

WEATHER REPORT.

Fair tonight with heavy frost; Friday fair and warmer.



TO SHOPPERS.

After you have read the ads in today's East Oregonian, you are ready to go shopping.

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PENDLETON, OREGON, THURSDAY, SEPTEMBER 24, 1908.

NO. 6386

COUNCIL PROHIBITS LIQUOR BUT NOT TUBERCULAR "MIKES"

Star Chamber Session Considers Removal of the Restricted District, Order Following This Morning.

Policeman Kearney Clears Chambers of All Citizens While Council Continues Considerations of Public Matters—City Health Officer Declares There Exist Cases of Tuberculosis Caused from Milk Among Pendleton's Children—Gets No Opportunity to Urge Measure—Near Beer Ordinance Shelved—Prohibition Now City Law—Soiled Doves Must Go.

By holding a star chamber session, ordering a moving day for a large part of the red light district, slaughtering the milk ordinance and passing a sweeping prohibition ordinance, the Pendleton city council last evening broke away from the regulation routine meeting and went on record in more ways than one.

Soon after the meeting was called to order and the minutes read and approved, the prohibition ordinance, nearly an exact duplicate of the state statute, with an emergency clause attached, making it go into effect at once, giving the city police the same powers as are possessed by the county officers, was brought up and passed. Mayor Murphy immediately affixed his signature to the measure, which is now one of the laws of the city.

Milk Ordinance Killed.
The ordinance committee then reported the milk ordinance with the recommendation that it be not passed and the report was unanimously adopted, the death knell of the measure being thereby sounded without one word of discussion or comment, those present being left absolutely in the dark as to the reason for the shelving of the proposition. Drs. Cole and McClure were both present, prepared to speak in favor of the measure and to say they were greatly chagrined and disappointed when the ordinance was killed without their having been given a chance to be heard, would be stating it mildly.

Dr. Cole declares the ordinance was clearly and absolutely a meritorious measure, that its passage would have been to the best interest of the public and the dairymen alike, that no expense would have resulted to either the dairymen or the public and he fails to see any good reason why it should not have been made a law at once.

Pure Milk of Vital Importance.
"Why, that ordinance is of far more importance to the city of Pendleton at the present time than any street car franchise or the discussion of the red light district," declared the city physician, with some show of indignation. "The question of a pure milk supply is of vital importance and I cannot understand why it was turned down without any discussion or any reason being given."

The doctor then proceeded to cite instances in this city where children are now suffering from tuberculosis from, as he believes, the use of milk from tubercular cows.

Dr. McClure was equally as emphatic in his statements concerning the ordinance and the action of the council in killing it. He said the chances were very strongly in favor of Pendleton waking up some day to find itself in the grip of an epidemic which could be traced directly to an impure milk supply, and for which the council could hold itself responsible.

Why It Was Killed.
When seen this morning, members of the council gave as their reason for tabling the ordinance that it was a larger proposition than they could handle. They declared that every member of the council believed the measure to be a good thing and were

in favor of its passage, but that they feared its passage at this time would work a hardship upon some local interests without giving the relief desired. They say it would be useless for the city to attempt to regulate its milk supply until some action along this line is taken by the state, which they believed would be done at the next session of the legislature. It was cited for instance that one Echo dairyman is shipping several gallons of cream to this city and that if an attempt were made to compel him to have his cows inspected he would probably refuse and ship his cream to Portland or some other point. It was, therefore, stated by one member of the ordinance committee that this measure would be preserved and as soon as the state took some action along the line, it would be immediately passed by the council.

Slaughter House Obnoxious.
A petition was next presented to the council, asking that the slaughter pens of the Empire Meat company, located in the west end of the city, be ordered removed from within the city limits. The petition was signed by a number of property owners in that section of the city and declared that the place was obnoxious in the extreme.

Attorney Charles J. Ferguson next read a petition, signed by a number of property owners, asking that the council enforce the ordinances prohibiting the conducting of bawdy houses within the city and prohibiting the rental of buildings for bawdy house purposes. Ferguson stated his explanation that the people who had employed him were in earnest in the matter and proposed to have the bawdy houses removed. He said, however, that they did not wish to usurp the powers of the council and preferred to give the members of that body an opportunity to keep their oaths of office by enforcing the existing ordinances.

Ferguson stated further that in case the council did not order the removal of the houses in question that the petitioners would take up the matter themselves and would banish the houses, even if it became necessary to arrest and rearrest everyone in connection with them and the owners of the buildings used for bawdy house purposes.

Without any comment the petition was referred to the police committee, but it seems the members of the council had already been considering this question, for immediately thereafter an adjournment was had. The councilmen kept their seats, however, and Officer Kearney was ordered to clear the room of reporters and spectators.

Star Chamber Session.
A star chamber session was then held and though the questions discussed were supposed to have been of public interest the public was not taken into the confidence of the councilmen. As a result of this session

behind closed doors an order was issued by the mayor this morning and placed in the hands of Chief of Police Gurdane, instructing him to see that all bawdy house women are removed from the one-story buildings and the ground floors of the two story buildings on Cottonwood street, that the lattice work fences in front of these houses be torn down. The order goes into effect October 1, or one week from today.

It is believed that the order compelling these women to move up stairs will make it impossible for boys and young men to loiter about such places and that it will result in the tearing down of the old wooden shacks along Cottonwood street and the erection of brick buildings. It is certain that the row of little old cribs must be torn out and the rooms on the lower floors of the two story structures must be torn out so these floors cannot be used for bawdy house purposes.

Pool Rooms and Billiard Parlors.
Another question discussed at the star chamber session was the problem presented by the existence of billiard parlors and pool rooms. One councilman declared this morning that the evils of these places and the problems they present to the council for solution are greater than those presented by the "near beer" joints.

The ordinance which had for its object the licensing of the "near beer" houses was not brought up at the regular session of the council last evening and while it was discussed briefly at the session behind closed doors, it is not believed that any further effort will be made to pass it, at least in its present form.

Taft Suffers from Throat.
Madison, Sept. 24.—Upon his arrival here Judge Taft was suffering terribly from his throat which has given away after the strain of public speaking of the last few days. He was very little better after treatments by Dr. Richardson.

Asked regarding the Haskell matter Judge Taft declared that he would not reply at least until he had learned definitely what the governor said about him.

THIS JOB PAYS BETTER THAN ANY

SPOKANE ARCHITECT DRAWS DOWN BIG FEES
Averages \$1000 Per Month for Last 17 Months, or More Than Governor and All Other Leading Officers in the State Combined—Dow Supervised All Building and Draws All Plans—Appointed by Boards of Control, Not Elected.

Olympia, Wash., Sept. 24.—The candidates who spent big sums of their good money in seeking nominations for the various offices at the last primary election used poor judgment in the light of figures just uncovered in the capitol here which shows that the best job in the whole state was not on the list for competition.

The job itself is not much for glory, although there is a great deal of credit attached to its position, but for drawing down the little monthly stipend it is the winner of all the Washington's political berths.

The job is that of state architect, held by a Spokane man, J. K. Dow, and for the last 17 months he has averaged \$1000 per month, or more than the combined salaries of governor, lieutenant governor, state treasurer, state auditor, attorney general and state superintendent of schools.

In addition to this comfortable stipend Dow has received thousands of miles of transportation for use in inspecting the progress of new work throughout the state.

The compensation comes through a five per cent fee on all work done by the state, for preparing plans and specifications and superintending construction.

Dow got his position from the college regents and the boards of control of the various state institutions.

ASA VAN WINKLE INDICTED TODAY.

An indictment, charging Asa Van Winkle of having obtained money under false pretenses, was returned by the grand jury this afternoon. Van Winkle is the young Pilot Rock man who obtained money from merchants in that town on checks to which he had signed his own name, when he had no money in the bank.

He then hired a horse from a livery stable and rode him nearly to Baker City, where the animal was abandoned. He was later arrested at Nampa, Idaho, by Sheriff Taylor.

RUSTIN MYSTERY HAS A HEARING

Widow of Murdered Man Takes Stand to Tell of the Crime.

BEARS UP UNDER FIRE THROUGHOUT HALF HOUR.

Widow Breaks Down When Telling of Dr. Rustin's Relations With Mrs. Rice—Is Comforted by Her Daughter During Ordeal—Davis Defended by Prominent Counsel—Society Women Throng the Court—Mrs. Rustin Faints When Entering Building.

Omaha, Sept. 24.—The preliminary hearing of Charles E. Davis, who is being held for investigation in connection with the death of Dr. Rustin, began this morning. The police court was crowded with society women. Davis is accompanied by his medical attendant; his face is wrinkled and he is apparently quite worried. Fred Davis, a brother of the accused, who is vice president of the First National bank, was present with a big array of prominent counsel. Mrs. Rustin arrived after the case was called, dressed in mourning and accompanied by her mother and a nurse. She fainted while climbing the stairs, but was revived in the apartments of the matron.

Mrs. Archer, a neighbor of the Rustins, testified that she heard the shot but saw nobody leave the Rustin home. She heard Mrs. Rustin scream, and also heard a man's voice and the body fall heavily. She saw a "man" walk by shortly afterward. He was rather heavy and wore a soft black hat. Archer corroborated the story of his wife. Dr. Lavender, who performed the autopsy, said the wound hardly could have been self-inflicted. Mrs. Rustin followed Dr. Lavender to the stand and repeated her inquest testimony. She explained that she was awakened by the shot and found her husband lying on the porch in the chair. He declared: "A man shot me." She declared she did not see the pistol. That there never had been one in the house, and she had never known Rustin to carry a gun. She exhibited fine control except when speaking of her husband's connection with Mrs. Rice. Mrs. Rustin's voice dropped to a whisper when answering the county attorney's questions. She said her husband had murmured, "Oh Polly, Polly, Polly." When asked who he meant Mrs. Rustin replied: "I know now, but didn't know then. Polly was Dr. Rustin's pet name for Mrs. Abbie Rice." Mrs. Rice remained in the matron's room during the widow's testimony and was very nervous. Mrs. Rustin urged her daughter to keep her nerve up and whispered encouragement when she seemed failing. She was on the stand half an hour.

THREATENS BIG STICK FOR HARRIMAN AND GOULD

Topeka, Sept. 24.—The state railroad commission of Kansas has a big stick which is in pickle for the Missouri Pacific.

The commission alleges that the lines of that road are in such poor condition that they are unsafe for public travel and has notified George Gould and Harriman, who recently acquired an interest in the road from Gould, that repairs must be made immediately if the road continues to do business.

GORE DECLARES THAT HASKELL IS INNOCENT

Spokane, Sept. 24.—Senator Gore of Oklahoma, says that Governor Haskell's Oklahoma record is absolutely above reproach. The governor, he says, has proved the sincere friend of the common people of that state. He declares he knows nothing of Haskell's previous record.

MELVIN BUCK FOUND GUILTY AS CHARGED.

Melvin Buck, the well known broncho buster, was this afternoon found guilty of stealing three steers and four cows from Mitchell Lloyd, an Indian, and Monday was fixed as the time for passing sentence. Buck was jointly indicted with Guy Hayes by the grand jury but at the request of their attorney Col. J. H. Raley, they were granted separate trials. Buck was tried this morning. District Attorney Phelps conducting the prosecution. The case went to the jury at 1:30 and a few minutes later the verdict of "guilty as charged" was returned.

ENTERPRISE HOTEL BURNED TO THE GROUND.

Enterprise, Ore., Sept. 24.—Fire broke out in the kitchen of the Enterprise hotel at 8 o'clock last night and when discovered the entire rear end of the building was ablaze. In less than 20 minutes the building and its entire contents were lapped up by the angry flames.

The cook had just left the kitchen after her day's work and it is supposed the fire originated in the kitchen from a defective flue.

Prompt action on the part of the Enterprise fire department saved several nearby buildings. At this time the loss to the owner is hard to estimate, as nearly all the personal belongings of the proprietor and his family were destroyed. The building was a two-story frame structure and represented a greater part of Mr. Furcher's holdings, and consequently will be a considerable loss to him, as he carried no insurance.

ROYAL RACES ARE HELD ON DANGEROUS COURSE.

Douglas, Isle of Man, Sept. 24.—Grave apprehension is felt here over the statement of experts that the course over which the Royal Automobile club's races are being run is very dangerous. Already one accident has marred the events and others are feared. Shortly after the first race began today P. D. Stirling's Hutton car collided with the low stone wall which guards the course, demolishing the car and dangerously injuring the two occupants.

BLIND SENATOR SPEAKS TO SEATTLE DEMOCRACY.

Seattle, Sept. 24.—Senator Gore of Oklahoma, arrived here this morning and will tonight address the democrats of Seattle at Dreamland rink. Senator Gore is the blind member of the senate whose speech at the democratic convention at Denver was the signal for the great demonstration at the mention of Bryan's name which broke all cheering records. The senator refused to discuss the Haskell incident.

AUTO MAROONED THROUGH NIGHT

GASOLINE FAILS AND LEAVES CAR STRANDED

Mr. and Mrs. Moorehead Have Decided Unpleasant Experience in Waiting for Daylight Through Morning Hours—Had No Protection from Cold Night Air—Finally Discovered Location to be Within Four Miles of Pendleton.

To be marooned all night in an automobile within a few miles of the city of Pendleton, yet not knowing it, was the unpleasant experience of Mr. and Mrs. C. F. Moorehead, last night. They were coming from La Grande by way of the Toll Gate road and Weston, but darkness overtook them long before they reached this city and when near Saxe station, their supply of gasoline gave out, leaving them stranded about four miles from Pendleton. Being total strangers in that part of the country and unable to see any farm house lights they were unable to form any idea as to where they were. After looking in vain for a light they finally submitted to what seemed the inevitable and sat down in the auto to spend the remainder of the night, it being then about 11 o'clock.

Without any extra covering beyond the lap robe they found the night decidedly cold and disagreeable.

About daylight this morning the shivering Mr. Moorehead found his way to a farmhouse and phoned to Walter McCormack, who went out and brought in the marooned auto and its occupants.

SCHOOL CHILDREN WILL HAVE HOLIDAY

Friday of next week, as well as Saturday, there will be no school among the country districts of Umatilla county if the teachers follow the authorization of Superintendent Welles, who today declared a holiday that they might attend the district fair on the day set apart, Mr. Welles' proclamation says:

Friday, October 2 will be Education day at our district fair, which opens at Pendleton next Monday. Since every section of Umatilla county contributes to the support of this fair, we all have an interest in its success, and should try to get our share of its benefits by spending at least one day there.

Because I am sure that a day at the fair will be of much greater educational value to the children of the county than the same time spent in the school room, I hereby recommend

RUSSIAN GUNBOAT TAKES THEIR GOLD

Seizes Dust of American Miners on Siberian Coast and Flies off With Property.

GOVERNOR OF PROVINCE ON BOARD AT TIME

Men Were Working Under An Agreement With the Czar Made by John Rosen—Seizure Does Not Surprise Official of Northeast Company, Who Explains That Czar Was Misinformed As to Richness of Diggings and Probably Ordered Act.

Nome, Sept. 24.—Apparently without warrant, making absolutely no explanation of the act, the Russian gunboat Chilkla has seized some \$10,000 in gold belonging to American miners who were operating at Anedie Siberia. The seizure occurred September 15, and news has just reached here.

The vessel at the time had aboard the Russian governor, who seemed to direct the act.

The miners were working the mines under an agreement of John Rosen with the czar.

Not at All Surprised.
Seattle, Sept. 24.—A. H. Baber, associated with the Northeast company when informed today of the action of the Russian gunboat Chilkla in seizing American gold declared that he was not surprised.

According to Mr. Baber the act probably resulted from reports sent by the Russian consul general at San Francisco to St. Petersburg. Some time ago the Russian government granted Rosen the right to recover all minerals of the Tohukotsh peninsula, in accordance with which the Americans were working, but the czar has received according to Mr. Baber's story, untrue reports about the richness of the diggings and hence ordered the seizure.

JOE GANS TO FIGHT BEFORE CROWNED HEADS

Baltimore, Sept. 24.—Defeat at the hands of Battling Nelson does not put Joe Gans down and out forever, and the fast colored fighter is now going after other honors than those afforded by the championship of his class. He leaves his home in this city with a sparring partner soon to go to England, where he has an engagement to box before King Edward. He will then tour the continent, appearing before other monarchs who are interested in the manly art. Doctor Krone of Chicago will accompany the negro as his physical advisor. The offers received by the ex-champion from Europe are said to be very flattering.

LOSS MAY REACH TO TEN MILLION MARK.

Washington, Sept. 24.—It was announced here today by R. W. Pullman the government expert, who has been investigating the forest fires of Minnesota during the past month, that the loss would probably amount to at least \$10,000,000 in that state alone. The damage in Michigan and Wisconsin will also amount to millions.

WILL FUMIGATE SHIP TO DRIVE OUT MURDERER.

Nome, Sept. 24.—Hoping that Lee Johnston, who is wanted on the charge of murdering his wife at Nome is still alive and may be hidden in the hold of the steamship Victoria, the officials here ordered it fumigated in an effort to drive him from hiding. It has been rumored that Johnston did not leap from the vessel, but secreted himself in the hold.

WEDGED IN WINDOW BY MERRY WIDOW

The Dalles, Sept. 24.—Wedged in a window and held as in the grip of a vise by her Merry Widow hat, a high school girl of this city was helpless last evening until her comrades released her by unpinning the headgear. The peculiar situation came about when the members of the high school basketball team sought a place for practice. They chose the old Baldwin opera house.

The fact that the house was locked presented but little difficulty to the athletic girls when they wanted to hold their first practice of the season. They found a window in the abandoned building that could be pried open and boosted each other through the opening.

It required some muscle to "boost" and "shove" and pull each other up, for the girls could just reach the win-

dow sill when standing on tip-toe, but they were long on muscle.

All went well until one pretty miss attempted to join her companions in the building without first removing her Merry Widow.

The hat was one of the most stylish sort—the brim might have been used as an indoor sprinting track—eight laps to the mile. It became wedged in the window and the basketball candidate could get neither further nor back.

Her comrades came to the rescue. They pulled, they shoved, they tugged and they pushed. They laughed and they giggled, they screamed and they yelled, but it was not until the hat pins were finally removed that the young lady was able to get her feet on terra firma. Then the hat was jammed inside. The owner followed and peace reigned.