

Read the advertisements in the East Oregonian. They come from the most enterprising citizens.



WEATHER FORECAST

Rain or snow and cooler tonight, Sunday probably fair.

INVESTIGATION BY COMMISSION

Interstate Commerce Commission Will Inquire Into Oil and Railroad Monopolies.

HOGGATT WILL BE THE GOVERNOR OF ALASKA.

Attorney General Moody Expected to Next Week Make the Closing Argument for the Government in the Packers' Cases—Conditions Outlined Under Which Oklahoma Will Become a State: Prohibition in the Portion Now the Indian Territory, Will Have Five Members of the Lower House—Heavy School Appropriation.

Washington, March 10.—The interstate commerce commission this morning formally ordered an investigation into the alleged railroad and coal oil monopolies.

Hoggatt Governor of Alaska. Washington, March 10.—Senator Piles announced this morning the president has decided to appoint W. H. Hoggatt of Juneau, governor of Alaska.

Will Present Government Case. Chicago, March 10.—Attorney General Moody arrived this morning for a conference between the government and the attorneys in the packers' case. It is believed he comes for a final presentation of the case and will probably make an argument himself next week.

Johnson Severely Wounded. Manila, March 10.—The wounds of Lieutenant Johnston at the battle of Jolo were severe. A slug passed through his right shoulder as he scaled the wall of the crater, and he was blown from the parapet by exploding artillery. Commanding in command of Colonel Scott, headed one of the assaulting columns.

Conditions of Statehood. Washington, D. C., March 10.—As amended by the senate the statehood bill provides for the creation of state of Oklahoma out of Oklahoma and the Indian territory, upon the adoption of a constitution.

The state is allowed the full quota of executive, judicial and legislative officers, two United States senators and five members of the national house of representatives.

Indians Eligible. A constitutional convention with 110 members, 55 of which are to be chosen by each of the territories comprising the state, are provided for, and all the male citizens or male Indians 21 years old are made eligible to membership in it.

Special provision protecting the Indians in their rights is made continuing the prerogative of the national government to control their affairs. The sale of intoxicating liquors in what is now the Indian territory is prohibited for 21 years and longer unless the constitution is changed.

There is an appropriation of \$5,000,000 from the national treasury for the benefit of the schools and provisions is made for the support of higher education and charitable institutions.

As to Employers' Liability. Washington, March 10.—The house committee on judiciary today carried a report favorable to the employers' liability bill. It is supported by the labor organizations and makes common carriers responsible for the death or damage to any employee as a result of any negligence by any other employee or defect in the property operated.

Rockefeller Dodging the Law. Lakewood, N. J., March 10.—Indications are that Rockefeller is at his country home here, closely guarded, and none of the servants will talk. Mrs. Rockefeller frequently goes to the station in a carriage, meets individuals and takes them home.

Eight Killed by Earthquake. Lahore, India, March 10.—By an earthquake at Bahar, eight were killed and 24 injured. The property loss was great.

Oil Company Must Testify. Jefferson City, Mo., March 10.—The supreme court this morning overruled the motion for a hearing in the Standard Oil case and ordered the secretary of the Republic Oil company with certain books and documents to appear for the hearing at St. Louis March 19.

DOWN FROM GARDENA.

Henry Lazinka Enthusiastic Over New Alfalfa District Near the State Line.

Henry Lazinka, the well known Camas Prairie cattleman, who is now ranging his cattle in the Hudson Bay and Gardena district near the state line between Oregon and Washington, is in the city to spend Sunday with his family.

He is enthusiastic over the prospects ahead of the Gardena district and believes it will prove to be one of the richest in the inland empire. The Burlingame ditch which is now being completed will furnish sufficient water to irrigate from 2000 to 10,000 acres of level sandy land which is highly adapted to fruit, alfalfa and semi-tropical crops and new settlers are making purchases every day.

The land is selling at from \$60 to \$100 per acre in the raw state, but with water upon it the value increases to \$200 to \$250 per acre.

E. C. Burlingame, owner of the new tract, will probably seed 1000 acres to alfalfa this season, beside building a large amount of new ditch covering still more tillable land.

Mr. Lazinka and others are now holding about 1000 head of cattle in that vicinity, awaiting for grass to grow in the Camas Prairie district.

Bryson Is a Candidate.

Roscoe S. Bryson, formerly of this city, is now a candidate for justice of the peace in Eugene. Mr. Bryson has been a resident of Eugene for the past three years.

WALTERS WILL GET NEW TRIAL

CONVICTED OF SELLING INTOXICANTS TO MINORS.

Motion Granted by Judge Eakin, Who Finds That the Court Erred in Its Instructions to the Jury By Permitting It to Consider Illustrative Evidence From Which to Draw an Inference of Guilt; Such Evidence Being Now Disqualified as Being Prejudicial.

C. H. Walters, the Weston saloon keeper, who was convicted here some time ago of having sold liquor to minors, has been granted a new trial by Judge Eakin, who filed Judge Ellis' station here that day.

Immediately after the jury in the case had returned a verdict of guilty J. P. Winters, attorney for Walters, moved for a new trial on the ground that the judge had erred in giving his instructions. This contention is upheld by Judge Eakin in his decision, which is as follows:

"This cause comes on for hearing upon defendant's motion to set aside the verdict herein upon the ground of the error of the court. I am of the opinion that the instruction objected to, insofar as it authorized them to consider the evidence of another similar crime as a circumstance tending to show the probability of the guilt of the defendant in this case, was error, and such as must be presumed to be prejudicial, and for this reason the motion should be allowed."

Accordingly District Attorney Phelps Walters will be retried at once if the same is convenient for the court.

FORTY-SIX EAGLES INITIATED.

Last Night Third Anniversary of Order in Pendleton.

Last night the third anniversary of the Pendleton order of Eagles was observed with a big session at which a class of 46 was taken into the order and a banquet served afterwards. During the lodge session Lee Held, president of the order, filled the chair, while Judge Thomas Fitz Gerald officiated as toastmaster at the banquet.

In the initiatory class were many who are prominent here and elsewhere over the county, among the number being the following candidates for political honors: County Judge Bean, Commissioner T. P. Gilliland, F. W. Hendley, Fred Shoemaker, C. W. Steen and others.

OSBORNE DAVEY DEAD.

Body Will Be Taken to Albany for Interment.

Osborne Davey, a patent at the county poor farm, died at 3 o'clock last night from a complication of troubles. The deceased was 35 years of age, and formerly lived at Albany, Ore., where his mother still resides, and his body will be shipped there for burial. He had been around the city for some time before being taken to the poor farm. His body is now at the Rader undertaking parlors, and will be shipped to Albany on tonight's train.

Eugene Richter is Dead. Berlin, March 10.—Eugene Richter, the radical leader in the retchstag, Bismarck's old opponent, died this morning.

WILL DIP AND KILL FOR MANGE.

At the Umatilla agency a council of the Indians will be held Monday for the purpose of taking action towards dipping the horses afflicted with mange.

In speaking of the matter yesterday, Major Edwards, agent at the reservation, said a strong effort will be made to blot out the mange from the reservation. All animals that are not too badly affected with the disease will be dipped, while the hopeless cases will be shot. The federal inspectors are taking the matter in hand, and when the big round-up of Indian horses occurs this spring the animals afflicted with mange will all be treated as above mentioned.

EXPLOSION OF A FREIGHT ENGINE WILL APPEAL TO HABEAS CORPUS

Machine Was Entirely New and Accident Was Due to Low Water in the Boiler. Miners' Federation Attorneys Seek the Release of Vincent St. John of Burke Union.

TWO MEN WERE KILLED AT THE FIRST SHOCK. HE IS HELD WITHOUT ANY APPARENT WARRANT IN LAW

A Third Man Was Injured Until He Will Die—One of the Men Was Blown Three Hundred Feet—Two Firemen Fatally Injured by the Falling of an Elevator During a Seattle Fire Which Did Slight Damage to Property—They Were Engaged in Laying a Hose Through an Elevator Shaft, When the Elevator Fell From the Top Story.

Sacramento, March 10.—The engine of an extra freight eastbound blew up near Gold Run, on the Southern Pacific mountain line at 11:30 last night and killed Fireman W. F. Austin of Rocklin, and brakeman W. F. Frazer, of Sacramento, and fatally injured Engineer Frank Doran, of Rocklin.

Explosion was caused by low water in the boiler. The track was torn up and traffic delayed till 7:30 this morning.

Doran was blown 300 feet to the hillside, both arms broken and he was burned about the face and injured internally, and will die. Fireman Austin was horribly mangled and died this morning, being taken to a railroad hospital at Sacramento. Frazer was hospitalized.

The engine was new. Boise, March 10.—Attorneys Richardson, Miller and Nugent, for the Western Federation of Miners, are engaged in preparing a petition for a habeas corpus writ to release Vincent St. John, president of the Miners' union at Burke, Idaho, arrested February 19, charged with the murder of Steunenberg. St. John has been confined in the penitentiary at Boise since his arrest, no preliminary examination having been given him, and no indictment having been returned by the grand jury.

The prosecution claims the prisoner is held awaiting action by the grand jury and will be discharged if that body adjourns without finding an indictment.

Federation attorneys are preparing to take habeas corpus case of Moyer and others to the supreme court of the United States if the Idaho court decides against them. The opinion will be announced Monday.

KILLED BY SEWER GAS.

Two Would-Be Rescuers Overcome, But Resuscitated. San Francisco, March 10.—Michael Haley, while repairing a blind sewer at Polson and 7th streets at noon, was overcome by sewer gas and lost his life. In attempting to rescue Haley, J. J. Crooks, for whom Haley was working, and Frank Vlyian, a plumber, were also overcome, but were resuscitated in a hospital.

THREE ELECTROCUTIONS.

Wire Down by a Storm at Boston, Mass. Boston, March 10.—Traffic communication along the coast is almost destroyed by a storm. Three deaths by electrocution from fallen wires near this city have occurred.

Convicts Sentenced to Hang.

Jefferson City, Mo., March 10.—Harry Vaughn, George Ryan and Ed Raymond, the convicts who killed Gateman John Clay in the mutiny at the penitentiary November 24, were sentenced today to be hanged April 20. An appeal was granted.

Aeronautic Contest Today.

Pittsfield, Mass., March 10.—The contest of Aeronauts Charles Levee, a Frenchman, and Lee Stevens, an American, has begun with preparations for an ascent in a 40-mile gale this afternoon.

Man Found Dead.

Marengo, Ill., March 10.—A young man was found dead on the railroad track. The only clue to his identity was a photograph of a girl inscribed, "Wealth of love—Vannie Miller, Grand Encampment, Wyo."

PENDLETON HELPS JAPANESE SUFFERERS

Pendleton people will help the starving people of the famine-stricken portions of Japan, and on Monday the first donation from this city will be sent away. This afternoon Rev. Robert Warner, of the M. E. church, received one check from J. B. Mumford for \$50 to start the relief fund and subscriptions will be forwarded to Japan to be distributed among the sufferers.

STEAMER GONE AGROUND.

Proved to be a Collier—The Crew Were Rescued.

London, March 10.—A large steamer, thought to be a passenger, struck northwest of Ushant, 27 miles from Brest, and shortly afterward sunk. She was out of the usual track of American-European liners.

Later.—The steamer ashore is a collier. Her crew has been rescued.

CHARGES WERE DISMISSED.

Ex-Mayor Glassman Arrested on Contempt Charges. Ogden, Utah, March 10.—Charges of infeasance against District Attorney Halverson have been dismissed. Former Mayor Glassman, who preferred the same, has been arrested for contempt for criticizing the court's decision.

HOLDUPS BADLY BEATEN.

Caught in the Act and Resisted Arrest by the Police. Ogden, Utah, March 10.—Robert Chadwick and Frank Hinkley were captured by the police this morning in the act of holding up a saloon. A fierce fight took place and the hold-ups were beaten to a pulp.

CHICAGO WHEAT MARKET.

Quotations From the Greatest Wheat Center in the World. Chicago, March 10.—Wheat closed today at 71-1-4, corn at 42-1-2 and oats at 29-3-4.

ARE OVER 150 APPLICATIONS

THE GREATER PART WILL PROBABLY BE ACCEPTED.

Work of Inspecting and Deciding Will Begin Next Tuesday and Be Prosecuted as Fast as Possible—Unless, in the Judgment of the Agent There Is Good Reason for One Renter Securing More Than 640 Acres, That Figure Will Be the Limit—Lessees Need Not Reside on Land.

Of the 150 or more applications for leases which are now on file at the agency office, the greater part will probably be accepted, according to statement made by Major O. C. Edwards yesterday afternoon. However, the major added that it is impossible for him to say definitely at this time regarding the action to be taken, for the reason that he will first have to consult with the intending lessees before deciding on their claims.

It is the intention to commence next Tuesday upon the applications that are on file, and from that time on until all are disposed of, the making of leases will be the principal business at the agency. A few days ago Major Edwards stated that the leases would be taken up Monday, but yesterday he said such could not be done because of a mangle council which is to be held that day. Also, the agent's time on Wednesday will be taken up with an organization that is to be formed among the Indians, but the subject of leases will be taken up the following day. As to how many leases can be disposed of in one day there is some question, but the major believes four or five can be made daily. When the applications are properly filled out the work can be done in a short time. It is Major Edwards' intention to have all of the applications disposed of by April 23.

Not over one section of land will be leased to any one man, according to Major Edwards, unless it can be shown by the lessee that by taking more the Indians will be benefited. While the 640-acre limit is the rule of the department, it has been set aside by the department as far as the Umatilla reservation is concerned, and when in the judgment of the agent the welfare of the Indians may be better served by one man being allowed over this amount, it may be done. However, the burden of proof is upon the lessee, and apparently Major Edwards is disposed to be rigid in the matter. The simple consent of the Indians to allowing one man more than 640 acres will not suffice, nor will the offering of a higher bid necessarily allow a lessee to go beyond the limit. However, should there be an Indian who has land which is so located that he cannot well lease it except to a man who already has 640 acres, the limit will be extended so as to permit the isolated allottee to rent his land.

While Major Edwards declares it is the policy of the department to encourage lessees to live on their leased lands, he says this will not be considered in making the leases, as there is no rule which requires a tenant to live on the land. However, the character of the applicant must be satisfactory, as it is necessary for the agent to approve the same when he sends the lease to Washington for ratification.

1400 MINERS ARE TRAPPED

Of Eighteen Hundred Who Descended But Four Hundred Escaped.

FIRE FOLLOWED THE EXPLOSION OF DAMP.

Flames Reached to the Top of the Shaft, and Those Who Escaped Went Out by Lateral Galleries—Successive Explosions Are Feared and the French Government is Taking Emergency Measures to Save Life—Latest Reports Are That One Hundred Have Been Taken Out Injured—Origin and Extent of District Not Ascertained.

Paris, March 10.—Terrible loss of life is reported in a coal mine near Calais. An explosion of fire damp occurred soon after. Eighteen hundred workmen descended into the mine, and fire followed. It will be a miracle should a single miner escape.

The fire is so fierce the flames reached the top of the shaft. None have yet made their way out, and the flames are so vicious it seems impossible by any means to avoid death under ground. Rescuers are unable to approach the entrance.

Imprisoned 1400. Paris, March 10.—Several lateral galleries apparently escaped the ravages of the flames, and there is hope that some miners escaped. Successive explosions are feared. The government is exerting every effort to aid the imprisoned miners.

A courier from the scene says that 400 escaped. Rescuers took out 120 injured.

Accident Stops Rescue. The lift has broken, stopping rescue work. There are cases of partially asphyxiated in the relief party, including Chief Engineer Stow. This circumstance precludes the possibility of saving several hundred. Many corpses were removed before the break in the lift, and the miners inside are heard calling.

LEAGUE MEETING TONIGHT.

Will Select By-Laws and Elect Corps of Officers. This evening there will be a meeting of the Umatilla County Development league in this city for the purpose of perfecting the organization by acting upon the by-laws that have been drawn up, and selecting permanent officers for the organization. The meeting will be held in the rooms of the Commercial association, and representatives are expected to be present from the other towns of the county.

Here From Lapwai.

A. T. Moore, who has been visiting on the Umatilla reservation, will return to his home at Lapwai, Idaho, next Monday. Mr. Moore is a graduate of the Indian school at Chemawa and while in Pendleton subscribed for the East Oregonian for a year to be sent to Lapwai.

AS TO MACADAM HIGHWAY.

Walla Walla and Umatilla County Courts Will Confer. On Monday morning the members of the county court will be to Freewater for the purpose of meeting with the commissioners from Walla Walla to investigate the matter of constructing a macadamized road from Freewater to Walla Walla. There are three roads leading into Walla Walla from this county, and the commissioners from the two counties will go over the different routes and decide upon the most suitable for the improvement.

Under the present laws a road district may ask to have a special tax of not over 10 mills levied for the purpose of road work within that district. This, it is understood, the people of Ferndale and North Milton districts wish to have done in order to have their road macadamized. About four miles of the proposed road will be in this county.

Yesterday afternoon a committee consisting of Messrs. Hobbs, Chastain and Lloyd waited upon the county court here and asked them to meet with the Walla Walla officials.

Murdered Women and Children.

Manila, March 10.—It is estimated that 900 were killed in the Jolo battle. Moro families remained in the village and women and children mingled with the warriors during the fight and all were killed.