAKS DOWN WHILE AT LOWELL.

News Not Surprising to His Friends Who Predict Speedy End.

Chicago, Nov. 18—The report that Jack Johnson has broken down at Lowell, Mass., caused no surprise among the friends of the colored champion here. They have been expecting it a long time and says Johnson has not been taking the best care of himself. It is predicted the next time Johnson fights—that is with a good man—there will be no champion. Johnson is scheduled to arrive in this city Saturday.

Collapses Again Today.

Portland, Me., Nov. 18—Jack Johnson, the pugilist, collapsed again today from another attack of nervous indigestion. Physicians worked an hour on him before he revived.

Sailors in Riot.

Paris, Nov. 18—Bloody riots between sailors of the American fleet at Cherbourg and French sailors occurred today, according to a dispatch received here. The dispatch says the body of an American soldier was found floating in the waters of the inner port afterwards. All patrols at Cherbourg are carrying rifles to prevent another attack by the Americans, who it is asserted were the aggressors.

The dead sailor is H. G. Weidlich, of the battleship Louisiana. Some say he was drowned accidentally and others contend he was the victim of rioters.

"Commoner" Advisory.

Lincoln, Nov. 18—Bryan's "Commoner" says today, "The rank and file of the party is not a self constituted committee of the conservative Democrats who will formulate a national policy and plan the campaign for the party. We must go forward and not retire now. If the Republicans nominate a progressive, the Democratic candidates must be progressive. No Wall Street candidate can hold the vote."

DARE-DEVIL BIRD MAN KILLED AT DENVER

MEET CONTINUES TODAY DESPITE FATAL ACCIDENT YESTERDAY. WAS FORWARDED.

VICTIM ALWAYS FOOLHARDY

Ralph Johnstone Instantly Killed Yesterday at Denver—His Bosom Friend Dares to Go Up Today Though Grieving Over Death of Intimate Friend.—Johnstone's Ambition Was to Reach High Air Mark.

Denver, Nov. 18—Despite the death of Aviator Ralph Johnstone, who fell five hundred feet yesterday in an airplane, the aviation meet at Overland Field today was continued. Archie Hoxey, a bosom chum of Johnstone, was early at the grounds and sprang into the air at the first signal. Hoxey was deeply affected by the death of his friend and said he had become injured to such things through long flirting with a similar fate himself.

A few minutes after Hoxey started his flight, the body of Johnstone, accompanied by Walter Brookins was put aboard the train for Kansas City, the home of Johnstone's mother, J. C. Mars arrived today to take the place of Brookins. A large crowd is present today.

Always a Daredevil.

New York, Nov. 18—Mrs. Ralph Johnstone, widow of the aviator, started for Kansas City today to attend the funeral. Before leaving she said Johnstone's ambition had been to attain an altitude of 10,000 feet in an airplane. Wright, who taught Johnstone, said his trouble always was that he wanted to excel everybody. He stated he lectured Johnstone and Hoxey just before they started for Denver and made them promise not to take any foolhardy risks.

SHENK CASE INVESTIGATED.

Special Grand Jury in Session to Probe Alleged Crime in Wheeling.

Wheeling, W. Va., Nov. 18—The special grand jury called today to investigate the plot to kill, by poison, Millionaire John Schenk convened here today. His wife is held in jail charged with the alleged attempt. The grand jury report is expected today.

Mrs. Schenk was indicted later in the day on a charge of poisoning her husband.

SNOW IN WALLA WALLA.

Inch of Snowfall Marks Beginning of Winter in Garden City.

Walla Walla, Nov. 18—Snow fell in the Walla Walla valley this morning for the first time this year. About an inch fell and continued well toward noon. It is getting warmer and it is expected to melt before night.

TOLSTOI MAY DIE BEFORE THE MORNING

LATE MESSAGES FROM DEATH CHAMBER INDICATE THE END IS NOW NEAR.

GREEK CHURCH SURRENDERS

Effort Made to Reconciliate the Writer With the Greek Church Before Death. An Envoy En Route with Power to Perfect Such Action—Afternoon Messages Say the Heart Beat is Practically Suspended.

St. Petersburg, Nov. 18—The condition of Count Tolstol is regarded as hopeless today and effort is being made to reconcile him with the Greek church from which he was excommunicated for writing the "Resurrection" to obviate his refusal of a Christian burial.

The church is making its first advances. Bishop Tamboff was empowered to act with authority, and started today for Astapova where the aged novelist lies in a critical condition.

His heart beat is scarcely perceptible today.

Later dispatches from the death chamber indicate the intripid author will not live through the night. He rallied perceptibly shortly after noon but his condition weakened soon after again.

Tamboff is the bearer of a solicitous message from Antonius, president of the Greek Synod.

OBNOXIOUS COUNT IN COURT.

Pleads Not Guilty to Disorderly Conduct and Will Stand Trial.

Chicago, Nov. 18—Count De Beaufort, whose wordy battles with his father-in-law, Martin Kilgallen, the steel magnate has been scandal subject, was arraigned in police court today on a charge of disorderly conduct growing out of a fracas in his home in which it is rumored he threw his wife down stairs and fractured her ankle.

The count, pleaded not guilty and will demand a jury trial which was granted. Kilgallen restrained himself only to glare at his blue-blooded son-in-law whom Kilgallen stated recently, he kicked downstairs after an attack on his daughter.

SENIOR CRIPPEN DESTITUTE AT DEATH

FATHER OF DOOMED DOCTOR PASSES AWAY, PENNILESS.

Grief and Starvation Brings Speedy End to Aged Parent in California.

Los Angeles, Nov. 18—Myron Crippen, the aged father of Dr. Hawley Crippen, who is to die on the gallows Nov. 23, died today in a little room he occupied for years here, penniless. According to Dr. Burt, who attended him, death resulted from old age coupled with the strain he has been under since the arrest of his son in London. The old man insisted his son was innocent.

After hearing the verdict of death against his son the old man collapsed and a week ago took to his bed. For several years he lived on money sent him by his son. When Crippen fled from London, with Leneve money ceased coming and the old man was left destitute.