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WEATHER FORECAST. Tonight and Friday showers.

VOL. 18.

PENDLETON, OREGON, THURSDAY, APRIL 13, 1905.

NO. 5332

COUNCIL HAS THE RESPONSIBILITY

Only a Remonstrance by Two-thirds of the Property Owners Can Stop Them

HAS A WIDE RANGE OF DISCRETIONARY POWER.

The Body Is Favorable to Macadam, and if it Elects May Order the Streets Paved by That System—Matter Is Temporarily in the Hands of the Street Committee—Estimates Were Considered—St. Francis Property Retained on the Tax Roll—A New Survey of West Court Street Was Ordered in Accordance With Protest Filed.

At the meeting of the council last night the question of macadamizing the business streets of the city was again discussed, and though no action was taken, the matter is now in such shape that the improvement will undoubtedly be ordered.

During the meeting it developed that the council has power under the law to order the work done. Then, should the property owners be opposed to the improvement, two-thirds of them must remonstrate to the council in writing within 10 days after the work has been ordered. Should such a remonstrance not appear, the city may proceed with the work, and collect the cost from the owners.

When the above was made known it was taken by the council as being the proper way to handle the matter, and when the macadamizing is ordered it will likely be without waiting for a petition from property owners, though it will be subject to their remonstrance.

During the meeting Contractor Bode, of Portland, who is familiar with the work that has been done at Walla Walla, informed the council in regard to the work at that place. According to him the city furnished the roller and one rock crusher when the work was done, though they were operated by the contractors. The cost of the macadamizing in Walla Walla varied from \$1 to \$1.25 per foot front for each side of the street. In Athena the cost was 52 cents per foot, as the rock was much more accessible.

In view of the fact that the rock at Walla Walla was secured 11 miles from the town, it is believed that the expense of macadamizing here will be much less than at that place.

Not wishing to take definite action last night the council left the matter with the street committee with instructions to further investigate and report at the next meeting.

Fiscal Affairs. The report of the water commission for the past four years was read at the meeting last night and was ordered placed on file.

The monthly report of City Treasurer Hamilton was read and showed a balance of \$43,583.84 to be on hand. The finance committee reported unfavorably on the petition of the Sisters of St. Francis that property owned by them (the old Jacobs block on Alta) be exempt from taxation, and the reason why was given that the land is not being used for school purposes. The committee's report was adopted.

A wholesale liquor license was granted to the Pendleton Cold Storage company. The petition of property owners for a resurvey of Garfield street between Raley and Jackson streets was not granted, because it was held by the street committee that the work should be done for the entire street if at all.

The protest from the West Court street property owners, published in this paper last week, was presented last night. It was signed by 15 residents of that district and was granted by the council, a new survey was ordered immediately.

Will Widen the Bridge. The report of the street committee recommending that the walk on the west side of the Main street bridge be widened to seven feet, was adopted, and the committee was ordered to advertise for bids for the work. The

- Robbers Got \$6000. Churubusco, Ind., April 13.—Six masked burglars early this morning dynamited the safe of Gandy's bank and secured over \$6000. The family was awakened by the explosion and attempted to prevent the robbery. In the shooting which followed, Mrs. Gandy, wife of the banker, was shot in the neck. Her injuries are not fatal. The robbers escaped on horseback in different directions.

matter of repainting the bridge was also discussed, and such will probably be done when the carpenter work is completed. Some time ago the street committee was given power to act in the matter of painting.

ROOSEVELT CAUGHT TWO COONS LAST NIGHT OF THE HUNT.

Fort Worth, April 13.—The president's special started for Frederick, Okla., at 10 this morning, and will reach there at 3 this afternoon. According to the schedule the train will leave for Colorado with the president's party at 9:30 tonight.

Teddy Caught a Coon.

Frederick, Okla., April 13.—The president concluded his four-day's hunt in the Indian pasture reserve at noon today. The last wolf chase was made from the camp toward the east line of the reserve, where he took dinner and rested. The party is expected here at 5 this afternoon. Governor Ferguson and party are awaiting the president and will escort him to the train, which will leave at 8:25 for Colorado.

The president is expected to make a brief speech to the crowds awaiting him. Aside from the wolves the party killed 11 coyotes. The president captured two coons Tuesday night and is in high spirits.

SEVEN PRISONERS ESCAPE.

Blow a Hole in the Jail Wall With Nitro-Glycerine. Clarksburg, Va., April 13.—Seven prisoners in the county jail at Weston blew up a portion of the structure with nitro-glycerine early this morning and escaped. Bloodhounds are in pursuit.

Killed 400 in State of Mandi.

Simla, India, April 13.—Further reports from outlying districts state the recent earthquake caused 499 deaths in the state of Mandi. Many hundreds were killed in the Sultanpur district.

TEACHERS MEET AT WALLA WALLA

LARGE TURNOUT AND VERY ENTHUSIASTIC.

President Penrose Delivered an Able Address—Miss Bentley Continues Her Series on Manual Training—Shortening of the Elementary Course Is Favored—Wide Range of Opinions on the Free Text-book Question—Superintendent Ackerman and "The Teacher as a Missionary."

The teachers' institute which is now being held at Walla Walla, is reported to be a highly successful meeting and well attended.

Yesterday was the third day of the institute and the program was as follows:

Call to order at 9 o'clock. Song, "Beulah Land." Miss Reynolds sang a very pleasing solo, entitled, "My Home Is Where the Heather Grows."

President Penrose delivered an able address upon the subject, "The Unsolved Problem in American Education."

After a short intermission the work was taken up in sections. Miss Bentley continued her work on "Manual Training."

In another room Prof. Yoder gave an interesting lecture on the shortening of the elementary course.

Prof. Hendrick, of Whitman College, spoke on "Course of Study in English."

In the circuit court room a very interesting directors' meeting was held.

The subject of "Free Text-books" was discussed by Superintendent Ackerman and others. Opinions differed greatly on this subject, many of the speakers hardly knowing whether they were in favor of free text-books or not.

Mr. Ackerman said that he did not favor free books in a state that had a uniform system of books, as in Oregon, but should favor it in Washington, where the same books are not used in the various counties.

W. G. Hartman spoke very interestingly on the subject of "Centralization of Rural Schools."

In the afternoon Mr. Ackerman spoke on "The Teacher as a Missionary."

In part Mr. Ackerman said that the low salaries now paid teachers, and the apparent lack of respect extended to this class of persons, was largely due to the apathy and lack of respect among teachers themselves. Every teacher should be a missionary among legislators, school officers and patrons to the cause of education.

Mrs. Uppington sang, "A Dream of Spring." A. H. Yoder gave an entertaining and instructive reading from "Hall's Adolescence." Mr. Yoder criticized the great amount of written work required by many teachers.

BURTON AGAIN INDICTED.

St. Louis, April 13.—The federal grand jury today indicted United States Senator Burton, of Kansas, on five counts. Three of the five charges are that he made an agreement with the Rialto Grain & Security Co. to protect them from postal investigation; the other two are that he accepted money for these services.

UTTER FAILURE OF CONFERENCE

Employers' Associations and Labor Unions Cannot Come to an Agreement.

TEAMSTERS ARE LOYAL TO GARMENT WORKERS.

Executive Committee of Federation of Labor May Order Out Affiliated Unions in an Attempt to Get Justice for the Original Strikers—Employers' Associations Holding Meetings to Devise Plans for Continuing the Struggle—Progress of Strike Is Characterized by Minor Disturbances.

Chicago, April 13.—What is considered by both sides as a final conference in the teamsters' strike adjourned this morning, having failed to agree upon any plan by which the strike may be arbitrated. The teamsters insisted the garment workers should be considered in any settlement but the employers refused to arbitrate anything but the teamsters' phase of the dispute.

An executive board of the Federation of labor will be called to consider calling out the express drivers and affiliated unions with a view to extending the strike. The employers also hold a meeting this afternoon to formulate a plan for an offensive campaign. Each side is determined and bitter. Minor disturbances characterized the progress of the strike this morning.

MOTION FOR NEW WEBER TRIAL

Defendant Looked Worn and Pale and Was Weak.

Auburn, Cal., April 13.—Adolph Weber, convicted of the murder of his mother, and who is also accused of the murder of his father, brother and sister, appeared in court today for sentence. When the case was called the prisoner was asked to stand up by the court. He looked pale and worn and had to be lifted to his feet by the sheriff. The defendant's attorney filed numerous affidavits to support a motion for a new trial.

At 2:30 the attorney is still arguing. The prosecution has intimated its side does not deem it necessary to file counter affidavits to anything thus far brought out by the defense. In that event Judge Prewett may dispose of the motion today and it is freely predicted he will refuse to grant a new trial and will probably pronounce the death sentence.

CHICAGO GRAIN MARKETS.

Quotations Furnished by the Clark Grain Commission Company, 119 East Court Street.

Chicago, April 13.—May wheat opened at \$1.15 1/2 and closed at \$1.16 1/2. Corn opened at 48 1/2 and closed at 49. Oats, 30 1/2. There was heavy buying at the beginning of the advance and the market closed with the greatest excitement seen for several weeks. It is expected that a further rise will be experienced before the turn of the tide comes.

HE FOUGHT STANDARD OIL CO.

Ohio Man Lost All His Property But \$10,000.

Marietta, O., April 13.—The will of the late George Rice, who spent his lifetime fighting the Standard Oil company, has been probated here. The entire estate was valued at \$10,000. Rice was formerly a wealthy man.

Jumped the Track.

Vicksburg, Miss., April 13.—An Illinois Central passenger train jumped the track near Hardie at 12:30 this morning and plunged down an embankment. Several passengers and members of the crew were injured, but none are reported killed.

Fell From House Roof.

H. Dickens, a painter working for C. C. Sharp, fell from the roof of George Mansfield's house this morning and was considerably bruised but not seriously injured.

The Oregon building at the Lewis and Clark fair has just been completed, it being the first state building to be completed.

RUSSIANS ARE REINFORCING

French Authority for Stating That They Are Again Nearly Ready for Battle.

LINES APPROACHING IN NORTH MANCHURIA.

Japanese Dislodged From a Town—Cavalry Skirmishing Frequent—Russian Agents Have 145,000 Tons of Coal in Far Eastern Seaports for Rojstvenky's Fleet—Russian Fleet Headed North, Apparently for a French Port—German Collier Which Was Detained Has Been Released—Killed by a Falling Derrick.

Paris, April 13.—Captain Rode, the French attaché with the Manchurian army, reports the Russian army is reinforced and now ready to renew the battle. He says the Japanese advance guard is barely 10 miles away, and frequently cavalry skirmishes occur.

Dislodged the Japanese.

St. Petersburg, April 13.—Linnitch reports the Russians dislodged the Japanese from their positions at Nanchintala on April 11.

Russian Fleet Going North.

Hong Kong, April 13.—The British cruiser Ippigenia telegraphed the naval authorities by wireless, she passed 42 Russian warships 140 miles south of Saigon. The fleet was headed north. Two Japanese warships passed Cape Rock, Hong Kong, Tuesday night, going south at full speed.

Headed for a French Port.

Singapore, April 13.—The steamer Nubia reported this morning that at noon Tuesday she passed a Russian fleet of not less than 42 vessels in latitude 8 degrees north, longitude 109 degrees east. The fleet was steaming north at a rate of nine knots, presumably bound for Saigon.

Russians Are Coaling.

London, April 13.—News is received here that the Russian fleet engaged yesterday in coaling off the Natua Islands, 125 miles northeast of the Anambas group.

German Collier Cleared for Saigon.

Singapore, April 13.—The German collier Hinde, which was refused clearance papers yesterday, was released today. The vessel at once left port, heading for Saigon.

Renewal of Fighting Expected.

Gunshu Ling, Manchuria, April 13.—The Japanese have occupied Tulu Chu, northwest of Schuan Miaodzy, until better weather prevails. A renewal of fighting is expected shortly.

The Raleigh on Watch.

Washington, April 13.—The navy department is advised that the cruiser Raleigh sailed from Labuan, Borneo, for Cuyo, Philippines. The Raleigh is watching the movements of the hostile fleets, evidently being informed of the departure of the Russian fleet northward.

Gave It Away to Griscoom.

Washington, April 13.—The state department made public today official correspondence which disclosed the fact that the Japanese government announced to Minister Griscoom at Tokio on February 6 of last year the breaking of diplomatic relations with Russia, and assured him that hostilities would not begin until a declaration of war had been made. Fighting actually began February 8.

145,000 Tons of Coal.

Paris, April 13.—Herr Bekal, a Russian agent, has, according to a dispatch from St. Petersburg, collected 70,000 tons of coal at Saigon, and 50,000 tons at Shanghai, for the use of the Russian fleet.

Ask to Replace Military Observers.

Washington, April 13.—The army department has asked the Russian government to grant permission to replace the two officers of the United States army captured by the Japanese at Mukden.

Derrick Killed 11 Men.

St. Petersburg, April 13.—A derrick

in the Putloff iron works fell this afternoon, killing 11 men and injuring 15 others.

Hospital Ship Reinforcing.

Saigon, April 13.—Rojstvenky's hospital ship arrived here last night to take on provisions, coal and medicines. She will leave tomorrow to rejoin the main squadron.

NEW POINT IN 'FRISCO MURDER.

Brush Found With Which Blood Was Washed Out.

San Francisco, April 13.—The only new point developed in the Vilardo murder case is the discovery by the police of the store where Torturisi bought the whitewash brush which it is alleged he used in painting out the bloody evidence of the crime. It turns out that at the time it was purchased the police with bloodhounds were encircling the block in which the murder was committed. The time of the purchase of the brush shows that Torturisi must have whitewashed the blood splashed walls as late as hours after he is supposed to have committed the murder.

FINED SENATOR JONES.

Also Must Pay the Costs for Failure to Appear and Testify.

San Francisco, April 13.—United States Senator Jones was taxed \$273 and costs by Judge Murasky this morning for failure to appear as a witness at the trial of a suit for \$27,000 brought by Captain William Fleming against William Fleming, which was to have begun last Tuesday. The case is continued until April 24, when further costs will be assessed if the senator still fails to appear. He is now in Canada.

Mrs. Swift Is President.

Washington, April 13.—Mrs. Mary Wood Swift, of San Francisco, was today elected president of the National Council of Women now in session here. Mrs. Belinda S. Bailey, of San Francisco, is corresponding secretary.

NO SHIPMENTS WITHOUT DIPPING

O. R. & N. ISSUES CIRCULAR ON INSPECTION.

All Sheep Destined Out of the State Must Have Certificate From Federal Inspector Before Being Received for Yardage or Shipment—No Concessions to Be Granted This Year—Instructions Are Definite and Positive, and the Sheepmen Will Back the Railroad.

Agent E. C. Smith, of the O. R. & N., has just received a letter from C. J. Millis, livestock agent of the system, giving positive instructions regarding the shipment of sheep this season.

The circular strictly enjoins all agents of the O. R. & N. system to refuse to receive sheep for yardage or shipment unless accompanied by the certificate of the federal inspector, if such sheep are destined for out-of-state points.

Last year concessions were granted shippers giving them the privilege of dipping at destination, but this season it is imperative that all sheep destined for points out of the state must be dipped once, if known to be clean, and twice if infected and the railroads will not receive sheep not having certificates from federal authorities to this effect.

Last year several shipments sent out of this state developed scab after reaching Montana, and the Montana authorities have made loud complaint against any further permits being granted to Oregon sheep.

It is the intention of the federal inspectors and the railroads to eradicate every appearance of disease among Oregon sheep and to this end the regulations in making shipments will be strictly enforced in every instance. Sheepmen are heartily in accord with this regulation, as it is an assistance in ridding the state of scab, if any exists.

WOULD SHUT DOWN SMELTERS.

Utah Farmers Ask for Sweeping Restraining Order.

Salt Lake, April 13.—Papers drawn up today in one of the most far-reaching suits in the history of Utah. Farmers in the vicinity of the smelters here will ask the courts to permanently restrain all the smelters from operating in Salt Lake valley. If the injunction is granted it will paralyze the mining industry of the inter-mountain region, throwing thousands of men out of work. The farmers want the smelters condemned as nuisances and as detrimental to crops.

Cyrus Barker, of Anaconda, Mont., was killed by his traction engine knocking him down and running over him while he was moving a house.

JURY RETURNS INDICTMENTS

Beef Trust Investigation Now Working Along Unexpected Side Lines.

ALLEGED CONSPIRACY WITH INTIMIDATIONS.

Perjury May Have Been Included in the Counts Brought Against the Head of a Packing Company and a Trusted Employee of Another—A Department Manager Returns From Canada, Is Put Under Arrest and \$10,000 Bonds to Appear as a Witness—Making It Hot for Standard Oil Company.

Chicago, April 13.—Two indictments were returned by the United States grand jury investigating the alleged beef trust this morning, and bench warrants were immediately issued by Judge Humphreys for the apprehension of the persons named in the papers. Strict orders were issued by the court to keep the names quiet until the arrests were made.

The basis of the indictments is said to be conspiracy, and intimidation of witnesses, although perjury may be the allegation. It is rumored the indictments include the head of one big packing company and a prominent employee of another.

Edward D. Fish, one of the department managers for Schwarz & Sulzberger, who returned from Canada yesterday, was arrested today and held in \$10,000 bonds to appear as a witness before the grand jury.

Shovin' Standard Oil.

Springfield, Ill., April 13.—The house today passed the third reading of the bill making all pipe lines common carriers and giving the railroad commissioners power to fix rates.

DISMISSED FROM THE ARMY.

Ladies' Man Makes Trouble and Is Made Trouble.

Washington, April 13.—The court-martial in the case of Captain George W. Kirkman, of the 25th infantry, at Fort Niobrara, Neb., has sentenced him to dismissal from the army. The principal charge against Kirkman was relations with the wife of a fellow officer. The woman recently committed suicide.

Argument Postponed.

New York, April 13.—The argument on the motion of the counsel for Nan Patterson to inspect the minutes of the grand jury which indicted the actress as a co-conspirator with J. Morgan Smith and wife, was adjourned today by Justice Foster until tomorrow morning.

MONTE KNOWN IN LANE COUNTY

Umatilla County Man Had an Unsavory Record.

In speaking of Monte, who has been indicted for murder for giving arms to Tracey and Merrill, the Eugene Guard says:

Charles Monte, who, with Harry Wright, was indicted by the Marion county grand jury for murder in the first degree in furnishing the rifles to Merrill and Tracey, who killed several prison guards at the Salem penitentiary on June 2, 1902, was sent to the penitentiary from Lane county. He was arrested with one Norton by Night Watchman George Croner while attempting to burglarize F. E. Dunn's dry goods store in this city, about five years ago.

Harry Wright is a Lane county boy and is now serving a term in the Washington penitentiary at Walla Walla. He was formerly a convict in the Oregon penitentiary. He was at liberty at the time of the Merrill and Tracey outbreak and it is charged that he passed guns and ammunition over the prison walls.

Four hundred indictments have been brought by the Franklin county, Kentucky, grand jury against the Standard Oil company for failure to take out a pedler's license in that state as required by a state law.

Colorado Social Event.

- Cripple Creek, April 12.—Mrs. Samuel Vidleck, the wife of a well known newspaper man who is chairman of the republican central committee, shot Mrs. Helen Coulter Douglas, said to be a society woman of Colorado Springs, through the heart in a room of the National hotel this morning. It is reported she found her husband in a room with the woman.