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East Oregonian

WEATHER FORECAST.

Fair tonight and Friday.

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WESTON, OREGON, THURSDAY, APRIL 18, 1907.

NO. 5954

SELECTING JURY MOST DIFFICULT

Both State and Defense Are Hard to Please in the First Stages of McManus' Trial.

FEW MEN CAN BE FOUND WHO DO NOT READ THE E. O.

And Through That Medium Keep Posted on Every Detail of Every Important Event—First Man Called Was Rejected—Second Man Called Was First Juror Accepted, Although He Does Not Believe in Capital Punishment—Attorneys on Both Sides Show Extreme Caution.

Three Jurors Selected. At 3:20 this afternoon three jurors to sit in judgment upon Mr. McManus had been selected. They are: J. H. Key, of Weston. S. T. Phillips, of Milton. R. G. Still, of Milton.

John P. McManus is now on trial in the circuit court for the killing of "Pop" Estes, and the entire time thus far has been occupied in the selection of a jury. Owing to the wide publicity given the case and the extensive acquaintance both of McManus and the Estes family, it has been hard to find jurors who are qualified to serve.

For the defense, Colonel J. H. Paley has examined the prospective jurors, and in each instance he has gone thoroughly into the juror's knowledge of the case, his acquaintance with the parties interested and the state of his mind as to the guilt or innocence of the accused man. Almost invariably he asked if the juror has at any time been connected with the saloon business, while his lodge affiliations and his family state has also been inquired into.

In question for the state, District Attorney Phelps has also been very cautious. But from the nature of things his examination has not been as exhaustive as that for the defense. Both attorneys have inquired particularly as to in what papers the jurors read accounts of the killing of Estes, and the district attorney has shown special interest in an article from McManus himself, published in this paper a week ago.

Promptly at 9 o'clock this morning court was called to order by Judge Bean, and the bailiff in the hall proclaimed that court was in session. A moment later McManus was brought in by Deputy Joe Blakeley. The defendant was accompanied by his wife, who has occupied a seat near him during the trial.

"The clerk will shake the box and call the jurors," ordered Judge Bean after the attorneys had expressed their readiness to proceed.

Morrison Rejected. G. M. Morrison, the Adams farmer, was the first man called and he was sworn and questioned before another name was drawn. He proved frank and intelligent, and while declaring that he had formed some opinions in the case from what he had read and heard, yet he believed he could lay the same aside if chosen and try the case according to the law and evidence. He was accepted by the defense. However, on being examined by the district attorney he said the difference in the social standing of McManus and he killed would probably have an effect upon his decision. Accordingly he was challenged for cause by the state.

Key Was Chosen. J. H. Key, a farmer living near Weston, was next called and after an extended examination was accepted by the defense. On being examined by the state he declared he believed capital punishment to be wrong, but that if required to try a case where in the punishment might be death he would accept the law as it is. He was accepted.

S. A. Hampton was the next called and he promptly disqualified himself. \$25,000 Recovered at St. Paul. St. Paul, April 18.—The \$25,000 stolen from the Northern express office at the Union depot Tuesday night when Clerk Zimmerman was forced at the point of a pistol to open the safe, was recovered today by Chief of Police O'Conner. John Gunderson confessed and plotted the police to the railroad yards, and to a sand pit where the money was hidden.

Twenty Girls Reported Dead. Thought to Have Burned to Death at Montreal. Montreal, April 18.—Twenty girls are reported dead by a fire which destroyed the building of the Canada steam laundry. Many jumped from the windows. The dead and injured were brought to the general hospital.

self by admitting that he had formed an opinion in the case which it would require sworn evidence to remove. He was challenged for cause by the defense and the challenge was not resisted by the state.

F. L. McCrea, the Holdman farmer, was likewise finally challenged for cause by Colonel Raley because the prospective juror had asked Attorney Newberry for his opinion in the case and the same had been given. The challenge was resisted by Messrs. Phelps and White for the state and the same was sustained. A peremptory challenge was then made by Colonel Raley and the juror stepped aside.

O'Hara Was Excused. Ivan O'Hara, brother of Frank O'Hara of this city, was next called. He lives at Weston and has been a farmer, though he purchased a part interest in a saloon not long ago. The examination disclosed that he had been in the Pullman saloon this morning and that he had heard much concerning the case. He was also questioned at length regarding his brother's haunts here. He was challenged for cause by Colonel Raley and excused.

William Kilgore, the Weston farmer, was next, and he too was challenged for cause and upon the same being resisted by the district attorney another peremptory challenge was used by the defense.

L. A. Christopher was then called, and he too failed to qualify, being challenged for cause by the defense. Peringer Was Problem. J. W. Peringer of Adams and a brother to George Peringer of this city, was next called and he proved much of a problem to the defense. After an extended examination Colonel Raley declared he was not prepared to pass upon the juror at that time and asked to be given until after the noon recess to do so. As it was nearly 12 an adjournment was taken until 1:20. Key, the one juror chosen, and Mr. Peringer were then turned over to the bailiff's care during the recess.

This afternoon the examination of Peringer was continued, and being unable to challenge the juror for cause, a peremptory challenge was used by Colonel Raley.

Second Man Accepted. S. T. Phillips of Milton, was the second man to be accepted by both sides in the case. He is a man of

(Continued on page 5.)

SCHEDULE FOR ELECTRIC LINE BETWEEN MILTON AND WALLA WALLA IN EFFECT.

Fourteen Trains Daily, Between 7 a. m. and 8:55 p. m., Making Thirteen Stations, That Number Including the Terminals—The Usual Rule Is Followed in Designating Trains—Opens With Big Business and Vigorous Prospects.

Time cards for the Walla Walla Traction company's interurban line between Walla Walla and Milton have been issued, showing the number of stations on the new line, the time of all the trains at all the stations and other details of the service.

There are 14 trains per day between Walla Walla and Milton, numbered from No. 1 to No. 14, the first train leaving Walla Walla at 7 a. m. and the last arriving at that city at 8:55 p. m.

The time card of the interurban line shows that the cars leave the W. & C. R. depot, which is given as the starting point. The other stations running southward are as follows: Main and Second streets, Main and Sixth streets, Cherry and 13th streets, Blalocks, College Place, Walla Walla river, state line, McMinn, (Oregon), Ballou, Creamery, Freewater and Milton.

The southbound trains are given odd numbers and the northbound trains have even numbers.

The new line is enjoying an excellent patronage, every car being loaded each trip.

FIRST ANNIVERSARY. Thanksgiving Services Tonight in San Francisco.

San Francisco, April 18.—San Francisco is observing the first anniversary of the great disaster by working as hard as ever for the restoration of the city. All sorts of public offices are open as usual, and flags throughout the city are at full mast.

In a number of churches this afternoon and tonight thanksgiving services were held.

Twenty Girls Reported Dead. Thought to Have Burned to Death at Montreal.

Montreal, April 18.—Twenty girls are reported dead by a fire which destroyed the building of the Canada steam laundry. Many jumped from the windows. The dead and injured were brought to the general hospital.

LEGAL TRAIN TO PORTLAND

Railroad Commission Recommends Biggs Local to Be Run to Pendleton.

TOO EASY TO ACQUIRE DESERT LANDS NOW

Governor Hagerman of New Mexico, Through a Personal Friend of Roosevelt, Resigned by Request and Will Be Succeeded by Governor Curry of Samar Province—Hull of Iowa Declares 75 Per Cent of the People of That State Want Him for President Again.

Washington, April 18.—Representative Mondell of Wyoming is here in connection with land matters now before the interior department.

He says a revolution in land management is not needed, but amendatory laws are necessary. He thinks it might be good to pass a law providing for a lease system with the right to purchase, and insists the present method of obtaining desert lands is too easy.

Gov. Hagerman Had to Resign. Washington, April 18.—Governor Hagerman of New Mexico, has resigned and Captain George Curry has been appointed. Curry is now governor of Samar province, Philippines. Hagerman is a personal friend of the president, but this was unavailable. Valid charges were preferred against him and his resignation came "by request."

Iowa Bound to Have Roosevelt. Washington, April 18.—Representative Hull of Iowa, was a White House visitor today. He declares that 75 per cent of the people of Iowa are for Roosevelt for a third term.

Conservative Democrats' Choice. Washington, April 18.—Judson Harmon, Cleveland's attorney general, has consented to stand as a presidential candidate of the conservative democrats.

LOVESICK KIDS SUICIDE. Jump From a Footbridge Over Jackson River.

Staunton, Va., April 18.—Mabel Pendleton, aged 18, and Stuart Gay, aged 16, en route to Washington to be clandestinely married, were intercepted this morning after midnight and by order of their parents sent toward their home at Clifton Forge on an early train.

Crossing a footbridge over Jackson river the couple leaped into the water 40 feet below and were drowned. The bodies were not recovered. The boy's father is a railroad conductor on the C. S. G. railway.

MCLEAN VS. HOWARD. Battle for Presidency of the Daughters of American Revolution.

Washington, April 18.—The opposition to Mrs. McLean in the Daughters of the American Revolution crystallized today in the nomination of Mrs. Eleanor Washington Howard, of Virginia. Fewer than 19 states have endorsed Mrs. Howard, while 37, nearly all unanimous, have endorsed Mrs. McLean. The balloting will close tonight.

Six Cardinals Inducted. Rome, April 18.—Six of the seven new cardinals received red hats today at the public consistory. A magnificent papal procession and ceremonial, Rinaldini will receive the hat at the next consistory.

Kidnaped Boy May Be Located. Cambridge, M. D., April 18.—It is reported here that Horace Marvin has been located near here. The police have hurried to the scene and declare the boy will be rescued before night.

Yesterday's Baseball Scores. Los Angeles, April 18.—Los Angeles 2, San Francisco 0.

San Francisco, April 18.—Portland 2, Oakland 5.

Chicago Wheat Market. Chicago, April 18.—Wheat opened 77, closed 77 1/8; corn opened 46 5/8, closed 47; oats opened 42 7/8, closed 43.

To Light Main Street Bridge. At the meeting of the city council last night Dr. F. W. Vincent, manager of the Northwestern Gas & Electric company, requested the privilege of placing a large advertising sign, "Cook With Gas," on main street bridge for the purpose of advertising the gas plant as well as light up the bridge. The matter was referred to street committee.

MONDELL HAS A LEASING PLAN

Montana Member of House Would Lease Range With Privilege of Purchase.

PROBABLE SUCH SERVICE WOULD GO STILL FARTHER.

In That Event Pendleton Passengers Would Have a Daylight Ride Through to the Valley—Such a Service Has Long Been Contemplated by the O. R. & N. People, as it Holds Many Advantages for the Traveling Public Over Traveling on Main Line Trains—Big Patronage Certain.

That the long cherished dream of Pendleton Commercial association for a local train on the O. R. & N. between Pendleton and Portland, will at last be realized, now seems probable. The Oregon railroad commission has suggested that the local train now in service between Portland and Biggs, be run into Pendleton to accommodate the heavy local travel between the metropolis of eastern and the metropolis of western Oregon.

The O. R. & N. passenger department is now considering the matter and it is believed by all who are familiar with the intentions of the company in the matter that if the Biggs train is run to Pendleton that it will not stop here, but will be run to Walla Walla and possibly to Dayton, thus giving the people in the inland empire a daylight local train to Portland every day.

Such a train was talked of by the company long before a railroad commission was created and it is believed that the train will be put in service as soon as equipment can be secured. It is almost certain that the train will not stop in Pendleton if it is put into service, since the company will soon install the Pendleton-Walla Walla passenger train anyway, and when the service is changed in any way, it is believed that the Portland-Biggs train will be run into Walla Walla via Pendleton.

The patronage of the Portland-Biggs train is very heavy and it has stimulated travel between the Columbia river counties and Portland to an enormous extent. The coaches are loaded almost every trip, and it is used almost exclusively in its territory in preference to main line trains.

The same patronage would be given a through train from Walla Walla to Portland, it is believed and would give this and other inland empire counties an excellent service with Portland.

The letter of the railroad commission suggesting the new service complains that the main line trains are often over crowded with the local travel and that the new train is actually needed in this territory.

ANTI-GERMANIC INFLUENCES. English and Italian Coalition Thought Possible.

Gaeta, Italy, April 18.—The king and queen of England arrived today by royal yacht to visit the king and queen of Italy. Europe regards the meeting as of the greatest political significance. It is likely the meeting will have an important bearing upon the coming peace conference at The Hague.

England is believed to be trying to detach Italy from the triple alliance, the breaking of which will further isolate Germany. Germany seeks Italy's support for unlimited armaments.

Attempted Killing of Persian. Baku, April 18.—The chief engineer of the Persian ministry of communications was shot and seriously wounded in a street of this city. Three passersby were also shot.

STOLE TWO SIXSHOOTERS. In Broad Daylight From Sharon & Eddings' Store.

A bold daylight robbery occurred here shortly after 11 o'clock this forenoon when two sixshooters were stolen from a case in the Sharon & Eddings second hand store in the Matlock-Brownfield building. At the time, Mr. Sharon and an Indian customer were in the back part of the store and a noise was heard in front.

On investigating further Mr. Sharon found that two large Colt's pistols had been taken from a case near the door. One of the guns had been dropped by the thief, causing the noise that had been heard.

Immediately afterward Mr. Sharon started in pursuit of the man and also notified the police. However, up to 3:30 all efforts to locate him had failed. A man answering the description of the fellow is reported to have been seen on south Railroad street carrying a pistol in each hand. This fact has caused a belief that the fellow is either drunk or partly crazed.

DESTRUCTIVE EARTHQUAKE.

Many Mexican Towns Destroyed in the South.

Mexico City, April 18.—Very meagre details continue to be received from the earthquake section, but one wire working into the devastated districts, and it is badly congested with governmental messages.

It is definitely known that Chilpancingo, Chilapa, Ayutla, Tixtia and Ometitac are in ruins, but no correct list of casualties is obtainable. The report that Acapulco has suffered from a tidal wave is confirmed, with much damage. Wires are down and it is impossible to ascertain whether any deaths resulted, but it is believed that many perished in the inundation which must have swept the greater portion of the city.

WALLA WALLA VOTED BONDS. Bonds for \$100,000 for City Hall Carried by Large Vote.

Walla, Walla, April 18.—The election yesterday resulted in an overwhelming victory for the bond issue and a fine, up-to-date city hall and fire station is insured for this city. The total vote cast was 993, 843 being for and 147 against. Only 595 were necessary to carry the proposed measure.

Three votes were disqualified, as they were marked wrong. Now that the issue has been authorized the work will continue on the hall and the council will advertise for bids on the issue of \$100,000. At the last time these bids were called for the premiums were high and they will undoubtedly be as large this time, as the Walla Walla bonds are in great demand.

RUFEF CASE CONTINUED. Telephone Defendants' Cases Continued a Week.

San Francisco, April 18.—The trial of Rufeef was continued until tomorrow on account of the serious illness of his leading counsel, Ach, who was poisoned by eating mushrooms yesterday.

The cases of Louis Glass, general manager of the Pacific States Telephone company, and Abram Detweiler, promoter for the Home company, accused of bribery, were called this morning and continued a week.

BODY OF FIREMAN IN ENGINE CAB

O. R. & N. FIREMAN EIGHT DAYS IN WRECKAGE

Body Was Not Mutilated to Any Extent and It Is Believed He Was Held in the Wrecked Cab and Met Death by Drowning—Committee of La Grande Firemen Has Been on the Scene of the Wreck for a Week—Body Sent to Portland.

The body of Fireman George McPartridge, who lost his life in the Cayuse wreck on the O. R. & N. on April 10, was discovered in the wrecked cab of the engine last evening by members of Blue Mountain lodge No. 348, of the Brotherhood of Locomotive Firemen of La Grande, who have been searching the river and scene of the wreck for the body for the past week.

The body of the dead fireman was not mutilated and it is believed that he was held in the cab and drowned. A few slight bruises were found on his head, but none of them would have caused his death it is believed.

The cab was partly submerged in the water and was so held down by the wrecked cars that it has been impossible to search it thoroughly, but upon removing the wreckage with a steam derrick which arrived from La Grande, the body was discovered where it had been imprisoned since the ill-fated morning.

As in the case of Engineer Silke, those who have seen the wreck are amazed to think that the fireman's body was not crushed or ground to pieces in the wreckage of the cars and engine.

The committee of La Grande firemen who were assigned the task of searching for their brother fireman was composed of Frank Rechen, now an engineer, W. E. Elder of the Umatilla-La Grande passenger run, O. G. Olsen of the freight division and W. A. Bruce, also of the freight division.

The body of McPartridge was discovered about 7 o'clock last evening and was brought to the city on a work train. It will be taken to Portland for interment.

Firemen Will Accompany Remains. A party of about 15 firemen of the La Grande division of the O. R. & N., will arrive tonight to accompany the remains of Fireman McPartridge to Portland, where the funeral will be held tomorrow afternoon. The body will be taken down tonight on No. 5. The O. R. & N. will relieve all the firemen that can be spared from the division to accompany the remains.

COMMITTEE OF 24 TAXPAYERS

Appointed by the Mayor to Confer With the Council as to Charter Changes.

SIX TAXPAYERS FROM EACH OF THE FOUR WARDS.

Following a Joint Report, Petitions Recommending Embodiments of Agreements Will Be Circulated Preliminary to a Special Election—Cemetery Committee Has Under Consideration a Plan Formulated by Dr. Vincent for Supplying the Cemetery With Water.

At the meeting of the city council last night Mayor Fee appointed a committee of 24 taxpayers to confer with the council upon the subject of charter changes. The appointment of such a committee was made in accordance with the action taken at the mass meeting Tuesday night, but at the suggestion of the council the size of the committee was increased from 12 to 24. Six men were named from each of the four wards of the city and the complete committee as announced is as follows:

First ward—Congressman W. R. Ellis, R. J. Slater, E. W. McComas, W. P. Temple, F. S. Curi and Dr. C. J. Smith.

Second ward—Dr. W. G. Cole, C. E. Roosevelt, Leon Cohen, W. L. Thompson, T. C. Taylor and Frank Frazer.

Third ward—Bert Huffman, C. F. Colesworthy, J. W. Maloney, G. M. Rice, M. A. Rader and J. R. Dickson.

Fourth ward—T. J. Morris, E. L. Smith, A. C. Koepfen, Charles Greulich, Lee Teutsch and N. D. Swearingen.

It is the intention for this committee to confer with the council regarding the proposed changes in the charter and petitions asking for the various features agreed upon will be circulated. A special charter election will then be called and the voters of the city will decide upon the adoption or rejection of the various changes.

Wood Water Cemetery. Dr. F. W. Vincent, local manager of the Northwestern Gas & Electric company, appeared before the council last night with an offer to install an electric pumping plant for the purpose of irrigating Olney cemetery.

By the terms of the offer the electric company will furnish power for pumping purposes for a price of \$3 per horse power per month. A 30 horse power motor was suggested, which would make the cost of pumping \$90 per month. The cost of installing the plant and the well is estimated at \$1,000 or \$1,100.

The proposition was referred to the cemetery committee.

SHEEP MUST BE DIPPED. Forestry Officials Must Have Certificates Before Permitting Sheep to Enter Reserve.

Forestry officials in charge of the Wenaha and Blue mountains forest reserves must have certificates of dipping from state or federal officials before permitting Oregon sheep to enter the allotted ranges in the reserves. A letter from Acting Forest Supervisor Henry Ireland of Sumpter, to the East Oregonian, gives sheepmen the following emphatic instructions concerning dipping:

Sumpter, April 18, 1907. All sheep owners, who are granted the privilege of crossing, or grazing within the Blue mountains (east) national forest reserve, will be required to furnish a dipping certificate signed by either a county or federal inspector showing that their sheep have been dipped since April 1, 1907, in accordance with the requirements of the bureau of animal industry and laws of the state of Oregon, before their stock will be allowed to enter the forest reserve.

Very truly yours, HENRY IRELAND, Acting Forest Supervisor.

Signals of Distress Flying. Newton, Down Coon, April 18.—The steamer Orient has been sighted showing signals of distress in a fierce gale.

Moulders Walk Out at Seattle. C. Seattle, April 18.—The Moran Shipbuilding company, with 400 union employes, today posted notices in the shops that in future the plant will be run on an open shop basis, and proceeded to carry out the plan by putting on three non-union moulders. Twenty-three union moulders then walked out. It is believed to be preliminary to a general strike or a lockout.