DAILY EVENING EDITION

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East Oregonian.

OREGON HISTORICAL SOCIETY'S HALL CITY

DAILY EVENING EDITION

WEATHER FORECAST.

Fair tonight and Sunday.

VOL. 20. PENDLETON, OREGON, SATURDAY, APRIL 20, 1907. NO. 5956

SEVEN JURORS BY NOON TODAY

Selection of Suitable Men to Act in the McManus Case is Tedious Business.

DURING THE FORENOON FOUR WERE REJECTED

Nearly All the Talesmen Have Formed More or Less Definite and Unchangeable Opinions as to the Defendant's Guilt or Innocence—At 3:30 This Afternoon Ten Jurymen Had Been Selected—Many Talesmen Who Have Scruples Against Capital Punishment.

The Ten Men Selected.

J. H. Key, farmer.
S. T. Phillips, farmer.
R. G. Still, farmer.
W. W. Atherton, blacksmith.
S. P. Hutchinson, farmer.
Hermann Sewell, farmer.
Charles Chaney, farmer.
J. W. Tullock, farmer.
Charles McBee, farmer.
Victor Harris, farmer.

Nearly three days have now elapsed since the trial of John P. McManus for the murder of Robert Estes was begun. As we go to press ten jurors have been impaneled, with the probability that one more will be selected yet this afternoon.

The first venire of jurors was peculiar in that a great number of them came from the vicinity of Athena and had been schoolmates of the murdered man The last venire, the one from which the jurors are being examined today, represents the extremities of the county and is widely distributed. As a result of this the selection has been faster today than during the past two days, and it is thought that a jury will be had by Monday morning. All of the jurors thus far taken are farmers with the exception of one, that of W. W. Atherton, who is a blacksmith.

W. T. Fanchard, who was the first one called this afternoon and was excused, having been challenged for cause. He had conscientious scruples against capital punishment.

Wm. Claypole next stepped into the jury box and also stated that he had scruples against capital punishment. As he had formed an opinion he was excused for cause.

J. W. Tullock was next called and not having formed any opinion whatever concerning the case, he was made the eighth member of the panel. Mr. Tullock has farmed three miles south of Pendleton for the past three or four years, coming here from California.

Charles McBee, after an examination by both parties, was allowed to remain in the jury box. He had neither formed or expressed any opinion and was satisfactory to the examiners.

Victor Harris stated that he was a farmer and resided near Milton and had lived in Umatilla county 31 years He had read the accounts of the case in the papers, but was not acquainted with the defendant, and had formed no opinion of the merits of the case. Counsel for defense accepted Mr. Harris and after a short examination by Mr. Phelps was accepted by the prosecution.

There now remains but two jurors to complete the panel and there is some probability that they may be found this afternoon, esepecially as the last three were taken in succession in quick order.

Two Selected This Forenoon.

While the sheriff had reached with a summons all of the 26 men on the new venire this morning at 9 o'clock, there were not present a sufficient number of the jurymen to take up the examination. The court adjourned until 10 o'clock, at which time most of the jurors summoned were present.

Upon the convening of the court the five jurors accepted yesterday were brought from their close confinement in the jury room under the strict surveillance of the sheriff and the rigid process of adding to their number was commenced.

John Leedy was the first juror to be called and was excused for cause. He had held considerable conversation and had an opinion regarding the case, and was also conscientiously opposed to capital punishment.

J. C. Kimmery of Holdman, was next subjected to examination and stated that he had formed some opinion as to the guilt or innocence of the defendant, but that he could lay his opinion aside if the evidence warranted it. He was challenged for cause by defense, which was denied and was then peremptorily challenged by the defense.

Allen Thompson, a young man of Echo, was called and failing to satisfy the attorneys of both sides, was excused for cause.

Hermann Sewell was the first juror to be accepted, being taken without challenge by both sides. He stated that he resides about nine miles north of Pendleton and that he had no opinion as to the merits of the case; that he was a married man 35 years of age and was born in Germany.

John Switzler was the next called and excused for cause, his formed opinion being too strong.

Charles Chaney, a citizen of Pendleton, was accepted and makes the seventh juror in the case. While he had read of the case in the papers he had formed no fixed opinion and had no interest in the case. Neither did he have any relations with the attorneys of either side. He stated that he was a member of the Odd Fellows and the Woodmen, but would not be influenced in any way because of this fact that the father of the deceased was a member of the same lodge. He was not acquainted with Zeke Matthews or his barber shop.

Jim Hill to the Gulf.

Chicago, April 20.—It is rumored in financial circles this morning that the Walsh roads will become part of the Hill system, completing a Hill link to the gulf. The syndicate will assume the indebtedness of the defunct banks which will be a clearing house for the committee.

SHEEP SHEARING ON NEXT MONDAY

TEN CREWS OF TEN MEN EACH WILL BE AT WORK.

Hand Shearing Will Cost Seven Cents and Board This Year, and Hand Shearers Will Do Most of the Work—About 200,000 Sheep Will Be Sheared in Umatilla County, Mostly by Hand.

Next Monday morning if the warm weather continues, the click of at least 100 pairs of sheep shears will make music in the west end of Umatilla county.

The crews averaging at least 10 men will begin work on the large bands in the Butter creek and Pilot Rock districts and for the next six weeks the busy season will be on. Owing to the extremely unfavorable weather of the past few weeks, the grease in the wool has been sold and shearing has been impossible and for this reason the shearing season will be somewhat late.

The price for hand shearing will be 7 cents and board this season and a large proportion of Umatilla county sheep will be sheared by hand. The hand shearers will average about $5 per day, each, some of the men reaching 100 per day, others falling down to 70 and 75.

The McFarland shearing crew consisting of 10 men left the city this morning by team, for A. A. Cole's ranch on Butter creek, where shearing will begin Monday. The crew has a large number of bands engaged and will be employed for the next six or seven weeks in that district.

It is estimated that there are about 200,000 sheep in Umatilla county to be sheared, the cost of shearing this number at 7 cents per head costing $14,000, which will be divided among perhaps 100 men engaged in the work.

After finishing shearing in this county many of the crews will go to Sprague, Wash., and Huntington, where they will continue the work until the season ends in Oregon, Washington and Idaho, when many of them will then go to Montana and Wyoming to finish the season in those states in June and early July.

BORAH NOT INVOLVED.

No Connection Between Land Frauds and Steunenberg Murder Case.

Denver, April 20.—Judge M. C. Burch, special assistant United States attorney general, who has just returned from Boise, Idaho, said today that there is no connection between the land fraud investigation in Idaho and the prosecution of the Western Federation of Miners for alleged complicity in the killing of former Governor Steunenberg.

"The visit of District Attorney Ruick to Washington," said Judge Burch, "is an ordinary occurrence, as it is customary to call district attorneys to Washington for reports and consultation regarding affairs in their districts."

As to Senator Borah, Judge Burch said it is conceded that the senator has only acted in a general way as attorney for the Barber Lumber company, which company is alleged, in company with others, to have engaged illegally in obtaining timber lands near Boise.

ABOLISHING THE DIVISION SYSTEM

War Department Making Changes that Will Terminate in that Result.

FUNSTON IS TRANSFERRED FROM SOUTHERN TO WESTERN

Rhode Island Supreme Court Says Proprietors of Amusement Places May Exclude Members of the United States Navy if They Choose to Do So—Society International Law Continues in Session—Daughters of American Revolution Elect a State Regent for Oregon.

Washington, April 20.—General orders were issued from the war department this afternoon relieving General Funston at St. Louis from command of the southern division and placing him in command of the department of California, at San Francisco, probably effective June 20.

MacArthur then goes to Milwaukee, to complete his reports of his foreign trip. This is the first step toward abolishing the divisions.

Amusement Company May Exclude.

Providence, R. I., April 20.—The supreme court of this state has declared that Chief Yeoman Buzel of the navy can recover from an amusement company only the price of the amusement ticket, the company being authorized to exclude any person it does not want.

Speakers on International Law.

Washington, April 20.—At today's session of the American Society of International law, John W. Foster, former secretary of state; Judge Rose, presiren of the American Bar association, and Professor Moore of Columbia university, were the principal speakers.

D. A. R. Elect Regents.

Washington, April 20.—Among the additional state regents and vice regents the Daughters of the American Revolution has re-elected are: California, Mesdames Cameron Thom and Harry Gray; Montana, Mesdames Clifton Moose and A. K. Prescott; Oregon, Mrs. P. Montgomery; Utah, Mrs. Mary Ferry Allen; Wyoming, Mrs. Frank Mondell.

Elam Kendall ,a crippled g uest was cremated by the burning of the Hotel Campbell at Athena, Pa.

TWO EARTHQUAKE ZONES DEFINED

Government Observers and Scientists Making Estimates at Washington.

ZONES NEARLY INTERSECT ACROSS CENTRAL AMERICA

One Belts the Pacific, the Other the Earth From East to West—Today Shocks Felt in Turkey and in Massachusetts—Ex-Chief Engineer Stevens Adheres to the Belief That the Panama Canal Can Be Finished by January 1, 1915—Fire Devastates Part of Manila.

Washington, April 20.—Since December 3 there have been 26 big earthquakes and many hurricanes throughout the world.

Scientists and government officers say the quakes occur in two zones, 98 per cent of the shocks being felt within certain belts. One belt swings roughly east and west through the Mediterranean region, Asia Minor, Caucasia, Himalayas, East Indies, Central America and West Indies.

The other circles the Pacific ocean, passing along the Andes, west coast of North America, across to Asia and down to New Zealand.

In the former belt 55 per cent of the quakes, in the latter 44 per cent occur.

Earthquake in Turkey.

Constantinople, April 20.—A slight earthquake was felt this morning.

Earthquake in Massachusetts.

Boston, April 20.—Early quakes felt today in Fairview and South Pasley, Mass.

Finish Canal by January 1, 1915.

Washing ton, April 20.—Ex-Chief Engineer Stevens was in conference with the president this afternoon. Leaving, he said, "I believe the canal will be finished by January 1, 1915."

Goethals Says Stevens Bungled.

Washington, April 20.—Colonel Goethels of the army, now in charge of canal construction, reports that Stevens has misrepresented the work done.

He declares that Stevens, instead of figuring on actual work done, based his estimates on the capacity of the steam shovels, not taking into account the days the shovels did not work; that measurements were on loose earth, and much earth was removed which was wrongly dumped and will have to be moved again.

Goethals says with the present equipment it is impossible to excavate 1,000,000 cubic yards monthly, the amount Stevens reports was being done.

Great Fire in Manila.

Manila, April 20.—Fire destroyed 1100 houses and parts of the districts of Singalong, Paco and Bambang in Manila, this afternoon. Firemen, soldiers and sailors saved the American settlements and Ermita and Malate. The flames before a heavy gale swept clean 100 acres within two hours. Loss, $200,000.

POLICE GRAFT INVESTIGATION.

San Francisco Police Captain Before the Grand Jury.

San Francisco, April 20.—The grand jury this afternoon took up the subject of corruption in the police department It is expected before the day is over that Captain of Police Mooney, who makes the charges, will have told before the jury his complete story of graft. He is said to have laid before Heney damaging evidence against high officials and details of the methods invoked to extract hush money from tenderloin resorts and criminals.

IOWA BANK WAS CLOSED TODAY.

Cashier Arrested—President Guarantees Depositors.

Seymour, Iowa, April 20.—The state bank examiner today closed the doors of the Drovers' & Merchants' bank and this afternoon Cashier Leroy Ware was arrested.

President Evans has personally guaranteed the depositors.

OPEN TO ENTRY JUNE POSSIBLY

WHISTLER'S OPINION OF RECLAMATION PROJECT.

About 175 Men Are Now at Work in All Departments—A Subsidiary System Provides for Utilizing an Immense Volume of Water Without First Running It Into the Storage Reservoir.

Hermiston, April 20.—J. T. Whistler, engineer for the reclamation project, is pleased with the way things are moving in all lines of work on the Umatilla project, and states that while he does not know positively, and has received no instructions to that effect, he believes that the land will be open to entry in June.

Work at the big dam is now going on in the way which it will for some months, puffing engines, men and teams at work, and dirt flying in all directions. About 175 men are now employed there.

Work on the concrete drop from the high canal to the low canal line half way between Hermiston and Cold Springs dam is being carried on and preparations are being made to put in the necessary concrete gates and drop at the by-pass from the feed canal to the high distributing canal, which is constructed for the purpose of turning the muddy water in the flood season, directly into the distribution system without going through the reservoir.

Four tons of coal and 10 barrels of crude oil are being burned daily at the dam, the oil as yet is a little unsatisfactory, but it is hoped that it can be tried out, and that it will be satisfactory in a short time.

MURDERER HAS ESCAPED.

Shot Restaurant Man in Presence of Many Witnesses.

Oakland, April 20.—Frank Smith, the discharged waiter who last night shot and killed John Marcovich, a former employer, in the presence of the victim's wife and scores of guests in Marcovich's restaurant, has not yet been apprehended, although a thorough search is being made of Oakland, San Francisco and other bay cities.

Ultimatum to Street Car Men.

San Francisco, April 20.—President Calhoun of the United Railroads declared today that the proposal be made to the street car employes that when the agreement expires May 1, it must be renewed on the same terms, must be regarded as ultimatum. Carmen say they will not recede from their demands for $3 per day of eight hours and will strike rather than accept Calhoun's terms

Yesterday's Baseball Scores.

San Francisco, April 20.—Portland 2, Oakland 8.

Los Angeles, April 20.—Los Angeles 7, San Francisco 10.

Chicago Wheat Market.

Chicago, April 20.—Wheat opened 78 1-8, closed 78 1-2; corn opened 47 5-8, closed 48; oats opened 43 7-8, closed 44 1-8.

IN RELATION TO CHARTER CHANGES

But Two of the Amendatory Propositions Appear to be in Much Disfavor.

DISPOSITION SHOWN NOT TO FAVOR A $40,000 CITY HALL.

Also, Not to Raise the Percentage of Signers Necessary to Defeat Street Improvements—Apparently a Large Majority Favor the Remainder of Proposed Charter Changes— Sentiment Seems to Favor Opportunity to Vote Upon Measures Separately —Interest Increasing.

After an extensive canvass of public sentiment on the question of the proposed charter changes which will soon be submitted to the people, the East Oregonian finds but two of the propositions in disfavor to any extent.

These are the proposal to raise the per centage of signers necessary to defeat a street improvement from 66 2-3 to 80 per cent of the frontage along streets to be improved, and the proposed bond issue of $40,000 for a city hall.

All the other proposed changes are in favor with the people and outside of a limited number of large property owners who are opposed to everything which will increase taxation in the slightest degree, will be indorsed, it is believed.

The opposition to the city hall bond issue is not directed against a city hall, primarily, but there is opposition to such a large issue of bonds for this purpose. Many people are heartily in favor of a $25,000 bond issue for a city hall, who are bitterly opposed to $40,000 for this purpose. It is believed that if the council and committee of citizens agree to cut down the city hall bonds to $25,000 that there will be practically no opposition to the proposition.

On the increase of the percentage necessary to defeat a street improvement, small home owners who are not able to pay for expensive improvements in the outlying streets say that one or two wealthy property owners in a block may force a street improvement should the percentage be raised from 66 2-3 to 80 and for this reason they will be opposed to the change. They believe that a majority should rule and that a small minority of property holders on a block should not be given such power.

In regard to the gravity water system, the sentiment is practically unanimous upon securing such a system at the earliest possible date.

The extension of the sewer system and the extension and improvement of the levee are also in high favor with the people and will be cheerfully voted it is believed.

There is a sentiment that each item should be voted upon separately in order to give the voter an opportunity to express his objection to any measure and at the same time support those which he believes are just and right.

Should the entire list of proposed changes be voted upon in one, it is believed that the entire number would be endangered.

The citizens of Pendleton are taking a commendable interest in the proposed changes and there is an inclination on every hand to go ahead with the improvements started.

The increase in the liquor license revenues amounting to $8650 per year, beginning June 1, will meet the interest charges at 5 per cent on bonds to the amount of $173,000, and as the entire list of changes can thus be made without materially increasing taxation on the property of the city, there is a strong sentiment in favor of making all the proposed changes and beginning the improvements at once.

Engineer Fell From Train.

Engineer E. K. Arbogast, on W. & C. R. train No. 6, running from this city to Pasco, was severely, but not fatally injured last night, while the train was in South Ainsworth, says the Walla Walla Bulletin. The fireman on the train was shoveling coal to the forward part of the tender, and in some manner a large chunk of fuel rolled down and hit the engineer, knocking him from the locomotive. He fell to the ground and struck his arm on the rail of a side track, badly bruising it. Aside from a bad shaking up he escaped further injury.

Zeitz Will Quit Show Business.

London, April 20.—William Zeitz impersonating a signal man bound to railroad rails by robbers, in moving pictures of train wrecking scene, was killed today. By a mistake in signals the train failed to stop and ran over Zeitz.

MERCHANTS GIVE FIVE PER CENT OF SALES TO M. E. CHURCH FUND

Sixty-six business firms have agreed, so far, to hold "Dedication Sale" for two days preceding the dedication of the new M. E. church in this city on June 2, all the firms entering into the sales to give five per cent of their total sales on those two days to the church building fund.

It is expected that at least 80 firms of Pendleton will enter into this work to help along the church fund and give Pendleton's indorsement to the erection of this building in the city.

The work of soliciting will be continued for several days yet, as a number of firms have not been seen, but it is expected to secure the indorsement of practically all the legitimate business interests in the city.

It is the plan of the merchants entering into this sale to set aside Friday, May 31 and Saturday, June 1, as special spring sales days and as special rates have been applied for on all the roads leading to the city it is expected that large numbers of people from all over the county yill visit the city on that occasion.

Bishop Moore of Portland will dedicate the church and on Friday evening, May 31 an organ recital will be given at the church and a social evening in charge of the women of the church will be enjoyed.

On Sunday, June 2, the dedicatory exercises will be conducted and many people from the surronding country will attend.

The business men of Pendleton have responded cheerfully to the plan of giving five per cent of their total sales on the two special sales days to the church and a handsome gift for the building fund is anticipated as a result of the public spirited movement.

A list of the names of the firms entering into the sales agreement will be published, together with a cut of the new church in all Pendleton papers and the sales days will be given ample publicity.

EDWARD DAVIS' BODY NOT YET FOUND

Late this afternoon the body of Edward Davis, the young man who is supposed to have lost his life by being drowned in Meacham creek, has not been found, although a searching party in charge of Contractor Howard Frick of this city has thoroughly searched the creek for several miles where the young man is supposed to have crossed.

The saddle horse ridden by young Davis when he left the Brown ranch on Meacham creek on April 9 has returned home, with the saddle still on its back, and the butcher tools still tied upon the saddle, as when the young man left the Brown ranch for Thorn Hollow 11 days ago.

It is now thoroughly believed that he has been drowned, as he had no reason for leaving the country and being very closely attached to his mother, it is not believed possible that he has done so.

Every effort will be made to locate the body along Meacham creek or on the trails which he followed in coming from the Brown ranch to Meacham creek.

It is not believed that he met with foul play and all indications point to the drowning of the boy while crossing the swollen stream.