

WEATHER REPORT. Night and Sunday. Snow and colder to-



Opportunity knocks at your door EVERY day. To be convinced read today's ads.

COUNTY OFFICIAL PAPER.

CITY OFFICIAL PAPER.

VOL. 22.

PENDLETON, OREGON, SATURDAY, NOVEMBER 20, 1909.

NO. 6750

STANDARD OIL DELIVERED TELLING BLOW BY DECISION OF U. S. CIRCUIT COURT

FEDERAL JUDGE ADAMS ORDERS DISSOLUTION

Long Drawn Out Fight Between Government and Giant Corporation Results in Victory for the Former.

Standard Oil Company of New Jersey Meets Signal Reverse—Suit Was Begun Two Years Ago at Direction of Roosevelt—Testimony Was Taken in Many Large Cities of Country—Government Charged Monopoly in Restraint of Trade—Sustained in Nearly Every Point—Rockefeller Began Conspiracy in 1870—Case May Be Appealed to Supreme Court.

St. Louis, Nov. 20.—The government today won the suit to dissolve the Standard Oil company of New Jersey, with a hundred million capital. The case was brought at the direction of Roosevelt, by Deputy Attorney General Kellogg. The Oil company is thus delivered a severe blow, as the government was sustained in nearly every point. The only exceptions were made in favor of minor subsidiary companies named as defendants. These, it is held, are not clearly shown to be dominated by the trust. The orders of the court in regard to the Standard do not take effect for thirty days. The decision was announced in the United States circuit court by Judge Elmer B. Adams today.

that an alleged conspiracy would be perpetrated. An appeal can be taken to the supreme court which it is expected will be done.

First Monopoly in 1870. Early in 1870 Rockefeller and Flagler it is alleged entered into a conspiracy to control the oil trade. They pooled their business and organized the Standard Oil company in Ohio with a capital stock of a million dollars. Through their ability to secure preferential rates from railroads, it is alleged that by unfair trade methods they were enabled, according to the government, to drive to the wall and absorb most of the independent companies. The trust which exists today was not organized, according to the complaint, until 1899, when the Standard Oil company in New Jersey was formed. The power of the government to subpoena individuals outside of the St. Louis district of the federal court and compel them to answer to the charges, was at first denied. The contention was argued at length, and overruled. The defendants then filed answers to the government's allegations, and the case was set for trial. Judge Ferriss was appointed special examiner and for nearly two years held hearings in the principal cities of the country. The evidence when completed was printed and forwarded to St. Louis, and filled twenty-one volumes and more than twenty-five thousand pages. It was argued April 5, before the full circuit court bench here. The defense of the corporation was that the present organization of Standard Oil was the result of a natural growth of a great industry and that no statute had been violated.

Rockefeller Is Silent. Forest Hill, O., Nov. 20.—News of the decision in the Standard Oil case was brought here by the United Press. Rockefeller's secretary said he had not heard of it and Rockefeller will not make a statement until he hears from his counsel.

FIGHTS FOR DAUGHTER. Mother of Alma Telf Lays Family Life Bare. Auburn, Calif., Nov. 20.—Baring the story of her dead husband's disgraceful conduct and branding him as a drunkard, without feeling for his family, Mrs. Mary Telf, metaphorically tore her own heart out today and laid it upon the altar for her daughter's life and freedom. So pitiable was the recital of the aged woman the witness and court officials to allow her to recover her sanity. After the recess she related how Alma, her tenth child, had come to her Friday before killing Armes, sick and nervous, she said Alma then left and she did not see her until after Armes had been shot.

SPANISH VOLCANO STILL BELCHES FORTH DESTRUCTION. Madrid, Nov. 20.—Bursting forth with renewed fury the volcano Saleres in eruption today on the island of Tenerife, of the Canary group, according to advices received here. The eruption today is worse than yesterday. A stream of lava thirty-six feet wide and fifteen feet deep started down the mountain side and is headed direct for the town of Santiago, from which the inhabitants have fled and are hurrying to the seacoast. It is believed other volcanoes will erupt as they are showing signs. The people of Guaymas and Tanquechihu have deserted their homes and remained in the open last night.

ATTEMPT TO WREAK VENGEANCE ON CREW. Butte, Mont., Nov. 20.—Ten Greek section men were injured in a wreck on the Great Northern. The accident involved two carsloads of men who attacked the train crew which fled, and was rescued by officers.

Kvalshaug Jury Yet Out. Tacoma, Nov. 20.—At midnight the jury was still out in the case of Mrs. Martin Kvalshaug, indicted for the murder of her husband. Reports from the jury room are that the jury is hopelessly divided and will probably be divided and will probably report a disagreement tomorrow.

WEALTHY CONVICT SHOWS REPENTANCE

PRISON LIFE BREAKS ARROGANT SPIRIT

William Bradbury, Millionaire, in San Quentin for Perjury, Finds in Bible and Authorizes Attorney to Pay Up All Bills and Right All Wrongs As Far As Money Will.

San Rafael, Calif., Nov. 19.—With his arrogant spirit broken by the weight of prison stripes and the knowledge that a heavy burden of years is bearing him toward the grave, William B. Bradbury, the aged Corté Madera millionaire, has turned to the Bible for solace and is paying off his debts. From his cell in the San Quentin penitentiary where he is sentenced to spend a year for perjury, the old man has ordered his attorneys to settle his every debt and right every wrong if money can do so. According to the attorneys every claim will be paid as fast as the bills are presented. The sudden reform came as a surprise to every one but the prison officials who have watched his rapid metamorphosis from a stubborn, close-fisted man to a more kindly one, prone to do little acts of charity. When the millionaire was taken to prison recently, he left the world of free men much embittered.

RESCUE LIVING MEN FROM FATAL MINE

Cherry, Nov. 20.—When the government mine inspector came out at two o'clock he told newspaper men that 42 men had been found alive in the east tunnel on the second level. He stated the men were under the impression that they had been in the mine but a day. According to Paul, they were found sheltered behind a wall of debris. They lived on food carried into the mine with them. At two thirty this afternoon twenty one living men had been removed from the mine. This afternoon 50 bodies had been taken from the mine, 23 of which had been identified. Later—A hundred men were found alive when the inspectors made their second trip in the mine, which now makes a total of one hundred and forty two survivors.

ASTOR'S YACHT IS AS YET UNHEARD OF. Kingston, Jamaica, Nov. 20.—Mr. Astor's yacht Nourmahal cleared from Kingston for Ponce, Porto Rico, at midday, November 5. She did not coal here. Incoming vessels have not reported sighting the Nourmahal. The British cruiser Seylla went in search of the missing vessel on Thursday.

MONDAY WILL SEE GREAT CRISIS IN LONDON. London, Nov. 20.—The constitution of the United Kingdom will fall in the melting pot on Monday when the budget is moved for passage in the house of lords. Its rejection which seems certain, gives the voters two alternatives at the January election. The first will be upholding of the liberal and the budget and giving added impetus to the marked socialistic tendencies of recent politics and the other is the upholding of the lords, and the consequent repudiation of the constitutional provision of the house of commons to control the financial end of the government, thus damming the socialistic tide. No matter which side wins, a revolution in British politics is sure to follow.

BOLD DIAMOND ROBBERY IN CITY

MRS. W. M. SLUSHER LOSES \$600 JEWELS. Theft is Supposed to Have Occurred Last Sunday While Family Was at Church—Officers Have Been Working all Week on Case but No Clue is Afforded. News of a \$600 diamond robbery which occurred in this city during the past week, has just come to light. The officers have been working quietly on the case for some time in the hopes of being able to apprehend the guilty person but they have about come to the conclusion that the robber has made good his escape from the city. Mrs. William Slusher, wife of William Slusher, the prominent wool-grower and former joint representative from Umatilla and Morrow counties is the victim. The diamonds are believed to have been taken from her room in their residence in North Pendleton last Sunday morning, while the family was at church. While the thief was in the kitchen, preparing the midday meal, it is believed the thief, who had evidently been observing the habits of the family, entered the front door, made his way to the room of Mrs. Slusher and secured possession of the jewels. That he was familiar with the house and the place where the diamonds were kept, is evident from the fact that nothing else was taken. The jewels taken consisted of two solitaires and a turquoise ring with a diamond setting. The jewels were valued at \$600, not to mention the value placed upon them by the owner through the attachment she had formed for them during the years of their possession. The last time Mrs. Slusher wore the rings was last Saturday evening. They were not missed until Tuesday but it is believed that the only time when they could possibly have been taken was Sunday morning when the family was at church. Both the city and county officers are working on the case, but owing to the two days start which the thief had, and the probability that he had immediately made an effort to get a great distance between himself and Pendleton, there seems to be small chance of apprehending the perpetrator of the hold deed.

AFLOAT FOR DAYS ON LAKE WITHOUT FOOD. Duluth, Nov. 20.—After being tossed helplessly for 84 hours in a "dead" gasoline launch and going 60 hours without food, Axel Oburg, wife and two children, and two sailors, were cast on the rocks of Lake Superior 13 miles from here more dead than alive. By superhuman efforts the sailors reached here with the news of the terrifying experience. A life saving launch was dispatched and brought the family here.

COMPERS ELECTED AGAIN AS HEAD OF FEDERATION. Toronto, Ont., Nov. 20.—Samuel Compers was reelected president of the Federation today. Vociferous cheering greeted the outcome of the election, and Compers received a great ovation. St. Louis was selected as the next convention place.

YALE CONQUERS HER ANCIENT ENEMY. Boston, Nov. 20.—In the annual football game between Yale and Harvard, the former captured victory this afternoon by the score of 8 to 0.

Condon Has Fire Loss. Condon, Ore., Nov. 20.—Fire and water yesterday ruined the stock and building of the Red Cross Drug company. The damage of ten thousand dollars was partly insured.

Auction at Apple Show. Spokane, Nov. 20.—The National Apple show closes tonight with a big auction of the displays. The awards will be finished this afternoon. Most of the small prizes went to Wenatchee.

Mrs. Reed Found Guilty. Denver, Nov. 20.—Mrs. Ellen P. Reed was found guilty today of assault on Genevieve Chandler Phillips while attempting to commit larceny.

Jury Disagreed. Tacoma, Nov. 20.—The jury disagreed in the case against Mrs. Martin Kvalshaug for complicity in the death of her husband May 14, after being out 17 hours.

John P. McManus came in from Pilot Rock last evening on business in connection with the litigation which has tied up temporarily the sale of his Appleburg tract.

"GENTLEMEN'S AGREEMENT" RYAN SOON TO HEAR HIS DOOM

Thus Defense in Coal Land Cases Designates Compact to Consolidate.

TACIT UNDERSTANDING BUT NO WRITTEN CONTRACT

Cunningham Interests Seek to Prove Combination Was Not Illegal—Government Produces Affidavits Showing Intended Consolidation by Which Cunningham Would Profit—Entrymen Refused Offer from Guggenheim Agent.

Seattle, Nov. 20.—That the Cunningham entrymen had a "gentlemen's agreement" to consolidate their claims and work them in common or sell in a body to the Guggenheims, but had no such binding compact as to involve the integrity of individual titles of the entrymen, is the defense indicated in the preliminary sparring in the coal lands cases being tried here. By affidavits of the entrymen and of the Cunningham agent, the government has already shown that originally there was an agreement or understanding among the entrymen which would consolidate the claims and give Cunningham an eighth interest for his services. Entryman A. D. Jones, in an affidavit, said: "We have understood among ourselves that when the titles have been secured we would form a company to combine the entire group. This was only an understanding. We had no written agreement or instrument whatever. Last spring the Guggenheim agent made us an offer which a few wanted to accept, but the majority refused to consider and the others stood by the majority."

OREGON DEFEATS AGGIES. Eugene Bunch Wins Contest Yesterday 12 to Nothing. Eugene, Ore., Nov. 20.—On a sloppy field with a heavy rain soaking players and spectators alike, the University of Oregon's football eleven triumphed over the Oregon Agricultural college team in the annual contest yesterday afternoon by a score of 12 to 0. The game was hard fought throughout and plays by both teams were confined largely to straight football. Oregon's superior weight clearly gave the Eugene eleven the advantage, and though the Aggies put up a stiff defensive game, were unable to hold their opponents from scoring.

FROST SPOILS EUGENE'S CHRYSANTHEMUM SHOW. Eugene, Ore., Nov. 20.—The chrysanthemum fair which is being held in the basement of the First Presbyterian church of this city, is not as successful as was anticipated, because the recent cold weather injured many of the finest flowers. A few plants had been kept away from the cold weather.

Editor Otis Leaves Hospital. Baltimore, Md., Nov. 20.—General Harrison Gray Otis, editor of the Los Angeles Times, has left the Johns Hopkins hospital, after recovering from a serious operation performed some time ago. He is at Sharpburg, Md., where he is revisiting the battle field of Antietam. He took part in that battle as a member of an Ohio regiment.

Texas 50, Oklahoma 0. Austin, Texas, Nov. 19.—Texas university 50; University of Oklahoma 0.

E. R. Stuller of Baker City, is carrying on business interests in Pendleton.

FITZGERALD SAYS TRACTION COMPANY WILL COMPLY WITH ITS FRANCHISE

That the Washington & Oregon Traction company will build three miles of street railway in Pendleton and immediate vicinity within the next five months and thereby comply with the requirements of its franchise was stated today by F. Fitzgerald, promoter for the company who is now in the city. During the past few days Mr. Fitzgerald and Max R. Baumelster, in whose name the franchise is held, have been arranging for headquarters in Pendleton. In discussing the plans of the company today, Mr. Fitzgerald said that as a result of the denial to the company of a franchise in Walla Walla this city will be made the headquar-

ters of the company and also for the construction work. He estimates that at first the electric line will be extended a portion of the distance to Walla Walla, say as far as Ahena or Weston. The traffic of the section will then be borne to this city and ultimately the line will be extended to Walla Walla. Mr. Fitzgerald likewise states that his company will furnish electricity for power and lighting purposes only to this city. He says his company, like the Northwestern company, will not have sufficient power for high cities. So the Washington & Oregon company will confine its business to Pendleton alone. At the time the company secured the franchise in Pendleton Mr. Fitzgerald and asso-

Famous Murder Case Will Probably Be in the Jury's Hands Tonight.

PRISONER LOST HIS TEMPER ON STAND

All Evidence and Testimony is Submitted and Arguments Being Made—Phelps' Cross Examination Aroused Vindictive Spirit of Accused—Defense Weaves Last Strand—Attempts to Disprove Testimony of Shubert and Neuner.

***** The trial of the Ryan murder case took a new turn late this afternoon and it may not go to the jury tonight. Just before closing their cases, the defense put on a number of witnesses from Watsburg, Washington, and vicinity to show that Dixon's reputation for peace and quietude was bad. This will probably cause the state to put on reputation witnesses in rebuttal and the case may go over until Monday. *****

Mike Ryan's fate will probably be in the hands of the jury by 10 o'clock this evening. At time of going to press, practically all that remained was the arguments of the attorney and it is not believed that many hours will be consumed in this. It is therefore possible that the man accused of murder will know by morning what fate is in store for him.

The feature of yesterday afternoon's sessions of the trial was the cross-examination of Ryan. For more than three hours District Attorney Phelps kept the witness on the stand and doing a great portion of that time he was beside himself with anger. If it was the purpose of the district attorney to show to the jury that the accused man had an ungovernable temper and vindictive spirit, he apparently was successful.

Otherwise the defendant made a good witness for himself. He told a straightforward story of the occurrences on the day and evening of the tragedy, apparently fully accounting for his presence in the lane with the gun when Shubert was first stopped and also for his presence with the same gun in the Dixie pasture, later in the evening when Ryan and Dixon returned for the team.

When Ryan left the stand, the defense began the introduction of testimony to show that it was impossible to distinguish a gun in the hands of a man near the Ryan house from the Neuner home, a feat which both Shubert and Neuner claimed they did. Twenty-one tests were made. Witnesses were also put on the stand to show that at a distance of six feet, a discharge from a gun, similar to the one used by Ryan, would not leave a powder mark on clothing. As the amount of powder used in the cartridge with which the test was made, was not the same as that in the cartridge with which Dixon was killed, the court refused to allow the testimony to go to the jury. It was therefore read in to the record. The threatened introduction of character and reputation testimony failed to materialize thus far and the rebuttal testimony, if any, will therefore probably be short.

The court has been packed with spectators all day, there being the most women present of any time since the trial started.

At this time, according to Mr. Fitzgerald, nothing but preliminary work has been done towards developing the company's power plant. That the traction company will also establish a park in the vicinity of this city is announced by Mr. Fitzgerald and he says the selection of a park site is a part of the preliminary work the company must do. At this time Messrs. Fitzgerald and Baumelster are seeking an office location in this city. Thus far they have not secured quarters, but expect to obtain a location some where upon Main street.