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PACKER BARONS GIVEN LIBERTY

JURY FINDS NINE OF THE PACKERS NOT GUILTY

SEVERE BLOW TO A LONG GOVERNMENT CRUSADE

Ogden Armour and Eight Others Are Found Not Guilty After Eighteen Hours of Deliberation Last Night by a Jury at Chicago—Case Has Been Hard Fought and a Long One.

Chicago, March 26.—After deliberating 18 hours, the jury in the United States district court, returned a verdict of not guilty in the case of J. Ogden Armour and nine other millionaire packers, charged with violation of the Sherman antitrust law. The wealth of the defendants affected was \$190,000,000. The names besides Armour are:

Louis F. Swift, Edward F. Swift, Charles H. Swift, Edward Tilden, Arthur Meeker, Edward Morris, Francis A. Fowler, Thomas J. Connors and Louis H. Heyman.

The war on the packers resulting in their indictments was started by the government in 1902. The government has been camped in their trail ever since. In 1902 the government secured an injunction by United States Judge Grossepain restraining the packers from forming a giant combine. On July 1, 1902, the indictment was returned against 16 packers, six of the men acquitted today among them on charges of restraint of trade. Though bitterly fought Judge Humphrey granted an immunity bath in 1906. Baffled the government rested until March 21, 1910 when the grand jury indicted the national packing company and ten subsidiary concerns on a charge of a combination in restraint of trade. The indictments were dismissed by Judge Landis on the ground that they were faulty, July 24, 1910. In August, 1910, came a perjury indictment against Thomas G. Lee, the manager of a department of Armour. The other present indictments followed.

Wild disorder was enacted in the court room when the verdict was returned. Defendants were surrounded and congratulated. Judge Carpenter had no comment to make on the verdict, but discharged the jury. Had the men been found guilty, jail sentences would have had to follow.

Chicago, Ill., March 26.—There was no indication that a verdict had been reached in the case of the government against the beef packers charged with criminal conspiracy in violation of the anti trust law, when the jurors arose today in the majestic hotel. They had retired at 10 o'clock last night after deliberating five hours. It is reported that Juror Bucklin, whose illness caused a delay in the trial, is suffering a relapse.

Later Juror Bucklin ate a hearty breakfast showing the report of his relapse was false. Before the opening of court it was reported that the jury had agreed to find two packers guilty, and to acquit eight.

CARPENTERS UNDER ARREST.

Repairs of Fire-Gutted Structure Arrested This Morning.

Bert O'Brien and M. Shirley, contractors, were arrested this morning on a charge of violating a city building ordinance which pertains to buildings within the fire limits.

The men were employed by Mrs. Zuber to do some repair work on the "Keefer" hotel, and it is charged that such repairs are unlawful within the fire limits of the city. It is said the men persisted in working after they had been warned to discontinue.

They were bound over for a week, pending sifting of the legal situation.

BASEBALL ACTION TAKEN.

Committee Named to Investigate Proposition of Class D League Here.

J. W. Cody and W. A. Sweet, the baseball enthusiasts from Boise who were here yesterday in the interest of forming a tri-state baseball league, met with the Commercial club last evening and presented their plan.

A committee consisting of T. H. Crawford, Grant Lincoln and R. L. Lincoln was appointed to look into the prospects for getting a team to represent La Grande in the league. The committee will report to the club on next Friday evening.

SUFFERING IN ENGLAND BAD

MODERN HISTORY HAS SEEN NOTHING LIKE IT.

Millions Without Food—No Settlement of Strike Near.

London, March 26.—With the mine owners refusing to make a single concession, the coal strike affecting more than a million and more than 9,000,000 others indirectly is indefinitely prolonged.

There is not a single community in England, Scotland and Wales but what is affected. The government officials admit the toll of human life, as well as the money loss, is appalling. Millions today are facing slow starvation.

The mine owners gleefully point to the fact that the miners' resources are dwindling and contend that starvation will compel them to yield. The miners admit they have little money but claim they can hold out two weeks at least. A second conference was called today of the mineowners and the miners. The men agreed to waive all demands except the minimum wage of five shillings for adults and two shillings for minors. The owners refused to treat on this basis. Their stand has angered the men who say no further advances will be made by them for a settlement. The owners must take the first step.

Scenes in cities for the twenty-sixth day of the strike are particularly affecting. Modern England has never witnessed such suffering. The soup kitchens are overcrowded and relief organizations are swamped. Women and children at Sheffield are virtually without food and have been for weeks. Forty thousand are idle at Glasgow, besides the miners. The hopelessness of the situation is emphasized in the house of commons today. Premier Asquith announced that the government will not insert the wage bill figures demanded by the miners, and life is great pressure on the government to force it to make this concession. Final refusal of the miners to accept the figures suggested by Asquith means no compromise but a fight to the finish.

MANY BOYS COMING.

General Plans for Reservation of Rooms for Boys Going on.

The general committee which has in charge the coming Men and Religion Forward movement campaign held a busy meeting last night in the Presbyterian church. Reports of the sub-committees were heard and further plans and business matters were discussed and referred to the proper committees put into operation.

The report of the entertainment committee showed that that committee has been active in securing places in private homes where the visiting boys may be entertained. A large number of boys are expected to come from out of town to attend the boys' convention and the committee is in need of more homes in which to place the visitors.

All persons who will open their homes to the boys will greatly aid the committee if they will notify Lynne A. Bohnenkamp of the number of boys they can entertain from Saturday night until Monday morning. Some are able to furnish rooms for the boys and some meals but cannot furnish both room and meals. The committee will be glad to hear from these as they will be in need of all the rooms and meals they can get.

IMBLER TO BUILD

New High School and Athletic Field Provided for by Voters.

The Imbler school board has been instructed by the voters to purchase five acres of high level ground near the center of town for the new school building.

This will furnish ample room for buildings and an athletic field for years to come.

If La Grande had only seen the vision some years ago and purchased such a tract of ground what a joy it would be to the youth of today. It is not reasonable to suppose that Imbler will be a large town, but the present apple planting will support 2,000 people in a few years.

LEMON RATE UNCHANGED.

Interstate Commerce Commission Refuses to Increase Lemon Rates.

Washington, March 26.—Maintaining its former position, the interstate commerce commission today refused to sanction the increased rate on lemons from California to Colorado, Utah, Montana and other western states when it ordered the rate of one dollar per hundred pounds maintained. The railroads tried to exact a \$1.25 rate.

RUSK EXPLAINS DAVIN AFFAIR

FURTHER INCIDENTS TO FOLLOW HIS EXPLANATION

RELATES TO COURT WHY HE APPEARED FOR DAVIN

Attorney Rusk Placed on the Witness Stand Yesterday and Admits He Understood He Was Employed to Defend Davin—Admits He Had Not Been Employed by Davin to Law.

Though Jerry P. Rusk yesterday afternoon was placed on the witness stand before Circuit Judge J. W. Knowles to show why—if he had—he appeared before Judge Knowles in Enterprise as attorney for S. V. Davin, of Walla Walla, then under indictment for bootlegging in Walla Walla county because he was a member of a firm of Davin & Michellol, the embargo appears to thicken for D. J. Staats of Joseph is to be replaced on the witness stand to refute the testimony of Rusk. The trouble involving Mr. Rusk was given a few days ago when Davin through C. H. Finn and C. E. Cochran brought habeas corpus proceedings to be released from a jail sentence imposed in Walla Walla county for bootlegging. Mr. Davin asserting that he had not employed J. P. Rusk to appear as counsel for him at the time of the indictment, and in fact claims not to have known he was tried until after it was all over. At the time last week that the habeas corpus proceedings were up, Staats corroborated Davin to the effect that neither Davin nor Staats had employed Rusk and yesterday afternoon Mr. Rusk affirmed that he understood from Staats that he (Rusk) was to defend all those indicted which included Davin. District Attorney Ivanhoe appeared for the state. When asked to explain the details leading up to the attorney's appearance in court for Davin on what is alleged to be, without authority, the appended testimony resulted:

Mr. Rusk—Well, the first that I heard of these so-called whisky cases in which these people were concerned was in October, I think. Mr. Staats (D. J. Staats) had been to Walla Walla and on his way back from there to Joseph stopped off here and saw me and he had gotten word—

Mr. Ivanhoe—Just state what talk you had with him, if any.

Mr. Rusk—Staats told me that they had arrested his bartender over there, Charley Runyan, and that they also would probably arrest him; that there was a warrant out for him and he had sent word in that he would be in at once, and went in the next morning on the train and he told me while here in La Grande, if they got into any trouble, that they would want me to represent them, and look after their interests as I had been their attorney in a good many other matters.

Mr. Ivanhoe—Now state what, in pursuance, of that authority, or any authority, you had from Staats or N. Michellol or Davin—state whether or not that included Davin.

Mr. Rusk—It did. They were all named in the indictments, Frank or S. F. Davin, I should say, X Michellol and D. J. Staats.

Further direct testimony showed that Mr. Staats had given Rusk a check for \$125, partly as retainer and partly as another matter, and that in the memory of Rusk Staats signed the check for the Davin-Michellol company. Extensive testimony was given relative to where the money had been paid, what Rusk did when the indicted men were arraigned. It appears that later on after the trial, Davin conversed with Rusk in La Grande and testifying in that respect, Rusk said:

Mr. Rusk—State whether or not in that conversation there was anything said about your having no authority to appear for either Davin or anybody else in that case (the liquor cases).

Mr. Rusk—None whatever, Colonel, none whatever. He complained because I did not go over that Mr. Staats had employed me to defend these defendants, including himself, Michellol and Charley Runyan and Staats. (It will be remembered that Rusk appeared to waive arraignment only and was not on hand when the cases came to trial.)

Mr. Ivanhoe—And he complained because they had paid you for the work and you didn't do it?

Mr. Rusk—Yes.

The cross examination was a long-

SKYSCRAPER WORK STARTED

ERECTION OF BASEMENT WALLS TO START NOW

FIRST ACTUAL PIECE OF WORK ENACTED TODAY

Commercial Club Last Night Decides to Accept Club Home Proposition and Will Meet With the Club Members Next Wednesday Evening to Discuss the Situation Thoroughly.

Jointly with the announcement that the Commercial club directors O. K. the general plan for a Commercial club home of five stories at Elm and Adams, comes the first actual work on the erection by J. E. Foley of a five-story 31x110 office and store building on Adams avenue opposite the Foley hotel and just north of the federal building. The construction of the main building has been let to the Portland Construction company who expect to have the place ready for occupancy by the August or September.

"Happy" Day of Baker has the contract for constructing the basement and foundation, getting in shape now to start that work next Thursday. The bill boards were torn down today and the work is going to be rushed to the utmost. The foundation will be new as the present foundation is inadequate.

The building is to have every tone of fashion and modernness. The marble corridors, and entrance, the elevators, in fact, everything that makes metropolitan skyscrapers will be included in the building. The first floor is for store purposes and the upper stories for modern office rooms.

TALK CLUB HOME.

Directors Hear Proposition Explained and Will Act Wednesday Night.

The directors of the Commercial club held a long and busy session last evening and considered fully the proposition of erecting a five story Commercial club building and decided to recommend it to the Commercial club.

The building plan as it will be recommended by the directors is on the basis of Commercial club ownership. The club is to own and control the company, purchasing it from the company which fathered the plan.

It is still the plan to sell units to private individuals with the control vested in the Commercial club instead of a company.

C. E. Cochran has been requested to draw a comprehensive plan of operation and this will be submitted to the club on next Wednesday evening for the consideration of the entire club membership.

thy affair in which most of the direct testimony was threshed out again. C. E. Cochran conducted the cross examination.

Mr. Cochran—So far as I get your testimony, at the present time, you had no conversation with Mr. Davin about making an appearance and no authorization from him about making an appearance at all, personally either by letter, telegraph, telephone or personal conversation.

Mr. Rusk—No, not in person, not at all.

Testimony showing where Rusk was when the cases came up for trial in Joseph, at which Mr. Rusk was not present, followed.

WEAVER LETTER PUBLISHED

Communication Written Just Prior to Death of Leader Announced.

Des Moines, March 26.—The last letter written by General James B. Weaver, father of the People's Power movement, the Populist candidate for president and a noted reformer, was published today. It is a strong boost for Champ Clark. It says every Iowa delegate to the Baltimore convention ought to support Clark vigorously.

La Grander in Musical Trio.

University of Oregon, Eugene, Ore., March 25.—(Special)—At the last assembly held at the University of Oregon the Freshmen Trio made their debut into the musical circles. This trio consist of Harold Grady from La Grande, Bertrand Jernard and Westbrook Dickson, two Pendleton boys. Their appearance was decidedly a success and no social function among the university circles is considered complete unless this popular trio renders some of their choice vocal selections.

ED. E. KIDDLE ANSWERS CAL

WILL STRIVE FOR JOINT SENATORSHIP.

Platform Progressive in Every Phase and Character.

E. E. Kiddle, prominent in Masonic lodge affairs of Oregon, dealer in hogs and maker of flour, last evening consented to become a candidate for joint senator from Union and Walla Walla counties on the republican ticket, entering the field for nomination at the republican primaries April 19. He answered the call of republicans at the behest of warm friends and he has today forwarded to Secretary of State Ben W. Olcott his statement of principles.

The statement of candidacy is dried in the wool progressive. Mr. Kiddle says: "I will faithfully work for the reduction of taxes, advocate better laws for the equalization of property values for taxation purposes; abolishment of a number of apparently useless commissions in Oregon; reduction of the state pay roll and curtailment of expenses at the various institutions; will vigorously work for a better system of purchasing state supplies."

"I further state to the people of Oregon, as well as to the people of my senatorial district, that during my term of office, I will always vote for that candidate for United States senator in congress who has received the highest number of the people's votes for that position at the general election next preceding the election of a senator in congress without regard to my individual preference."

"I respectfully request that the following words be placed after my name on the official ballot: 'Common sense and business principles instead of political logrolling. Statement No. 1.'"

With two candidates in the democratic field and one other republican seeking the office, the coming primary should develop an interesting contest.

INDIANA FOR TAFT.

Expected Support for Taft Comes With a Hitch at Convention.

Indianapolis, March 26.—The republican state convention today elected four delegates at large to the national convention, instructed to support Taft. They were chosen by a viva voce vote. Roosevelt men threatened to bolt, but the Taft men scored the first decisive victory by a vote of 7-720 to 667, the ninety (1) tandem hire 720 to 667, the minority report of the credentials committee stating that the Roosevelt delegates in practically all the contested districts were rejected.

Expressing determination to elect four contesting delegates, the Roosevelt supporters bolted the republican state convention today after four delegates were instructed to support Taft at Chicago. The recalcitrant Roosevelt men objected to the ruling of the committee on rules permitting the contested delegates to vote on contests in which they themselves were involved. The report of the committee on resolutions today endorsed the Taft administration, denounced the initiative and referendum and recall, and the third presidential term.

SIREN WHISTLES BLOW.

Fire in West La Grande Drives Scare Into Residents of That Section.

The whole city was aroused last evening about 9 o'clock by the persistent whistling of a switch engine near Second street. The occasion of the uproar was the burning of a house belonging to Robert H. Sufist, located on the north end of Cedar street on Palmer.

The blaze was discovered by the night switching crew and the whistle of the engine soon had a crowd of men about the house who carried water from an irrigation ditch in buckets and cans and threw it onto the fire through holes which they cut in the walls of the building.

The fire was inside the walls and under the floor. The location taken together with the dense smoke and the difficulty of getting water made the fire a stubborn one to fight.

It appears to have been of incendiary origin. A week or so ago a barn on the property was discovered to be ablaze. The origin of the first fire was also unknown as the property has been vacant for some time. It is located near the railroad tracks and tramps may have had something to do with both fires.

The fire department responded after a delayed alarm was turned in but owing to the fire being beyond the fire district there was no water plug near enough to use, so they assisted the crowd which was already on the scene.

MINERS IN TEST HORROR

EXPLOSION OCCURS IN WEST VIRGINIAN MINE

UNITED STATES BUREAU SENDS RELIEF POST HASTE

Most of Men Entombed in Mine Are Married—Smoke Issued for a Time From Mouth of Mine but Ceased—Exact Conditions Within the Mines Have Not Been Ascertained as Yet

Welch, W. Va., March 26.—Eighty-three miners were entombed in a mine of the United States Coal and Coke company at Jed, three miles from here today as the result of an explosion. Eighty-six men were working in the mine at the time of the explosion, but three escaped.

Afterdamp pervades in the workings and it is feared there is but a slight chance of rescuing alive any of the imprisoned workers.

The miners have organized rescue parties and the United States mine bureau has been asked to rush to their aid.

Chief Holmes of the bureau is expected to arrive with a force of rescuers equipped with oxygen helmets. The output of the mine goes to the United States Steel corporation.

Two rescue cars were ordered to be rushed to the assistance of the miners entombed at Jed by the United States bureau of mines today. The Jed mines worked day and night shifts with 50 non-union whites and blacks on both shifts.

Heavy smoke and fumes issued at the mouth of the mine shortly after the disaster, but it soon disappeared. It is not believed the mine is burning, but probably part of the workings are wrecked. Nearly all the victims were married men, and had been in the shaft less than an hour when the explosion came.

SPECIAL MESSAGE SENT.

Taft Wants More Money for Tariff Board Activities.

Washington, March 26.—Recommendation for a downward revision of the duties on cotton goods and a demand for further funds for the tariff board were contained in a special message by President Taft to congress, transmitting the report of the tariff board on the cotton schedule. A portion of the message is devoted to a vigorous defense of the tariff board, and is conclusive of which Taft demands an emergency appropriation to supply the organization \$20,000 a month to continue its work. The democrats of the house are practically determined to cut off all appropriations to the board so the message is the opening gun of a fight for the existence of the board. The cotton report is a voluminous detailed discussion of the cotton industry and the conditions of the industry in the United States, and also in foreign countries. Labor as a factor in the production of cotton, receives a scant consideration.

The tariff board report quoted by the president says the effect of the tariff is to secure the American manufacturer an American market and prevent competition. It says the cost of production here is as low as in the foreign countries but the consumer pays a higher price.

The report of the board blames the cost of distribution, exorbitant percentages swallowed up by the middleman's transactions of getting the cotton goods to the mill and to the consumer. Taft says "On the basis of this report I recommend congress to proceed to the consideration of the schedule in view of a revision for a reduction." Taft asks \$60,000 within the next three months for the tariff board.

Portland Youth Arrested.

Portland, Ore., March 26.—Charles Wakefield, son of Robert Wakefield, a millionaire bridge contractor, was arrested last night on a charge of highway robbery. The father, when asked if he would bail his son out, said: "No. It is a good place for him. Let him stay in jail." He was arrested in company with two others, Jack Johnson, and J. H. Carlston. The charge is made that they knocked senseless an aged man, C. C. Harvey, taking his watch and purse. The police claim the goods were found on them. The trio tried to resist arrest, but were overpowered and roughly handled.