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# East Oregonian

Eastern Oregon Weather Fair tonight and Friday; warmer Friday.

DL. 15.

PENDLETON, UMATILLA COUNTY, OREGON, THURSDAY, JULY 17, 1902.

NO. 4487

## DISCUSSING STRIKE

### Convention Being Held at Indianapolis by the Mine Workers.

### PROBABLE GENERAL STRIKE WILL BE ORDERED.

#### Ident Mitchell in a Speech, Argued Against a General Strike—Believed That Pennsylvania Might Be Won, But Other States Would Be Lost.

Indianapolis, July 17.—The national convention of mine workers, to consider the advisability of ordering a general strike of bituminous men to free the anthracite men in their strike, called to order here this morning. It is not expected that action will be taken before tomorrow. The indications point to the gathering of large relief funds instead of a strike.

The delegates opposed to a strike that Pennsylvania might be saved by such a radical action, but others would be lost. They don't want to break their contracts with the operators if any other remedy can be found.

Discussions will be held by the various districts tonight which will determine the atmosphere. Estimates as to the assessment that should be levied range from 10 to 27 per cent.

In his address to the delegates this morning, President Mitchell declared against a general sympathetic strike.

### ILLINOIS LAWYERS MEET.

#### Hundred of the Fraternity at the Windy City.

Chicago, Ill., July 17.—Two hundred lawyers and jurists of prominence met at the Steiner hall today at the opening of the twenty-sixth annual meeting of the Illinois State Bar Association. The annual address of the president, John S. Stevens, of Peoria, was the feature of the opening session.

The sessions continue through tomorrow, concluding with the annual banquet at the Auditorium in the evening. The papers and discussions of the year are of a more practical character than at former meetings. The expediency of a constitutional convention is one of the subjects of great interest. The revision of corporation laws in Illinois will be considered, and the report of a committee dealing with the subject, "Standards and Professional Morals of the Lawyer," is expected to provide some discussion.

### Lots of Cranberry Sauce.

Boston, Mass., July 17.—Reports from cranberry growers of the Cape and Plymouth sections indicate that the crop this season will be larger than for many years. There are hundreds of acres of new bogs in growing condition, and all these are richly blossomed and give promise of bearing a big crop. The season begins about the last of next month and continues six weeks. The berries will be shipped to the markets of the West, which during the past few years have been found to be the best that the growers have ever had.

### Another Small Boat Wreck.

Baker City, July 17.—For the second time within four days a freight boat was wrecked by mischievous winds yesterday. The first wreck was at Sumpter Valley railway, owned by Don Calnes; the second was on the O. R. & N. road and occurred at 3:30 in the Baker City yards. Three cars of the eastbound freight ran into a switch which had been opened by some small boys and luckily but small damage was done.

### Hibernian Reports.

Denver, Col., July 17.—Reports of members of the Ancient Order of Hibernians were presented this morning at the executive session of the annual convention and the reading named the greater portion of the year.

### Mackay Improved.

London, July 17.—John E. Mackay, who suffered a heart stroke Tuesday, is much better today.

## GOV. LA FOLLETTE WON OUT

### WAS RENOMINATED ON FIRST BALLOT TODAY.

#### Beat the Spooner Forces in Wisconsin With Both Hands Down and Some to Spare.

Madison, Wis., July 17.—Governor LaFollette was renominated by the republican state convention on the first ballot today, receiving 790 votes to 266 for Whitehead, five for Scofield and three for Froelich.

James O. Davidson was named for lieutenant-governor.

Friends of Senator Spooner, whose endorsement of the platform has been strongly attacked, say he will carry the fight into the assembly, and districts, and not rest in his fight against the LaFollette faction until the last vote is polled next November.

### HARRIMAN APPOINTED.

#### He is Put at the Head of the Pacific Mail.

New York, July 17.—Charles Tweed resigned the presidency of the Pacific Mail Steamship Line today and E. H. Harriman was elected to succeed him.

It is understood that Tweed asked to be relieved of the duties of his office because of his numerous other interests.

The Harriman herein referred to is the head of the Harriman lines, including the Oregon Short Line, O. R. & N. and others.

### Superintendent Lee's Opinion.

Salem, July 17.—Superintendent J. D. Lee, when asked as to whether or not the discoverers of Merrill's body would receive the reward to be paid for the return of the body of Dave Merrill, replied that the reward would be paid according to the language of the offer, which was for the "capture and return" of the convicts, dead or alive, but that in any event he would pay liberally for the return of the body, even though not captured as specified in the offer.

### KING IS GREATLY BENEFITED

#### CHANGE OF AIR DOES HIS MAJESTY MUCH GOOD.

#### Fleet Has Been Called to Assemble Early in August for Coronation Ceremonies.

London, July 17.—A telegram received from Cowes for bulletin this morning, says the king is greatly benefited by the change of air and is recovering rapidly.

### Fleet to Assemble.

The admiralty has ordered the British fleet to assemble at Portsmouth early in August in connection with the coronation ceremonies.

### Kicked by a Horse.

Bart Prowley, came to town Wednesday evening to seek the services of a surgeon in dressing a bad wound in the face as the result of coming in contact with the heels of a horse. He got too close to the heels of a stallion at his home, three miles west of town and was kicked, the horse hitting him on the cheek, laying the flesh open in quite a gash and knocking him senseless for a few minutes. Dr. House was called upon and was compelled to take several stitches to close up the wound.

### Whipple to Be Tested.

Washington, July 17.—The torpedo boat Whipple has been ordered to leave her builders' dock at Sparrows Point, Md., today for her preliminary trial, which is expected by those who have watched her construction to be an entire success. The Whipple is a destroyer of the same class as the Paul Jones, Lawrence, McDonough, and other small craft recently added to the navy.

### Slim Tobacco Crop.

Hartford, Conn., July 17.—The prospects for a good crop of tobacco in Connecticut this year are very poor, owing to the excessive moisture of the last month. It is admitted by all growers that the crop will not reach the average. The plants grown under canvas are said to be in even worse condition than those grown in the open.

### Maddox Named Again.

Rome, Ga., July 17.—The democratic congressional convention of the seventh district here today resulted in the unanimous renomination of Congressman J. W. Maddox for another term.

## TRACY ONCE MORE IN A CORNER

### Sheriff Cudihee Has Him Surrounded in a Shack---He is Badly Wounded and Capture Seems Certain.

Seattle, July 17.—Sheriff Cudihee and six deputies have discovered Tracy in a lonely shack at Sawyer Lake, eight miles from Black Diamond, where the bloodhounds lost the trail on Friday night. Two accomplices are with Tracy, who is badly wounded in the hip.

Cudihee has a stool pigeon who has access to the house and has the shack completely surrounded, and it looks like a killing.

## VERDICT BROUGHT IN FOR COUNTY

After deliberating for 50 minutes, the jury in the case of W. A. Banister against Umatilla county for \$2600 damages, returned a verdict against plaintiff.

This was the case of Banister against the county for damages received in running off an embankment near Helix last winter, the particulars of which are well known to East Oregonian readers. The case was called Tuesday morning in special session of the district court and has occupied most of three days.

Argument was made by the defense Wednesday evening for non-suit, but this was denied by Judge W. R. Ellis. The case went to the jury this afternoon.

### ARCHBISHOP BURIED.

#### Funeral Services Were More Than Ordinarily Impressive.

Chicago, July 17.—Impressive funeral services over the remains of Archbishop Feehan, were held this morning in the Holy Name cathedral. Cardinal Gibbons and Archbishops Ireland, Kan, Ryan and about 20 bishops, scores of priests and hundreds of laymen from all parts of the country attended.

Bishop Spalding celebrated the solemn pontifical requiem mass. Archbishop Ryan preached the sermon. The funeral procession was made up of the police, Seventh Illinois Uniformed Catholic societies and hundreds of citizens.

The remains were placed temporarily in a vault in Calvary. Later they will be finally interred in Mt. Carmel cemetery.

### SHE WANTS HER MONEY

SALEM, July 17.—Merrill's body was brought here today by Mrs. Waggoner, who claimed the reward of \$1,500. The governor and prison officials are considering the question of payment.

## MRS. WAGGONER AND HER SON SHOULD HAVE THE REWARD

Will the woman and her son who found Merrill's body, get the reward? is the general inquiry.

It is purely a question of law. There has been a great deal of litigation on the subject of recovering rewards, and the decisions all point to one conclusion; that it is simply a contract, and the conditions of the contract must be complied with the same as other contracts. It appears that there have been few rewards earned that have been obtained short of litigation, and especially where the reward has been offered to the general public.

### Question Looked Into.

A "legal" gentleman investigated the books on the subject for the East Oregonian, and while he thinks that it is a "close case," he thinks that the woman and her son will recover the reward offered by the superintendent of the Oregon penitentiary.

The clause upon which the contract is founded reads as follows: "\$3000 reward for the capture and return, dead or alive, of Harry Tracy and David Merrill, or \$1500 for each one who escaped from the Oregon state penitentiary on the morning of June 9, 1902." After giving a description of the convicts the circular concludes: "Report to J. D. Lee, superintendent Oregon state penitentiary."

### Offer is Binding.

The offer is a legitimate one and is binding and the person who complies with its requirements is entitled to the reward. All that is necessary is to "capture and return" the body to the superintendent of the penitentiary. While "capture" is one of the requirements, and it would be difficult to "return" the body without "capturing" it, the question is raised as to what is the meaning of the word "capture." The return of the body to the penitentiary would make out a prima facie case, and unless some other person should contest the claim the superintendent would be required to pay the reward unless he had knowledge of the fact that the claimant had only found the body and this would not entitle him to

claim the reward, not having made the capture under the terms of the offer. So it all narrows itself down to the term "capture" again.

"Capture" is not a good word in the sense used by the superintendent. In law it does not apply to the arrest of criminals. It refers entirely to the capture of vessels and other captures made in war times and is never referred to in criminal proceedings. "Arrest" or "apprehend" should have been used.

### Opinions of Lawyers.

The lawyers have various opinions on the present case and are able to draw many illustrations, and many claim that the offer contemplated the arrest or apprehension of the criminals as well as their return, and that the mere finding of the dead body does not entitle the finders to the reward.

### Are Entitled to Reward.

The gentleman who looked the matter up for this paper, however, stands on the opinion that they are entitled to recover the reward. He says that the primary purpose was to apprehend or kill the criminals so as to rid society of their depredations; that it was not necessary for the woman or her son to run him down and commit murder in order to get the reward; that if through them the body of Merrill is produced and on no other person makes any claim, they are entitled to the reward. The community is relieved of all doubt on the subject and this is the end desired. They found the body, "seized" it, as the word capture means, and to them the country looks as the persons who brought about the positive news that Merrill was no more and produced his body to show it.

Thousands of Dollars Saved. If they had not found the body thousands of dollars might have been spent in the future on wild goose chases in search of Merrill, but it is now all put to rest. There should be no hesitation in paying this reward to the woman and her son, says the East Oregonian's "legal" man.

## ARE RECOVERING THE BODIES

### VICTIMS OF PARK CITY DISASTER BROUGHT OUT.

#### Mine Officials Say That But Thirty-four Deaths Have Occurred and Thirty Bodies Have Been Recovered.

Salt Lake, Utah, July 17.—All business in Park City is suspended until after the funerals of the victims of the Daly West mine disaster.

This morning the work of recovering the bodies was resumed. Mine officials say but 34 were killed and that 30 of these bodies have been recovered.

### NEW YORK MARKET.

#### Reported by I. L. Ray & Co., Pendleton, Chicago Board of Trade and New York Stock Exchange Brokers.

New York, July 17.—The wheat market opened this morning at 76 3/4 @ 77, slightly higher. It was very steady throughout the day, taking a small jump near the close and closing 3/4 higher, at 77 1/2. Liverpool is 1/2 lower, closing at 6-1/2. Corn is up 1/4 of a cent, closing at 6 1/4.

Wheat closed Wednesday 76 3/4. Opened today, 76 3/4 @ 77 1/4. Range today, 76 3/4 @ 77 1/4. Closed today, 77 1/4. Stocks are steady. St. Paul, 182 1/2. Steel, 40 1/2. Union Pacific, 107 1/4.

### Wheat in San Francisco.

San Francisco, July 17.—Wheat—\$1.14 1/4 @ 3/4 per cental.

### Wheat in Chicago.

Chicago, July 17.—Wheat—73 1/2 @ 74 1/4.

### Sixteen Golfers Left.

Chicago, July 17.—The third match round of the National Amateur Golf tourney began this morning under most favorable auspices. The grounds were in perfect condition. Only 16 players are left to participate in the play, which will bring the tournament down to the semi-finals, to be played tomorrow.

### Jeffries Favorite at 2 1/2 to 1.

San Francisco, July 17.—The sale of seats for the Jeffries-Fitzsimmons fight surpasses anything of the kind known in local pugilistic history. The receipts at the end of the second day showing nearly \$9000 has been taken in at Harry Corbett's place. The betting today shows Jeffries to be favorite, the prevailing odds being 2 1/2 to 1.

### Grand Master Workman.

Portland, July 17.—The grand lodge A. O. U. W. yesterday elected William Smith, of Baker City, grand master workman. The Degree of Honor elected Mrs. Laura Smith, of Baker City, grand chief of honor.

### Got His Deserts.

Owensboro, Ky., July 17.—Josh Anderson, wife murderer, was taken from the jail here by a mob this morning and hanged.

# Washington & Oregon Electric Railway Light & Power Company

### NOW UNDER CONSTRUCTION

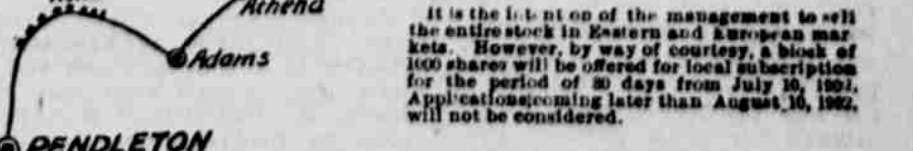
A population of 40,000 distributed over the wealthiest farming country in the world is tributary to this road. First issue of 1000 shares, par value \$100 each.

### Now Selling at \$90 Per Share

### An Investment, Not a Speculation

Low capitalization; \$1,500,000; 15,000 shares, at \$100 each. Shares fully paid and non-assessable.

It is the intention of the management to sell the entire stock in Eastern and European markets. However, by way of courtesy, a block of 1000 shares will be offered for local subscriptions for the period of 30 days from July 10, 1902. Applications coming later than August 10, 1902, will not be considered.



Pendleton and Vicinity: Apply to E. T. WADE Office in East Oregonian Building P. O. Box 214, Or. Pendleton, Ore. Apply to Main Office, 21-22 Dooley Building, Walla Walla, Wash.