

WEATHER REPORT.

Fair tonight and Wednesday; warmer tonight.



TO SHOPPERS.

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

VOL. 21.

PENDLETON, OREGON, TUESDAY, OCTOBER 6, 1908.

NO. 6396.

BLIND PIG FIGHT ON IN EARNEST

First Case To Be Tried Upon Recent Indictments Comes Up Today.

DEFENSE IS FIGHTING WITH UTMOST EFFORTS

First Man Indicted by Recent Grand Jury Also First to Be Tried for Alleged Violation of Prohibitory Law—Attorneys Try to Bar Law Enforcement Leaguers from Jury—Two More Plead Guilty.

Ben Morton, formerly proprietor of the Brewery saloon on the corner of Johnson and Court streets, and who later conducted a so-called soft drink parlor at the same place, is now on trial in the circuit court on the charge of selling liquor contrary to the prohibition law. Morton is the first of the men recently indicted by the grand jury to stand trial. He is being defended by Attorney Will M. Peterson, assisted by Col. James H. Raley. District Attorney Phelps is conducting the prosecution unassisted.

The work of empanelling the jury was commenced shortly after 9 o'clock but so thoroughly were each of the prospective jurors questioned that it was after 2 o'clock this afternoon before the last man was accepted.

Membership in the Umatilla county law enforcement league, either active or prospective, having contributed to the fund to carry on the local option campaign prior to the election, or having distributed local option literature were points upon which the attorneys for the defense closely questioned each man.

The same questions but as to the other side of the fight were asked by the district attorney and in addition it was insisted that the jury should say whether or not he was in favor of enforcing all the laws in general and the local option law in particular.

The particular offense for which Morton is tried is selling liquor to one Tom Whitney.

After the jury had been secured a short recess was taken before the examination of witnesses was started. It is not known how long a time will be consumed in the trial of the case but the number of witnesses for each side is not large.

Ten of the jurors accepted are Pell of Adams, Charles Rosenberg, Neil McDaniel, I. K. Curtright, J. K. Bott and R. Raymond, all of Pendleton; Manuel Friedley of Union, J. W. Linsner of Willow Springs, S. L. Spencer of Athena, and J. H. Coffman of Blue Mountain. With the single exception of Spencer, who is a blacksmith, the men are all farmers.

Met Norman and Joe Morrison, two more of the men recently indicted for a similar offense to that of Morton, this afternoon changed their pleas of not guilty to guilty. At the request of the district attorney the passing of sentence was deferred.

The case of Washington against Patton, wherein the defendant is asked to account for two diamonds alleged to have been left with him for safe keeping, will be tried the last of the week, probably Saturday.

W. P. Card, recently indicted by the grand jury on the charge of assaulting his wife, has been set for trial Friday. Card is the man who recently filed a suit for divorce and asked the court to restrain his spouse from doing him bodily harm.

In the case of Charles Newcomb of Pilot Rock, recently indicted for selling liquor, Dan Smythe appeared as attorney and filed a demurrer to the indictment. The court announced that this would be taken up as soon as it could be reached.

MAY NOT BE WAR.

Paris, Oct. 6.—Heeding the advice of France and England, the sultan of Turkey today announced that he had decided to postpone any declaration of war against Bulgaria, pending a further conference with the powers.

The postponement of a declaration of war is believed to mark a great turn for the better in the situation and already considerable relief is felt. All the interested powers except Germany have agreed to the call for a conference.

HUSBAND MURDERS SPOUSE ON CROWDED FRISCO STREET

San Francisco, Oct. 6.—In view of a hundred persons, William Peters, a tailor, shot his wife four times, and killed himself on the street here today. Women fainted while rushing away from the scene. Peters met his wife in company with Mrs. Nellie Ludolph, with whom she has been living since they separated. The husband held the wife with one hand and with the other fired. The woman broke away while Peters was firing at her. Four bullets took effect. She is in the hospital in a critical condition. The man killed himself instantly.

PLEADS UNWRITTEN LAW ACQUITTED BY IDAHO JURY.

Boise, Oct. 6.—John Ennis of Pocatello, who was tried on a charge of murdering his old-time friend, Evan Davies on July 21, was acquitted. Both men were past 60. Ennis' plea was emotional insanity under the unwritten law, his daughter having confessed that Davies was the father of her child. Ennis went to the shops of the Oregon Short Line and killed Davies on the spot.

COURTS HAVE JURISDICTION

FEDERAL JUDGE HANDS DOWN HIS RULING.

Declares That Federal Courts Have Jurisdiction Where Offenses Alleged Have Been Committed Within Boundaries of One State—Case of Alleged Rebating Brings Out Important Precedent.

Los Angeles, Oct. 6.—Judge Wellborn of the United States district court, established a precedent this morning in an oral decision that the federal courts have jurisdiction in rebo cases where the offense charged has been committed within the borders of one state. Judge Wellborn ruled that the alleged repayment by the Southern Pacific to the Penn Fruit company of money expended by the latter in hauling fruit to its freight houses was a matter within the provisions of the interstate commerce act. The indictment charged the fruit company with accepting a rebate from the Southern Pacific for hauling oranges from Arlington to Riverside.

Amateur Knocked Out. Bellingham, Oct. 6.—While sparring before a big crowd of pupils, John Peterson, a student in the training department of the state normal school knocked out Edrick Walling yesterday, who lay unconscious several minutes. He said Peterson hit below the belt.

St. Louis, Oct. 5.—Plunging headlong 400 feet down the main shaft of the Mount Olive-Stanton Coal company's mine at Mount Olive today, Herman Herron and George Yonzchko, employees, were hurled to instant death.

TRUST BUSTER IS TRUST ATTORNEY

Roosevelt's Chief Lieutenant in Standard Oil Fight Represents Other Octopuses.

STEEL, BEEF, PULLMAN, PLATT AND HILL INTERESTS.

National Committee Makes Attack on Frank Kellogg, Who Fought Standard Before Judge Landis—Is Counsel in Minnesota for Leading Monopolies of Country Says Accusation—Prominent Shipper Behind Charge.

Chicago, Oct. 6.—Frank Kellogg, Roosevelt's chief trust buster, was the object of a severe attack by the democratic national committee which today charges that Kellogg, while acting as the government's chief counsel in suits against the Standard Oil company, was the Minnesota attorney for the steel, beef and sleeping car trusts, the express companies, J. J. Hill and other interests. George S. Loftis of St. Paul, commissioner of the Minnesota shippers and receivers association, is named as authority for the charges. He alleges that in 1907 Kellogg assumed charge of the forces of the steel trust in its battle to bring about the destruction of labor unions on the Duluth Iron Range railroad.

PACIFIC CITIES COMBINE TO BUILD GREATER COAST

San Francisco, Oct. 6.—For the purpose of uniting the Pacific coast cities in an effort to obtain a solid Pacific coast delegation at Washington to work for the interests of the far western states, representatives of 13 commercial organizations, including San Francisco, Oakland, Los Angeles, Portland, Seattle, Tacoma, Spokane, met yesterday to effect an organization. C. B. Vandell, secretary of the Seattle Chamber of Commerce, and former Governor McGraw of Washington, headed the Seattle delegation. Mr. Vandell criticized the government's policy of sending coal from the Atlantic to the Pacific in foreign boats.

Letters from Senator Piles and Senator elect Jones of Washington were read. Senator Piles wrote that he always felt the need of concerted movement on behalf of the interests of the coast. Mr. Jones' letter was similar. Both declared there was lack of organization up to the present time.

CLASSIC COLD REMEDY STRIKES USER BLIND

Portland, Oct. 6.—Stricken blind by a dose of 21 grains of quinine and a pint of whiskey that he had taken to cure a cold, L. C. Black, 38 years old, has applied to the county hospital for treatment. Black's sight is practically destroyed, though Assistant County Physician McCormack says there is a chance that he may be cured.

Black was a saw filer and a deputy game warden near Forest Grove. About a month ago he contracted a severe cold, and on the recommendation of a friend took a dose of 21 grains of quinine and a pint of whiskey. The supposition is that the dose affected the optic nerves and so paralyzed them that Black is almost totally blind.

FIGHTING BOB'S SON BEFORE COURT-MARTIAL

Manila, Oct. 6.—The court-martial appointed to pass on the charges against Lieutenant Frank T. Evans, met yesterday aboard the battleship Vermont. The charges and specifications were read, and the court adjourned until this morning when the taking of testimony was begun. The court is composed of Captain Seaton Schroeder, judge advocate; Captains W. P. Potter, T. B. Howard; Lieutenant Commanders L. C. Bedette, A. H. Seales, L. M. Nulton, W. C. Cole, Lieutenants J. H. Holden and L. C. Palmer.

Major Williams of the marine corps, is prosecuting officer, and the defense is in the hands of Captain Harding and Lieutenant Kayser.

Bryan Can Not Shave.

Perry Ia, Oct. 6.—Rather than disappoint a large crowd of railroad men at Valley Junction, Colonel Bryan postponed shaving today and wiping the lather off his face addressed several hundred men. He arrived at Valley Junction at 7 o'clock this morning and is scheduled to make 20 speeches before tonight.

The strike of Lancashire, England, miners at St. Helena is at an end, the nonunionists having joined the federation, but the men had to withdraw their mandate insisting that the employers should employ only members of the union.

T. R. GREET'S T-M CONGRESS

President Emphasises Demand for Fair Play in Deliberations of T's Body.

FIGHT ON FORESTRY CAUSES THE MESSAGE

President Thinks That Full and Free Discussion of Charges is Best for All Concerned—Doesn't Agree With Accusations Against Pinchot—Today Horrified at Thought of Congress Descending Into Pink Tea Affair.

San Francisco, Oct. 6.—"Go out there and tell that congress that I believe in fair play," said President Roosevelt to William D. Wheeler, who is the president's personal representative at the Trans-Mississippi congress. Mr. Wheeler is assistant secretary of the department of commerce and labor. He arrived this morning. Roosevelt's message was in answer to the complaints of the western stockmen who claim that they are facing ruin through the curtailment of the grazing allotment and alleged discrimination of the forestry service in favor of agriculturists.

Mr. Wheeler today explained the president's attitude as follows: "Let the fight be made and the deserving win, that is Mr. Roosevelt's idea. You are discussing propositions one of which must be accepted for the good of the cause. Let no consideration against granting a full and fair hearing to every protest; that is what the president desires."

"Either these conventions must degenerate into a kind of pink tea affair, in which speakers will vie with each other in hurling sweetly scented barbed words or else they will be forums in which every man may speak his own mind with perfect freedom, whether it be burdened with real or fancied trouble or be tranquilly content with the administration."

Just for Fair Play.

This is not taken to mean that the president assumes the protestants are right, but that he wants fair play.

With the Pacific coast delegations and their friends in the majority there is every prospect of a bitter fight on the forestry service.

The congress will demand more guns for Pacific coast defense, and will fight for the demand before the next democratic and republican national conventions.

Convention at Work.

The convention was called to order this morning by Arthur R. Briggs, vice president. Over 1500 delegates were seated. Addresses were made during the morning by Senator Perkins of California, C. C. Moore of the California Chamber of Commerce, Congressman Julius Kahn of California and Governor Gillette of this state.

After Mr. Wheeler's greeting to the congress the body adjourned until 2 o'clock this afternoon, when John Barrett, director of the Bureau of American Republics, will deliver a message from the 20 little Latin republics he represents.

Much Business for Meet.

San Francisco, Oct. 6.—With its object the development of the great empire between the Mississippi and the Pacific, the Trans-Mississippi Commercial Congress convened in San Francisco today for its 19th annual session. Some of the most prominent men of the west are in attendance at the congress, and the program of speakers include cabinet members, governors, congressmen and other officials of note. Conservation of natural resources, along the lines suggested by President Roosevelt at the governors' conference in Washington last spring, will be one of the chief considerations of the congress. J. B. Case of Abilene, Kan., is president of the congress.

A department of mines and mining, with a cabinet officer at its head, will be urged by the congress. Other subjects slated for discussion include irrigation and drainage, river and harbor improvements, leasing of public lands, fur farming, Alaska, statehood, parcels post and postal banks, trans-Pacific trade, closer trade relations with the Latin republics, public ownership of utilities, Panama and the canal, Hawaii and the Philippines, immigration, livestock industry, national and state aid for highways, sugar beet industry, Alaska-Yukon-Pacific exposition, national finances, an enlarged and improved consular service in the far east, the Pan-American railroad and interstate commerce.

CANDIDATES TO MEET AT WATERWAYS GATHERING

Chicago, Oct. 6.—With William H. Taft, William J. Bryan and Wu Ting Fang as its guests of honor and principal speakers, the Lakes to the Gulf

INDEPENDENCE ASSURED.

Sofia, Bulgaria, Oct. 6.—Permanent Bulgarian independence under Czar Ferdinand is regarded today throughout the country. The event is being widely celebrated everywhere. Great crowds parade the streets of every city in the nation and the populace is indulging in revelry, speechmaking and music. It is expected that Czar Ferdinand will make a special declaration of independence at Philippopolis, within the day.

Deep Waterway Convention Will Begin Its Sessions in the Auditorium Tomorrow.

Judge Taft is scheduled to speak tomorrow morning, at the opening session, and will meet Mr. Bryan at the Chicago Association of Commerce "waterways dinner" tomorrow evening. Owing to the non-political nature of the gathering, both Mr. Taft and Mr. Bryan will confine their remarks to waterways and commercial development, and campaign issues will be carefully ignored. There will be no question as to which of the candidates will occupy the seat at the right hand of the chairman. It will be occupied by Mr. Taft at the express wish of the democratic nominee and his friends. Chairman Mack declared that Mr. Taft, as a recent member of the present administration, was clearly entitled to the place of honor at the feast. The Ohioan, therefore, will sit at the right hand of President Hall, and the Nebraskan at the left.

STANDARD OIL MONEY IN INLAND EMPIRE

Spokane, Oct. 6.—By a deal involving over \$3,000,000 the National City bank of New York, a Standard Oil institution today purchased Charles Sweeney's stock in the Exchange National bank and the Traders' National bank of this city, will consolidate the two banks under the name of the Traders' Exchange National bank with a capital of \$1,200,000.

COMMERCIAL CLUB MEETS TONIGHT

QUESTION OF REVIVAL WILL BE DISCUSSED.

Good Attendance Asked for Tonight's Session—Plans for Rejuvenation Not Yet Formulated But Subject Will Be Live Topic of Discussion.

This evening the Pendleton Commercial association will hold its regular monthly meeting and in view of the condition of affairs within the organization and about the city the session promises to be one of interest.

For some time it has been the plan of President Alexander and other members of the association to start a movement looking towards the revival of the association.

This afternoon Mr. Alexander stated that the proposition may be withheld for a short time longer in order to allow local people to recover after the arduous work in connection with the district fair.

However, it is very probable that the subject of instilling new life into the association and of remodeling the club rooms or securing new quarters will be a live subject at the meeting tonight.

In order to insure adequate attention to matters that may come up this evening it is desired to have as large an attendance as possible.

St. Louis Greets Taft.

St. Louis, Oct. 6.—This city is in gayest gala attire today to welcome Judge Taft, who arrived at 1 o'clock this afternoon and is scheduled to make three addresses. The occasion is enlivened on account of the great Velled Prophet festival tonight.

During the past year 4607 deaths occurred in California from tuberculosis, and the majority of the decedents were wage earners in the prime of life.

COURT HITS FRISCO "WELCHERS" HARD

San Francisco, Oct. 6.—The "earthquake clauses" in the insurance policies of the "Welching insurance companies" was given a stinging blow in the United States court of appeals in decisions which were handed down yesterday. Men whose suits for insurance money have been held up since the earthquake are today preparing to bring action to collect the amounts of the policies. The case was the appeal of Leon Willard company against the Williamsburg City Fire Insurance company and the decision of Federal Judge Van Fleet

BABY BORN AT BIG BALL GAME

Baby's Wail Joins Yells as Crucial Game is Won By Chicago.

YOUNGSTER ARRIVES ALONG WITH PENNANT

Chicago Cubs Look for Baby for Baby for Their Mascot—American League Race Decided Today—Comiskey's Sox or Jennings' Tigers Will Be Winners—New York Struggles to Tie Chicago.

Chicago, Oct. 6.—A faint yell lost in the roaring cheers when Mordecai Brown on Sunday rapped out the long hit that brought in the run with which Pittsburgh was defeated announced the arrival of the youngest fan that ever attended a baseball game.

Just at that moment, when all the crowd was on a tip of excitement, when the enthusiasm was the most intense ever seen at a baseball game in Chicago, the baby was born. And its tiny cry joined in the cheers with which the exploit of the three-fingered pitcher was received.

The mother and child were immediately taken from the stand. The Cubs are now looking for the baby. They want it for a mascot, and they also want to make a present to the little one.

Chicago Against Detroit.

Chicago, Oct. 4.—The American league race narrowed down last night to a contest between Chicago and Detroit, Cleveland being eliminated by the victory of St. Louis yesterday. The best percentage now attainable by Cleveland is 554. A victory of Detroit this afternoon will leave a final percentage of 588 to the Tigers, while by defeating their opponents, Chicago will gain the flag with a percentage of 586.

American League Scores.

At Chicago—Chicago 6, Detroit 1.
At St. Louis—First game, St. Louis 3, Cleveland 1. Second game, St. Louis 3, Cleveland 5.
At Boston—Boston 4, New York 0.
At Washington—Washington 3, Philadelphia 0.

National League.

New York, Oct. 6.—The local fans crowded every inch of space inside of the Polo grounds yesterday and cheered the New York team all the way to a very decisive victory over Boston, by 8 to 1. Ames pitched the game of his career, holding the visitors to one hit in seven innings and Hannafan, batting for Turkey in the eighth inning, sent a smashing hit to deep left center for a home run, the single score for Boston.

Score.

R. H. E.
Boston 1 2 1
New York 8 7 3
Batteries—Turkey, McCarthy, Hannafan and Bowerman Ames, McGinty, Needham and Bresnahan.

At Philadelphia — First game: Brooklyn 2; Philadelphia 4.

Call Game Tie.

Cincinnati, Oct. 6.—The board of directors of the National league declared the disputed New York-Chicago game a tie, thus upholding the decision of the umpires. It means that the game will be played over on the New York grounds if the New York team so desires.

KLONDIKE DISTRICT HAS PRODUCED \$100,000,000.

Seattle, Oct. 5.—Since 10 years ago on September 5, when the first territorial government of the Yukon territory was formally installed in office at Dawson the capital of the Yukon, the famous Klondike district and adjoining areas have produced a total of over \$100,000,000 in gold, all of which has gone into the world's coffers and is being used in the conduct of the world's business.

BERT HUFFMAN RETIRES FROM EAST OREGONIAN EDITORSHIP

Through a trade that was consummated this forenoon, Bert Huffman disposed of his interest in the East Oregonian Publishing company, and he formally retires from the editorship of the paper. His place has been taken by E. B. Aldrich, former city editor, who has been serving in the capacity of editor during the past month.

Mr. Huffman's interest in the paper was purchased by Mr. Aldrich and Lee D. Drake, advertising manager.

As matters now stand the East Oregonian is owned by a company in which the following men are the

stockholders: C. S. Jackson, Fred W. Lampkin, E. B. Aldrich and Lee D. Drake.

The change in the editorship of the paper will make the composition of the editorial staff as follows: E. B. Aldrich, editor; Edgar F. Averill, telegraph editor, and Harry Burke, city editor.

As in the past the business office corps will be composed of Fred W. Lampkin, business manager; Lee D. Drake, advertising manager; and George Robins, circulation manager. In addition to his past work, Mr. Drake will henceforth have charge of the mechanical department of the paper.