

La Grande Evening Observer

VOLUME NO. 16

LA GRANDE UNION COUNTY, OREGON, FRIDAY, MARCH 22, 1912.

NUMBER 126

RUSK WANTED "TO EXPLAIN" DAVIN AFFAIR

HABEAS CORPUS PROCEEDINGS HALTED ABRUPTLY

DAVIN, SENTENCED, AND OBJECTS TO JAIL TERM

Figuratively, Objects to Having His Dawg Kicked Around—Jerry Rusk Wanted to Explain His Relations With the Case in Wallowa County. Proceedings Await the Political Aspirant.

Jerry P. Rusk, candidate for congress on the Roosevelt plan, is wanted before Circuit Judge J. W. Knowles in circuit court to explain to the court, in a writ of habeas corpus proceedings, why he appeared before Judge Knowles in Wallowa county as counsel for one S. V. Davin, a Walla Walla manufacturer, and entered a plea of not guilty in a bootlegging indictment without the consent of the said S. V. Davin. Davin, through C. E. Cochran and C. H. Finn of this city, is objecting to his dawg being kicked around by Wallowa county authorities, the metaphor in this instance referring not to the famous Ozark hoan but to Davin's personal liberties. The wheels of justice are clogged pending the return of the congressional aspirant to explain matters.

Dates Back to November
Affairs that led up to the singular case yesterday date back to last November when, in Enterprise, S. V. Davin, for three years prior and even then a resident of Walla Walla, X. Michellod and Chas. Runyan, both of Wallowa county, were indicted for violations of the dry county statutes. The case came to trial in January. D. J. Staats, Michellod, Mr. Schleur and Mr. Runyan formed a pool to employ Jerry P. Rusk as counsel, paying as a retainer, it is said, \$125.

In due course of time, Mr. Rusk appeared for these men and S. V. Davin also, waiving arraignment and entering a plea of not guilty. The case was set for trial in January and on the trial day the counsel was absent, so it was shown yesterday before Judge Knowles here when a writ of habeas corpus was argued.

At any rate, Judge Knowles ordered the liquor case to trial and a new attorney had to be resurrected overnight to give defendants counsel by 8 o'clock the next morning. In due course of time Runyan, Michellod and Davin were found guilty, and Mitchell telephone to Davin at Walla Walla, "Come over and defend yourself." Up to this time, it is said, Davin had not been arrested. When the Garden City resident reached the court house at Wallowa he was ordered to stand up and receive sentence. He replied something like this:

"Well, don't I get a trial?"

"You have had your trial and you are found guilty and this court sentences you to 30 days in jail and to pay a fine of \$500," or words to that effect. In an effort to get out of jail where he suddenly found himself, Davin turned his case over to C. E. Cochran and C. H. Finn who brought habeas corpus proceedings arguments before Judge Knowles yesterday. Davin testified that he never authorized Rusk to appear for him, had not authorized anyone else to employ counsel for him, did not know he had been registered with a plea of not guilty, and point blank said Rusk had no legal relations with him. It appears Runyan and Michellod had, however, but that the retainer paid Rusk did not carry legal authority to appear for Davin.

The proceedings came to an abrupt conclusion yesterday afternoon when it was shown that Mr. Rusk has something to explain. Until the attorney has explained his reasons for appearing for a defendant in a case without authorization—as alleged by Mr.

Davin, no decision on the writ will likely be rendered.

STRIKERS' GRIEFS AILED.

Justice Court Hears Case Brought Against Two Strikebreakers.

The trial of Arthur Rose and Clarence Edwards, charged with threatened assault, was begun in Justice William's court this afternoon. Rose and Edwards are strikebreakers and the charge of threatened assault is brought against them by L. G. Alexander, Frank Dependner and John Northcott, strikers. The complaint is signed by signed by Dependner.

Frank Dependner was found guilty in the police court last week on the charge of disorderly conduct and the use of profane language when in a controversy with a strikebreaker by the name of Peterson. Northcott was the chief witness for the defense in the trial of Dependner.

OFFICE MAN ARRIVES.

Former Baker Family to Live in La Grande Hereafter.

O. L. Wall, of Baker, is in the city to assume the duties of bookkeeper for the La Grande Wholesale Grocery company and about the first of April will be joined by his family to make La Grande their future home. They will live on Washington avenue in the home now occupied by Mr. and Mrs. O. R. Stageberg who will move into their new bungalow on West Spring street.

Mr. Wall has already taken charge of the office of the wholesale grocery house which is now doing business.

ALLEN OUTLAWS ELUDE POSSES

RELATIVE OF LEADER IS IN CAPTIVITY.

Murderous Gang Escapes Into North Carolina Territory.

Hillsville, Va., March 22.—Word has been received here that Sidna Allen, a nephew of Sidna Allen, leader of the Allen gang, has been captured in the mountains of North Carolina. He was overpowered by detectives without any bloodshed, and will be brought to Hillsville at once, according to the report.

The other outlaws of the gang are still in North Carolina.

The Allen outlaws are believed to have eluded their pursuers in the Blue Ridge mountains and crossed to North Carolina territory. Floyd Allen, a son of Victor, will be tried next week for murder in the shooting of Judge Massie in his court room.

SHOW TROUPE ARRIVES.

Real Cowboy Show Here to Give Attraction This Evening.

Manager Pringle and his troupe presenting the "Cowboy's Girl," arrived in La Grande today and tonight presents the western story at the Steward. The plan is staged on the Lazy Y ranch on the border of Texas and New Mexico. The arrival of the new boss is the 1st act title. In act 2 the boss is in charge, then jealousy and act three is the roundup.

MILITANT TACTICS DEcriED.

Hooligan Campaign Objected to by the Conservative Suffragettes.

London, March 22.—Dismayed by the action of members of parliament in renouncing pledges in favor of votes for women, officials of the National Union Woman Suffrage societies are trying to counteract the effect of the "hooligan" campaign by the militant sisters. "I am filled with sorrow," said Mrs. Millicent Fawcett, president of the organization, "at the conduct of these misguided women. I hope that statesmen will not forget the justice of our cause because of the actions of a few."

TONG WARS IN COAST CITIES WORRY POLICE

PORTLAND, FRISCO POLICE ORDER IMMEDIATE CESSATION

PORTLAND DETECTIVES PATROL CHINESE DISTRICT

Capture of Chinese Slave Girl Sold in Payment of Gambling Debt, at the Bottom of the Tong War Outbreak—Five Were Killed This Morning—Immediate End of Strife Has Been Ordered.

Portland, March 22.—Detectives are patrolling Chinatown in the fear of a tong war here to follow the outbreak in Sacramento, San Francisco, Oakland and Antioch, Cal. The Seid family and the Hop Sing tong may fight. The Hop Sing tong is importing gun men from San Francisco. The police have warned the Chinese if a fight begins they will make wholesale raids and put them out of business.

TONG WAR RESUMED.

Five Chinese Meet Death When Ten Tong Resumes War.

San Francisco, March 22.—As the result of an outbreak of the Chinese Tong war, five Chinese are dead today. Simultaneously here, at Oakland and at Sacramento came the attacks. Ten tongs are involved throughout the state. Two Americanized Chinese entered the store of Tom Lung here and shot him. Yse Chow Wo was also killed here. One was killed at Sacramento, one at Antioch and one at Oakland.

Chief of Police White has issued orders to Sergeant Layne of the Chinatown squad to put an end to the tong fighting at any cost. The peace treaty of the tongs is violated, and is entitled to no consideration. The present outbreak is due to a feud of the Bing Kong long and the Gom Lorn Lee Sor tong. Shue May, a slave girl, was taken by the Bing Kongs in payment for a gambling debt. The Sor tong captured the girl as she was about to sail for China on the steamer Manchuria and turned her over to Miss Opaldson Cameron of the Chinese Presbyterian mission. The Bing Kongs then tried to gain possession of Shue May by swearing out a robbery complaint. The case is called for this afternoon. A heavy guard of police appeared in the police court.

STRIKEBREAKER IN RIOT.

Claims He Was Stoned by Strikers and He Opened Fire on Them.

San Francisco, Cal., arch 22.—As a result of firing into a crowd of union sympathizers, who, he alleges, stoned him, Nicholas France, a Southern Pacific strikebreaker, was arrested on a charge of attempted murder. Enrico Imperari a non-combatant, was badly wounded by two bullets in the body.

GOVERNORS SELECT SITES.

Idaho, Washington, Utah and Montana Executives Are Present.

San Francisco, March 22.—Four western governors, representing Idaho, Montana, Utah and Washington this afternoon are looking over the exposition grounds in the harbor view to select sites for their respective state buildings. They are Governors Norris, of Montana, Hawley, of Idaho, Hay of Washington, and Spry of Utah.

The four were on the jump all day. They conferred this morning at exposition headquarters with Director Works regarding the sites of the buildings. They attended a luncheon in the Commercial club in honor of Spry and are sightseeing this afternoon.

SUFFRAGETTES IN NANKING IN MILITANT MOOD

ASSEMBLYMEN ARE ATTACKED AND WINDOWS BROKEN

SCRATCHING AND HAIR-PULLING WAR TACTICS

Incensed Because of Restrictions Against Their Rights to Vote, Women March on Assembly Building and Create Havoc—Chairs Thrown Out of Windows and Papers Are Ruined.

Nanking, March 22.—Chinese suffragettes attacked the quarters of the national assembly here, routed statesmen, and broke all the windows of the building today. The women are incensed because the resolution granting them the right to vote was placed under certain restrictions.

The attack of the women was unexpected. They crowded into the corridors of the national assembly building, past the doorkeepers and denounced the resolutions as discriminatory against a majority of the Chinese women because the educational test was prescribed.

Hair pulling and scratching vigorously they attacked the assemblymen in a free fight. They hurled chairs and broke the windows, destroyed a mass of official papers and marched out of the building demanding their rights.

In the streets the suffragettes were attacked by the police and another rough fight ensued, but women were ardent and several police were killed.

It is generally believed the outbreak was inspired by American and European women suffragettes, working here.

THE DALLES MAN ARRESTED HER

Fellow Wanted for Wife Desertion Is Taken in Charge in City.

Sheriff Childers, yesterday afternoon arrested a man by the name of Frank B. Steele who is wanted in The Dalles for non-support of his family. Deputy Sheriff Allen of Wasco county arrived on No. 6 this morning to take the prisoner in charge. The officer and his prisoner will return to The Dalles on No. 17 this evening.

SUIT MAY FOLLOW SUICIDE.

Friends of Wealthy Frisco Suicide Plan to Demand Jewels.

New York, March 22.—A civil suit may be brought by relatives of Mrs. Blanche M. Carson, the San Francisco society woman, who hanged herself after her arrest for alleged smuggling, for disposition of the \$20,000 worth of jewels seized. Her brother is coming from Los Angeles to claim the body.

PRISONER ATTEMPTS BRIBE.

Man Held in West Minister Bank Robbery Offers Turnkey Big Bribe.

Los Angeles, March 22.—Charles Egan and Alice "Hoffman," held on a charge of assisting in the robbery of more than \$250,000 from a New Westminster, B. C., branch of the Bank of Montreal, offered \$2,000 to Turnkey Oscar Norrell for a chance of escape according to the latter. They promised similar amounts to all who helped them. Norrell says Dean said seven men were in the robbery, and that most of the loot was taken to China. Deans preliminary examination is set for March 29th.

Real Cripples Organize.

Paris, March 22.—Bona fide crippled beggars are planning to organize a guild to protect themselves from imposters.

LOCAL MEN ON TOUR.

Three Men From La Grande En Route to Chinese Waters This Month.

Aboard the battleship California, M. A. Faulk, Forest Ivanhoe and Machinist Cole, all of La Grande, are headed for Chinese waters and will spend the next few months cruising in close proximity to the scene of the present near-rebellion. Mr. Faulk is signal officer. Mr. Ivanhoe has charge of the mail department and Mr. Cole is a machinist on the ship. All are enjoying their trip immensely if their prognostications received in letters mailed from Honolulu are correct. They sailed from Honolulu the 15th inst.

52 Mine Victims Recovered.

McCurrian, Okla., March 22.—Fifty-two is the total number of corpses removed from the San Bois coal mine. Thirty other bodies have been located. The funerals of 25 men were held today.

HICKS' FATE NARROWS.

Portland Machine Shop Owner Hears Damaging Evidence.

Portland, Ore., March 22.—The prosecution has strengthened its case against Burt Hicks, the machine shop owner, charged with the murder of W. A. Wortman, a union machinist. H. L. Born, a salesman, testified that he saw Hicks follow Wortman into the Markell store and shoot him. He said Hicks said: "I am not a murderer. He insulted him."

The testimony of the witness was not shaken by a grueling cross examination.

JUDGE KNOWLES EXPLAINS FEE

WRITES TO OREGON JOURNAL ABOUT MORRISON CASE.

Explains History of the Case and Recites Facts.

Reciting the fact that no counter affidavits had been filed in the time allowed for such action after the fee question came before him and reciting many facts of interest relative to the now famous Morrison escheat case, Circuit Judge J. W. Knowles, who was on the bench in the several trials of the case, has written to the Oregon Journal as following about the fee allowed Cochran & Cochran, special counsel for the state:

As editorials and communications have appeared in the Journal recently regarding the allowance by me of an attorney fee of \$7,500 to Cochran & Cochran, special attorneys for the state, in the Morrison escheat case, and if unexplained my action allowing this attorney fee may be misjudged by some, I ask space in the columns of the Journal to make a brief statement of the facts.

January 31, 1905, John Morrison, a resident of Union county, died intestate, leaving an estate which was valued at \$30,000. Senator E. P. McDonald was appointed administrator of the estate.

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LONGSHOREMEN STRIKE.

I. W. W. and Longshoremen Join in Strike in Gray's Harbor District.

Hoquiam, Wash., March 22.—All the wharves and docks in Aberdeen, Hoquiam and other Grays Harbor towns are tied up today by I. W. W. and the Longshoremen's union strike. The strike leaders claim that sailors are ready to assist. A trifling amount of lumber is going on board, handled on the wharves by masters. The men ask the longshoremen to keep away.

Emperor Off for Visit.

Berlin, March 22.—Emperor William, accompanied by Prince August Wilhelm and Princess Victoria started tonight for their Vienna visit to Emperor Franz Josef of Hungary. From Vienna the kaiser will go to Venice a guest of King Victor Emmanuel of Italy. Then he takes his vacation trip to the island of Corfu.

ENGLAND COAL STRIKE RELI BILL USELESS

AMENDMENT OFFERED BY MINERS OVER RULED

EFFORT TO GET AMENDMENT THROUGH FAILS PROMPTLY

Passage of the Unamended Bill Will Not Settle the Coal Strike, It Is Said, Unless Both Sides Are Starved to It—The House of Lords Will Call Up the Bill Next Monday Morning for Consideration by Them.

PEACE EFFORTS CONTINUED.

Cleveland, O., March 22.—Final efforts are being made to effect a reconciliation of the miners and operators to avert a strike of more than 350,000 bituminous coal miners by a conference of a sub-committee of eight miners and operators.

London, March 22.—After Premier

Asquith had explained his opposition in the house of commons to miners' amendment to the wage bill which Asquith has been fostering against great odds in hopes of settling the nationwide strike that is a great menace to millions of people, the amendment was defeated without a division of the house. It will establish a dangerous precedent, followed by demands of other trades for similar action, he said. The miners, Asquith said, opposed the minimum wage scale for a days' labor, and want a five-shilling minimum for adults and a two-shilling minimum for minors, each day. The bill will be read the third time tomorrow and passed, and called in the house of lords Monday.

The laborites informed Asquith that the responsibility is on him in the unamended bill falls to settle the strike. Sir A. B. Markham of Newcastle, said the strike will continue if the amendment of the miners is not incorporated in the bill.

Asquith replied the amendment will make the bill unworkable.

It is generally believed that distress following the strike and the depletion of supplies and funds obtained through the strike benefits, will force both sides to accept the bills. If the miners refuse to do so, Asquith will accept the offer of the operators to resume the work of the mines if guaranteed protection for non-union men. Such a move means bloodshed.

STATE LECTURER COMING.

H. A. Darnall Will Be Present at Big Grange Session Tomorrow.

H. A. Darnall, state lecturer for the grange of Oregon, is making his annual visit to the granges of Eastern Oregon and will visit Riverside grange tomorrow. The grange will on that day hold an all-day session and all friends are invited to attend the afternoon meeting. Mr. Darnall is a farmer and a newspaper man, a graduate of the Kansas agricultural college. He is said to be an interesting speaker and will give addresses at both the open and closed meetings. The grange women are going to serve a dinner at high noon and the day promises to be important to the grange members.

GUNNER HAS FORTUNE.

Must Spend Two Years in Service, Although He Has Hundred Thousand

Vallejo, Cal., March 22.—Chief Gunner Mate B. Tomke, of the cruiser, Denver, now at Mare Island, is the richest fighting seaman in the world. His grandmother at Strausberg Prussia, left him \$100,000. Tomke fought in the Spanish-American war and the boxer uprising. He will serve out the two remaining years of his enlistment.