

WEATHER REPORT.

Fair tonight, warmer;
Thursday fair.



TO SHOPPERS.

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

VOL. 21.

PENDLETON, OREGON, WEDNESDAY, OCTOBER 7, 1908.

NO. 6397.

BEN MORTON IS CONVICTED

First Man to Stand Trial for
Selling Liquor—First to Be
Convicted.

GUILTY AS CHARGED IS VERDICT OF JURY

Thomas Moffat to Pay \$1000 for
Privilege of Selling Seventy-Five
Cents Worth of Booze Contrary to
the Prohibition Law—Man Who
Pleaded Guilty Pays Fines for Him-
self and Two Bartenders—Wade
Fined \$50.

The first decisive victory in the
fight for the enforcement of the lo-
cal option law made by District At-
torney Phelps was won this afternoon
when after a deliberation of about
one hour the jury in the case of the
State against Ben Morton, brought in
a verdict of guilty as charged.

Morton was proprietor of the old
Brewery saloon on Court street and
was one of the first against whom in-
dictments were returned. Eight true
bills were returned against him by
the grand jury and of this number
seven indictments are yet to be dis-
posed of. The man was defended by
Will M. Peterson and Col. J. H. Ra-
ley, while District Attorney Phelps
personally conducted the prosecution.

Given to Jury at Noon.

At noon today Judge Bean sub-
mitted his instructions to the jury and
the 12 men who were to decide upon
the first prosecution for violation of
the local option law in Umatilla county
undertook their deliberations.

The evidence in the case rested up-
on alleged purchases of liquor by Tom
Whitney, detective from the Thell
agency, who was employed by District
Attorney Phelps in his efforts to
break up law violation in Pendleton.

Whitney, together with W. A. Ban-
nister of Milton, were the chief witness-
es for the plaintiff, the former testi-
fying to an alleged purchase made
at a time Bannister was in his com-
pany. Morton, Alex Fairweather,
Bannister and Whitney participated.
The evidence of the detective was
corroborated in detail to a great ex-
tent by the Milton man, and also by
Fairweather, who was to a certain ex-
tent an accomplice in the alleged
transaction.

Defense Calls Mr. Phelps.

The evidence of the state closed
last evening and the defense this
morning put on Mr. Morton, who told
a strong story of denial in detail of
the important allegations in the
charge. District Attorney Phelps,
Justice Parkes and Marshal Gurdane
were all called by the defense and
asked if they were positive in their
knowledge of the contents of liquor
seized in a raid on Morton's place. As
the goods had never been subjected
to chemical analysis they were unable
to make a definite answer as to the
alcoholic content.

The fight of the defense in the ad-
dresses to the jury was made largely
upon the fact that the witnesses
against Morton were detectives.

Costs One Thousand Dollars.
It cost Tom Moffat \$1000 because
he sold six bits worth of liquor in
Pendleton contrary to the local op-
tion law.

Moffat and two bartenders, Van
Goodwin and John Doe this morning
appeared before Judge Bean in the
circuit court and received sentence
upon six counts to which they had
pleaded guilty. The fines, amount-
ing to \$1000 were paid in cash by the
saloon man. No jail sentence was
passed upon the men.

The owner, Moffat, who runs the
old Joe Sullivan place, was fined \$300
for his first offense, and \$400 for the
second count. Goodwin and Doe
each received a fine of \$50 for their
first offense and were assessed \$100
for breaking the law the second time.

The cases against the men with
the exception of those upon the
charges to which they pleaded guilty
are in no wise affected by the sen-
tence pronounced this morning.
Against Moffat and Goodwin there
still remain indictments upon 22
counts, upon which action will be
brought in case it is found necessary.
Virgil Wade this morning was fined

\$50 and costs by Judge Bean upon
his conviction of the charge of sim-
ple assault.

Dee Matlock Fined.
Dee Matlock, upon the opening of
court this afternoon, pleaded guilty
to two of the counts against him as
did his bartenders, Guy Matlock and
O. D. Saunders. Dee Matlock was
fined \$700, and Guy Matlock and
Saunders each \$150. The cases
against Bogart and Keegan and John
Schmidt were called and postponed
until Thursday.

This afternoon the case of the state
vs. John Behrenson was called. Beh-
renson is accused of attempting a
criminal assault upon the little daugh-
ter of Frank Salling at Weston last
June.

SITUATION CRITICAL.

Mobs May Renew Attack on Austrian
Legation.

Belgrade, Servia, Oct. 7.—Mobs of
Servians today surrounded the Aus-
trian legation here, and threatened to
renew the attacks made upon the
building last night which is guarded
by a heavy line of troops.

Every window was shattered last
night and the situation is critical.
The people are embittered toward
Bulgaria and Austria. They do not
like the prospect of their country be-
ing left in the center of the disturbed
territory to be captured by the victor
of the impending struggle.

Bryan Claims Gains.

Chicago, Oct. 7.—Bryan today is-
sued a statement that the reports in-
dicate that democrats are making
sweeping gains all over the country.
He leaves Lincoln October 19 on his
last tour.

DETROIT WINS COVETED RAG

AMERICAN LEAGUE TEAM LEADS A SECOND TIME

Sensational Finish to One of Most Re-
markable and Exciting Baseball
Races Ever Witnessed by Fandom
—Victors Secure Commanding Lead
in First Inning.

Chicago, Oct. 7.—What is said to
have been the closest pennant contest
ever waged in the American league
came to an end in this city yesterday,
when Detroit, champions of 1907, cap-
tured the emblem for another year
by defeating Chicago, 7 to 0.

Detroit, Cleveland and Chicago
struggled all season for first place,
never being far from each other in
the percentage table and not until
yesterday could the winner be pick-
ed. St. Louis put Cleveland out of
the running Monday, leaving the field
to Detroit and Chicago. Detroit's vic-
tory was clean and decisive. Jones
used three pitchers, White, Walsh and
Smith, but could not subdue the De-
troits. Donovan pitched the kind of
ball that will almost win any game.
His team mates coming first to bat
lent him confidence in the initial in-
ning by knocking White out of the
box and putting four runs over the
plate.

Detroit's commanding lead at the
outset did not dishearten Chicago,
but it had a depressing effect, which
deepened as the game proceeded and
Donovan's superb control showed no
signs of weakening. Score:

Chicago	0	5	2
Detroit	7	13	0

Batteries—Smith, Walsh, White and
Sullivan; Donovan and Thomas.

At St. Louis.

St. Louis, Oct. 6.—In the final game
of the season here Cleveland won, 5
to 1. Score:
St. Louis 1 8 2
Cleveland 5 7 0
Batteries—Bailey and A. Smith;
Ryan and Land.

At Boston.

Boston, Oct. 6.—Boston won from
New York today, 11 to 3, in the final
game of the series. Score:
R. H. E.
Boston 11 14 1
New York 3 14 4
Batteries—McMahon and Donohu;
O'Connor and Sweeney.

New York Nationals Win.

New York, Oct. 6.—There was an-
other big gathering of fans at Polo
(Continued on page 5.)

HARRIMAN MAN GETS WORKOUT

J. E. Stubbs Asked Personal
Questions by Trans-Missis-
sippi Delegates.

COAST MEN ASK ABOUT MAIL SERVICE.

Many Addresses Mark Today's Session
of Congress—Fleming Makes Plea
for Upbuilding of Western Insur-
ance Companies—Stubbs Asks for
Friendly Feeling From Western
People Toward Western Railroads
—President Wheeler Speaks.

San Francisco, Oct. 7.—Today's
session of the Trans-Mississippi con-
gress was devoted to two subjects
"Transportation" and "Conservation
of Natural Resources."

J. C. Stubbs, traffic director of
Harriman lines, at the request of Har-
riman, led the discussion on transpor-
tation and was subject to a running
fire of questions from the delegates,
who wanted to know if there would
be more cars for the transportation
of cattle. The coast delegates want-
ed to know if Harriman was going to
improve the Pacific mail service,
looking to a rapid transportation to
the coast cities.

"Western Insurance" by Colonel F.
W. Fleming of Kansas City, deliv-
ered the first address and made an ap-
peal for the upbuilding of western
insurance companies.

It is probable resolutions will be in-
troduced asking congress to pass a
law giving the interstate commission
power to regulate the distribution of
cars to all parts of the United States.
The fight on Chief Forester Pinchot
is to be renewed. The bill to amend
the act of 1906, which gave the de-
partment of the interior power to
revoke the franchise of a land grant
college, was introduced by Oscar Smith,
former congressman from Nevada.

"West of the Mississippi, what does
it mean?" was the subject of an ad-
dress by President Wheeler, of the
University of California.

Stubbs followed with a plea for
friendliness toward western railroads
by western people. He was inter-
rupted many times by the delegates.

First Blow at Harriman.

San Francisco, Oct. 7.—The first
blow in the fight against Harriman
lines was delivered in the Trans-
Mississippi congress today by the Cal-
ifornia Traffic association, which in-
troduced a resolution condemning the
control of the Pacific Steamship lines
by the Trans-Continental railroads,
asserting that the service is insuffi-
cient to establish a federal line of
ships between all coast points, in-
cluding the Panama canal and the
western coast of South America.

The establishment of a government
line is urged strongly, its advantages
being set forth at length. The resolu-
tions were referred to a committee
in which a hard fight is expected.

The Hawaiian delegation introduced
a resolution deprecating the "dis-
appearance of the American flag from
the Pacific ocean," and urging the
government to create a ship subsidy
for the development of shipping in-
terests of the Pacific. It says the
Japanese have captured the trans-
Pacific trade and that the American
government must meet its obligations
to sustain itself in competition which
has driven the ships bearing the Stars
and Stripes out of business.

TEDDY HAS EYE OPEN.

Watching Developments in Balkan
Situation—Would Intervene.

Washington, Oct. 7.—It was stated
in diplomatic circles today that Roo-
sevelt is watching the Balkan situa-
tion closely. Instructions, it is re-
ported, have been sent to every Amer-
ican diplomat in Europe and the Bal-
kan peninsula to report daily pro-
gress. When the right moment ar-
rives Roosevelt will submit a plan of
arbitration, his friends say.

Kissed by 400.

Los Angeles, Oct. 7.—W. M. Col-
quhoun is recovering today from the
bewildering experience of having
been kissed by 400 pretty girls in plain
view of 2000 spectators. Colquhoun
was wedded to Miss Mary Clark of
Azusa at his home on Echo street.
The ceremony was hardly over when
to the amazement of his bride, her
husband was surrounded by a fem-
inine throng eager to congratulate
him. The blushing bridegroom was
unable to escape even if he wished
and envious best men looked on while
a single column of girls filed past and
saluted Colquhoun on cheeks or lips.

Launch and Bathhouse Burn.

Joseph, Ore., Oct. 7.—A new boat-
house and gasoline launch belonging
to Dr. H. H. Taylor of Joseph, were
burned Sunday morning at 2 o'clock.
There were no ignitable substances in
the building and the fire is thought
to have been the work of an incendi-
ary.

DEEP WATERWAY LAKES TO GULF

Four Thousand Delegates Are
Present at Opening of Con-
vention in Chicago.

TAFT PLEDGES HIS SUPPORT IF ELECTED

Many Governors and Congressmen
Discussing Ways and Means of Pro-
moting and Perpetuating National
Prosperity by Making It Possible
for Sea Going Vessels to Pass from
the Great Lake Ports to the Gulf
of Mexico by Way of the Missis-
sippi River.

Chicago, Oct. 7.—Four thousand
delegates were present today at the
opening of the Lakes to the Gulf Deep
Waterway association convention by
President William Kavanaugh. Among
them are governors and congressmen.

The keynote of the purposes of the
convention was sounded by Kavan-
augh in the general question: "Shall
national prosperity be promoted and
perpetuated?"

During the routine Governor Deneen
of Illinois, introduced Taft. After the
latter's address the convention ad-
journed until tomorrow.

Taft pledged himself to a generous
policy for the improvement of rivers
and lakes in the event he is elected.
He declared that the cost of making
harbors for ocean steamships in cities
on the great lakes, Mississippi rivers
and tributaries would be enormous,
but that it would be a splendid in-
strument.

PRINCE "RANJY" IS SEEKING ENGLISH WIFE

London, Oct. 7.—His Highness the
Maharajah Jam Sahib of Nowangar,
Kumar Shri Ranjitsinghji, better known
as Prince "Ranjy," once the idol of
the English cricketing world, is said
to have proposed marriage to the only
daughter of the late Whittaker
Wright.

But Miss Wright, a handsome girl,
is said to have given no encourage-
ment to her coffee-colored admirer,
although he offered to abandon his
throne in India if she would become
his wife.

The Jam has an income of about a
million dollars a year. Although he
became thoroughly Anglicized while
he was a student at Cambridge uni-
versity, he has relapsed into his ori-
ental habits since he became an In-
dian potentate.

Lady Anne Coventry, the youngest
daughter of the Earl of Coventry, is
the wife of Prince Dhuleep Singh,
who is several shades darker than the
Jam and not as rich.
Two of Princess Dhuleep Singh's
sisters-in-law are Americans—Vis-
countess Deerhurst, formerly Vir-
ginia Daniel Bonyage, and the Hon. Mrs.
Henry Coventry, recently Mrs. Rich-
ard McCreery of New York.

TWO KILLED—ONE HURT.

Portland Sewer Cave-in Buries Work-
men Beneath Tons of Dirt.

Portland, Oct. 7.—The big Brook-
lyn sewer added two and possibly
three names to its already long list
of victims yesterday morning when
the roof of the tunnel caved in about
350 feet from the mouth, burying
Robert Kaybo, John Jardinen and
Frank Matson beneath tons of gravel
and rock.

Kaybo and Jardinen were prob-
ably killed instantly. It was several
hours before their bodies were recov-
ered.

Matson was rescued after more
than five hours' heroic work and is
at Good Samaritan hospital suffering
from the shock and from internal in-
juries.

Matson's rescue at the hands of
Jesse Hannam, a civil engineer in the
employ of the city, and a gang of his
fellow workers was marked by the ut-
most bravery and persistency. Hin-
dered by the wet gravel and sand
which fell from the sides of the tun-
nel as fast as it could be shoveled
away, momentarily threatened by the
weakened timbers above them that
promised to give away, under the
pressure and bury the rescue party
as the night shift in the tunnel had
been buried a few hours before, the
men stuck to their job until Matson
had been pulled from under the broken
timbers and was safely out of the
death trap.

Baker Has Firebug.

Baker City, Oct. 7.—Three fires in
three hours kept the fire department
of this city on the run from 4:30
o'clock yesterday morning. The first
alarm was turned in for the W. G.
Ayre residence, the second for the H.
W. Estes barn and the third for the
old crematory building. All of the
fires were extinguished with little loss.
The buildings are all unoccupied.

FALLS FORTY FEET AND STILL LIVES.

Dalles Man Has Remarkable Experi-
ence But Has No Recollection of It.

The Dalles, Ore., Oct. 7.—Falling
40 feet from the O. R. & N. bridge
to the ground below, Harry Newkirk,
of this city, escaped serious injury
Saturday night. The accident was
exceedingly strange, for Newkirk does
not remember falling, and has no
recollection of hitting the ground. He
started to walk home Saturday night
over the bridge, and remembered
nothing more until he found himself
lying on the ground beneath the
bridge, where he was picked up by
Chief of Police James Harper. He
was not drunk when discovered, and
officers and physicians do not un-
derstand the exact nature of the ac-
cident.

DISCRIMINATOR CONVICTED.

Meat Packer Combined With Union
to Eliminate Competition.

Sacramento, Cal., Oct. 7.—Attor-
neys for the Western Meat company
are preparing an appeal from the de-
cision of the jury that last night
found J. W. O'Keefe, the local man-
ager of the company, guilty of viola-
ting the Cartwright anti-trust law.
This was the first conviction under
the California law.

The appeal is taken on the ground
that the law is unconstitutional.

Specific charge is that O'Keefe
conspired with the Sacramento
Butchers' Protective association to
charge Albert Robinson, an indepen-
dent butcher, high rates to restrict
his trade. Robinson refused to join
the association.

REPUBLICANS TO FORM TAFT CLUB

MEETING WILL BE HELD THURSDAY NIGHT.

Several Hundred Names Have Been
Secured for Membership in Taft-
Sherman Organization—Efforts
Will Be Made to Enliven Majority
Party's Campaign.

Thursday night the local republi-
cans will meet at the court house for
the purpose of forming a Taft-Sher-
man club and from indications the
organization will be started with a
large membership.

Up to this time the majority party
has had no regular local organiza-
tion. However, petitions for a club
have been in circulation for the last
two or three weeks and several hun-
dred names have been secured.

C. J. Ferguson, Ben Burroughs and
Dr. M. S. Kern have been influential
in the work of organizing the club
and they have made the call for the
meeting to be held Thursday.

All those who desire to affiliate
with the organization, whether their
names be upon the list or not, are
urged to attend the meeting.

After the club has been organized
and officers elected further steps will
then be taken toward advancing the
candidacy of Taft and Sherman.

DOWAGER QUEEN OPPOSES ELKINS-DUKE WEDDING.

Rome, Oct. 7.—The Count of Turin,
who has communicated with the
Dowager Queen Margherita the firm
intention of the Duke of the Abruzzi
to marry Miss Elkins, was informed
by her majesty that she must refuse
her consent.

The Duke of the Abruzzi will short-
ly leave his vessel, the Regina Elena,
and sail for New York to complete
the arrangements for the wedding,
which, it is now stated, will take place
not later than January 29.

Taft and Hitchcock Confer.

Chicago, Oct. 7.—Taft and Hitch-
cock held a long conference today.
Washington reports that Roosevelt
has assumed personal control of the
campaign are said to be groundless.
It is undecided whether Roosevelt
will take the stump at the end of the
campaign.

While the steamer Ione was on its
to the Pend Orielle river, near Locke,
Wash., Peter Olson a deckhand, fell
overboard and was drowned before
help could reach him.

MISTAKES HIS UNCLE FOR A BURGLAR

Tacoma, Wash., Oct. 7.—Mistaking
him for a burglar, Harry Starr shot
and instantly killed his uncle, Joseph
Eley, at 3 o'clock this morning in the
doorway of their tent house on the
corner of Center and Bailey streets.

Discovering his fatal error, Starr be-
came crazed and was taken to jail
almost a raving maniac.

Starr was awakened by a noise and
called. There was no response, so
seizing a revolver, he jumped up and

WILL REVISE ASSOCIATION

Revival of Commercial Club
Starts Under Auspicious
Circumstances.

QUARTERS ARE BLAMED PRESIDENT IS PRAISED

Active Committee Is Now Preparing
Plans for General Rejuvenation of
Association—Association Consents to
Removal of Library—Judge Scott,
Good Roads Advocate, Will Be
Here This Evening—Good Roads
Convention October 20.

At the meeting of the Commercial
association held last evening the
movement for a revival of the asso-
ciation was started and started under
auspices that indicate splendid suc-
cess.

Early in the meeting the subject
was brought up and enthusiastic talks
were made by President Alexander, C.
E. Roosevelt, T. C. Taylor, Dr. M. S.
Kern, Judge George A. Hartman, J.
P. Winter, City Attorney J. R. Raley,
Jack Huston and E. B. Aldrich. All
were united in the sentiment that
Pendleton is upon the eve of a period
of development and all wished to see
the association improved.

In the discussions no criticism what-
ever was made of the present admin-
istration, but on the other hand, R.
Alexander, president of the association,
was praised for the work he has
done and the interest he has aroused.
It was the general sentiment that the
difficulty with the association comes
from the general apathy of its mem-
bers due largely to the poorly furnish-
ed quarters of the association.

Rejuvenation Committee.

In the course of the discussion
President Alexander suggested that a
committee of three be appointed to in-
vestigate matters and submit a plan
for the rejuvenation of the associa-
tion. He named Dr. M. S. Kern, E. B.
Aldrich and J. R. Raley as such a
committee. But the members of the
committee asked that the committee
be strengthened by the addition of
two older members. Thereupon the
chair appointed T. C. Taylor and
Judge S. A. Lowell to serve upon the
committee.

Following the adjournment of the
meeting the committee held an infor-
mal session and discussed the subject
of remodeling the rooms. The com-
mittee will meet again shortly and an
architect will be engaged to draw
plans. The sentiment is all in favor
of remaining in the present building
providing the rooms can be properly
remodeled and a suitable entrance
secured.

Will Move Library.

During the meeting last night Coun-
cilman A. L. Knight brought up the
subject of removing the library to the
new city hall when the same is com-
pleted. The formal consent of the
association to the removal had never
been secured previously. However,
upon motion of T. C. Taylor the asso-
ciation voted unanimously to permit
the library to be moved when the
city is ready for the change.

Judge Scott Coming.

It was disclosed during the meet-
ing that Judge J. H. Scott of Marion
county, president of the good roads
association, will arrive here this af-
ternoon. He will be here for the pur-
pose of making preliminary arrange-
ments for the good roads meeting to
be held here October 20. A com-
mittee composed of Judge S. A. Lowell,
Jack Huston, E. B. Aldrich and Wal-
ter McCormack, was appointed to
receive him upon his arrival.

Costs \$20 to Break Law Twice.

The Dalles, Ore., Oct. 7.—Freder-
ick Skibbe was arrested yesterday on
the charge of violating the Sunday
law and for selling liquor to Indians.
One of eight Sunday drunks told the
officers he had received his liquor at
Skibbe's saloon. An Indian was also
found drunk yesterday, and it was
learned that he secured the liquor at
Skibbe's saloon Sunday. The saloon-
man pleaded guilty to both charges
and paid two fines of \$10 each.

MISSING YOUNG MAN IS LOCATED

William Boner, the young man
whose mysterious disappearance
Monday, while his father was tele-
phoning a sister, had aroused fears
of an attack of insanity, was located
by his father last evening at Umatilla,
and brought back to this city late
this afternoon.

Young Boner took advantage of his
father's engagement in the telephone

booth to disappear. He walked to
Barnhart, whence he took a freight
to Umatilla. The father with Deputy
Sheriff Joe Blakeley, went as far as
Echo in pursuit yesterday, when the
officer gave up the chase at that
point.

No excuse is given for the action
of the young man other than that he
was opposed to returning to his home
at Wallawa.

Launch and Bathhouse Burn.

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house and gasoline launch belonging
to Dr. H. H. Taylor of Joseph, were
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