

WEATHER REPORT

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JURORS COME AND JURORS GO

Defense in Murder Trial is Excusing Jurors by the Wholesale.

FIRE VOLLY OF SHARP QUESTIONS AT EACH

Slow Progress Made in Selecting Jury to Try Umatilla Murderer—Prosecution is Not Critical but Defense is Hard to Satisfy—Indications are that Arnold Will Not Take Stand in Own Behalf—Circumstantial Evidence Will Play Important Part.

From sang tried and a seeming over confidence in the inability of the state to prove the allegation of the indictment the defense in the Arnold case this morning changed tactics and became aggressive and fighting. The attorneys, Watts & Peterson are vigorously fighting for every inch of right of way which the accused man may have to freedom. As the defense becomes more and more aggressive the prosecution grows more confident than ever and District Attorney Phelps and his assistant Mr. Steiwer smile confidently as the attorneys for the defense question the prospective jurors.

The apparently easy indifference with which District Attorney Phelps is accepting jurors gives color to the current gossip that the prosecution believes it has an invincible case against the defendant. District Attorney Phelps accepted the first 12 men passed for cause en banc and in toto without blinking an eye lash. This threw the defense into a mild panic and they at once began peremptorily excusing jurors with an apparent recklessness that astonished many of the court room habitués who have witnessed hard fought criminal cases. And then too immediately the defense began questioning the jurors more closely and in doing so save away their hand. The district attorney, his deputies and the sheriff only smiled.

The defense is currently reported had expected the prosecution to put at least three men off of the box passed for cause but in this they were disappointed. Mr. Phelps smiling and leaning far back in his chair said calmly that the state accepted the entire panel. Immediately the defense began their peremptory rights and before noon today had exhausted the entire 12 challenges allowed by law. But before doing this the defense began showing their cards.

Defense Shows Hand.

"Do you think it is the duty of the state to prove the defendant guilty or do you think the defendant should take the stand and prove his innocence?" Attorney Peterson for the defense asked of the jurors. And he then brought up with:

"If the defendant should not take the stand at all would that prejudice you as to his guilt or innocence?" The prosecution smiled. Some of the spectators gasped.

"Is the defendant going to make any defense or is he going to stake his life on the inability of the prosecution to prove his guilt?" This was the questioning which was current in the court house this morning. Evidently, from the tone of the questions put to the jurors the defendant does not intend to take the stand, and it is a well known fact that of the witnesses he has subpoenaed not one of them with one possible exception, can know anything at all about the crime directly charged in the indictment. His witnesses are from Idaho, Baker City and points distant from the scene of the alleged murder.

The confidence of the prosecution is telling on the defense. They are fighting with every ounce of fight that is in them. Like a championship league game the prospective jurors came to bat this morning with one, two, three and out, either for cause or peremptory. The defense went behind and turned its flank and came up with an extra reserve force from the rear.

As an evidence of the manner in which they are going after the jury the defense excused one juror this morning after he has answered that if the evidence was sufficient he would not hesitate to bring a verdict that would hang the defendant. No sooner had the juror delivered himself of this than the defendant let go of him real quick.

Drawing is Interesting.

So interesting is the case growing that even the dry examination of the jury is drawing a crowded court room and when the state opens this afternoon with its big gun it is anticipated that standing room will be at a premium. For an unknown defendant, Arnold is drawing more than any other man ever tried in the local courts. Whether or not he realizes his position to the fullest extent is difficult to tell. He sits today as he did

yesterday by the side of his counsel, nervously twisting his hand, looking now and then at the jury box or casting quick glances about the room. The jurors themselves seem to view the whole procedure with a dispassionate calm. Any juror who does not want to serve finds it the easiest thing in the world to get off. If he is opposed to capital punishment that releases him. At the close of court last night it looked as though the jury would be selected early this forenoon, but the change in tactics on both sides made that impossible. The regular venire was exhausted early yesterday and the court sent the sheriff out to gather them in off the streets. Almost as fast as they were brought in they were let go, either for cause or peremptory. Some of them admitted that after reading the story of the crime in the newspapers they had formed an opinion. If this opinion was not a fixed one the defense lost out on their challenge for cause and the district attorney immediately accepted the juror providing he had no conscientious scruples against capital punishment. This tactic forced the defense to use a peremptory challenge and the method pursued caused the defense to exhaust their peremptories just before noon with one man to be supplied. If that man should happen to be distasteful to the defense they will be compelled to take him unless a challenge for cause is sustained.

Sheriff Taylor is an interested spectator in the court room. Although he is there with the defendant in his custody, yet he is interested for it is due to the indefatigable work of the sheriff that the case has made the progress that it has. With but a mighty slim thread to work on the sheriff took hold of the case at the time the dead body was found and in a few days had his line of circumstantial evidence so nearly completed that he felt confident of the man he was looking for. All these facts he kept to himself. And even yet the public has no knowledge of the facts in the case. These the prosecution is keeping up its sleeve.

Even at the present stage of the game there is much speculation on the possible outcome of the case. The current impression seems to be that if the prosecution has the evidence which indication would substantiate, the matter will become almost wholly dependent upon the character of the jury. Sentiment and that hazy, circumstantial evidence, will deal largely in the case.

BOOZE WRECKS LIFE OF SONG WRITER

AUTHOR OF POPULAR AIRS CONSIGNED TO POOR FARM

Man Who Wrote "Goo, Goo Eyes," "Ain't That a Shame," Etc., Could Not Escape from Tyranny of Booze—Cocaine, Opium and Morphine He Licked, But Booze Delivered Knockout.

Detroit, Jan. 25.—A wreck of his former self, through the ravages of liquor, Hugh Cannon, the popular song writer, whose rapturous melodies are whistled and sung throughout the English speaking world, was sent to Eloise poorhouse today. Hugh Cannon, but 36 years old, is wrecked, down and out. His own compositions contain the greatest comment on his life.

"Ain't That a Shame," which he wrote several years ago, and "Just Because She Made Them Goo Goo Eyes," are sung in every theater in the land. Another of Cannon's compositions, "Bill Bailey," and a score of others not so well known. "I started the booze route when I was sixteen," said Cannon, giving a thumbnail sketch of his life. "I am 36 now and except for seven months on the wagon during which time I got off temporarily to pick up the whip, I have been plucked most of the time. It has been twenty years—twenty black, nasty, sick years—with only a little brightness now and then when I made good with some song. I quit 'coke' (cocaine) easy. Fifteen days in jail cured me of that. I hit the pipe for a year in New York but stopped that. I went up against morphine hard, but quit. But booze, red, oily booze—got me for keeps."

OLD IRELAND MAY GET HOME RULE AFTER ALL

London, Jan. 25.—John Redmond, leader of the Irish nationalists, today practically announced he will hold the legislative "balance of power" in his own hand during the coming sessions of parliament. If he can substantiate his claim Ireland will get home rule after all.

THE PRICES OF FOOD PRODUCTS TAKE DROP

Chicago, Jan. 25.—With butter on the toboggan to grease the descent in the prices of beef, pork, potatoes, wheat, corn and wholesale eggs were reduced today from three to five per cent.

J. E. Taylor of Echo returned to that place this morning.

TRACTION FUND WELL STARTED

Committee Secured Over \$6000 in Brief Time Yesterday Afternoon.

COMMITTEEMEN SHOW FAITH IN ENTERPRISE

By Taking Total of \$5000 of the Washington - Oregon Company's Stock Local Committee Sets Pace for Fellow Property Owners and Business Men—Additional Workers May Be Decried to Raise Remainder of Fund.

- The Start. Dr. C. J. Smith \$1000, H. Alexander 1000, Leon Cohen 1000, James A. Fee 1000, E. J. Murphy 1000, W. L. Thompson 1000, E. A. Schiffer 100

Although the soliciting committee was hampered by lack of time yesterday over \$6000 was placed upon the stock subscription for the traction movement and thus a very substantial start made towards raising the \$50,000 local backing asked for by the Washington-Oregon company.

The work the committee did yesterday consisted merely in getting the members of the committee themselves signed up and in making a brief tally forth to see two or three men. Two of the men interviewed subscribed to the fund; a third asked to be given a few days time in which to consider the matter, while the fourth declined to subscribe anything at all.

As the matter now stands, the traction movement has the prestige of a hearty and substantial endorsement of the members of the committee that has been representing the local people in dealing with the traction people. None of the five members of the committee who subscribed \$1000 each are heavy local property owners, yet they had sufficient faith in the merits of the traction movement to offer a total of \$5000 towards financing the city's part of the deal. They now assert that if other local people and especially realty owners will but follow their lead the \$50,000 will be raised without much difficulty.

At this time the local committee has not worked complete plans for the completion of the work of raising the traction fund. However, the members are talking of the advisability of securing additional workers so as to permit of a thorough canvass of the city.

GREAT NORTHERN TRAFFIC STOPPED BY LANDSLIDE

Kalspell, Mont., Jan. 25.—Traffic on the Great Northern railroad was tied up today east of here by one of the greatest landslides in the road's history. The slide occurred at High Gate, 60 miles to the eastward. It is believed the tracks will be cleared before tonight.

Miss Marnie Bauer left today for her home at Hermiston, after having visited in the city as the guest of Mrs. Van Bowman.

STATE OFFICIAL SCORES UMATILLA COUNTY DAIRIES

SCORING OF UMATILLA COUNTY DAIRIES.

Table with columns: Dairyman, No. Cows, Test Milk, Score Dairy, Retailed by. Includes names like S. C. Dittner, R. L. Oliver, G. C. Sloan, A. Despain, Z. Houser, Ed Morgan, S. M. Richardson, T. J. Cheney.

Paul V. Maris, deputy dairy and food commissioner, has just completed the first inspection that Umatilla county dairies have ever received from a state official. When seen by an East Oregonian representative, Mr. Maris stated that while his tests of milk indicated exceptional richness in butterfat, that his inspection of the dairies showed that the majority of them were sadly deficient in sanitary equipment. The system of scoring employed takes into consideration every detail of the dairying business, and the grading is so arranged as to place proper emphasis on the different departments. According to the distribution of points one of the most important considerations is the handling of the milk and it was in this

COCKS CROW, HENS CACKLE

Great Umatilla-Morrow Poultry Show Opens Doors and People Flock to See.

QUALITY OF EXHIBITS AMAZES BIG BREEDERS

First Annual Exhibition Begins Auspiciously—Birds of All Kinds Still Pouring In—Scoring Has Begun—Many Rare Birds and Animals Seen in Coops—Excellent Musical Program This Evening at 7:30.

- Program This Evening at 7:30. March—Blue Label, Keifer Selection from "Faust" Gounod, Spanish Waltz—Sanjago, Corbin Intermezzo from "Cavalleria Rusticana", Mascagni, Trombone Solo, Mr. Hayes Intermission, March—Love Is King, Innes, Hearts and Flowers, Tobani, Damsie Styrienne, Michiels, Jolly Fellows Waltz, Volstedt, March—The Crisis, Hall

Five-day show instead of three. Six hundred birds and every one a sippin.

Every conceivable kind of chicken and more dog and cat entries than can possibly be accommodated. Secretaries, clerks and attendants working from early in the morning until 8 o'clock at night.

These are a few of the features of Oregon's greatest show of the season. The show goes beyond the wildest dreams of the most ardent chicken man in the Umatilla-Morrow County Poultry association and all are perfectly amazed.

The show is not only the most wonderful thing of its kind ever seen in eastern Oregon, but it is considered more important than the show of the state association which was held in Portland last month. The competition in all the important classes is so strong as to amaze the big breeders of the northwest. Those who came expecting to win with ease are wondering if their best birds stand any show for a place.

The crowing of the roosters and the cackling of the hens, together with the scoring of the birds in the big show window, the pair of peacocks in one of the others and the litter of puppies serve to attract a large crowd at all hours of the day and night. The attendants have great difficulty in keeping the people out until the show is ready to receive them.

It had been planned to open the show this morning at 10 o'clock but that was found impossible and the doors were not opened until 2 o'clock. Even then more than 100 exhibits were not in their places and will not be until late this evening. The doors will be kept open for two hours and a half after supper and will then be closed until 9 o'clock so that the birds can all be cooped when the doors open tomorrow morning, all the birds will be in their places. The cats and dogs will also be there.

It has been found impossible to close the show Thursday night so it will be kept open until Saturday night giving all a chance to see the birds

after the ribbons have been awarded. The scoring of birds was started today and the first ribbons will be put up this afternoon.

Fine Chicken Given Away. Great interest is being taken in the announcement that a standard bred cockerel is to be given away each evening. Numbers will be given out at the door and the one holding the lucky number when the drawing takes place will get the bird. The drawing tonight will take place at 8:30, while tomorrow night it will take place at 10 o'clock.

Many Querc Things on Exhibit. Among the exhibits which are considered out of the ordinary is the pen of wild geese, the peacocks, the homing pigeons, the guinea and rabbits.

BEEF TRUST PROSECUTION IS NOT NEW DEPARTURE

Washington, Jan. 25.—The Taft administration made it clear today that it does not intend to frighten industries in the country by indiscriminate prosecution under the Sherman anti-trust act, and that stories to the effect that the present action against the beef trust is the result of the public agitation or a new departure are untrue. The administration made known its desire that the public should understand the beef trust case is merely in line with the regular policies of the present government.

GRAND JURY NOT IN A HURRY TO TACKLE BARONS

Chicago, Jan. 25.—While an actual investigation of the meat trust by the government is scheduled to begin late today or possibly tomorrow it is intimated the result of the federal grand jury's work will not be announced for two months. The jury began the morning session by disposing of calendar cases, and by its slow, ponderous deliberations it is not on tiptoes to take up the investigation of the packers or will it be moved greatly by the popular protest against the current high prices of meat.

FARMERS GET SACKS AT LOWER PRICE

Walla Walla, Jan. 25.—The Farmers association has let a contract for 2,000,000 grain bags for \$5.47 1-2 per hundred against \$6.32 last year. The Francis company of Tacoma, gets the contract and delivery will be made from June 15 to July 15th.

BINGER'S REPORTS ARE INTRODUCED

HENEY CLOSES CASE AGAINST EX-COMMISSIONER

Former Employes of Land Office Take Stand to Show Hermann Knew of Fraudulent Practices in Handling of Forest Reservations.

Portland, Ore., Jan. 25.—The annual report of ex-commissioner Binger Hermann, and other interesting things like that formed the principal points of attention in the Hermann trial today. Heney is drawing his case to a close and this morning finished the direct examination of McVean, who has been on the witness stand for a day or more. He will follow this witness with other former employes of the general land office, to show by their testimony that Hermann had a knowledge of the fraudulent practices which are alleged to have prevailed in the handling of land put inside of the forest reserve.

The prosecution is now making an effort to connect Hermann by circumstantial evidence with the conspiracy. It has shown that Hermann discussed the creation of the reserve with Mays while in Portland, and is now showing by government documents by Hermann's letters and evidence of land office employes that Hermann knew of the fraudulent practices in school lands within the boundaries of the reserve created, and that knowing these practices had consistently used in his annual reports and otherwise that in lieu of the land act being changed or repealed, that he had declined to recommend the creation of reserve because of these conditions.

PLAN CONVENTION FOR CREATION OF NEW STATE

Medford, Ore., Jan. 25.—Southern Oregon leaders in the movement to carve a new state out of southern Oregon and northern California to be known as Siskiyou, were active today with the arrangements for a convention to devise ways and means. According to the present plans the convention will gather at Eureka, Siskiyou county, California, not later than March 15 and will remain in session three days. Prominent men from all the territory affected have signified their willingness to attend and aid the movement.

Lots of men will open a \$50 pot on a pair of jacks and kick up an awful rumpus the next morning if their wives want to open a \$1 bank account for the baby.

FRENCH FLEE FROM FLOODS

Waters Still Rising and One-third of Republic's Territory Lies Submerged.

HUNDREDS AT WORK TO PREVENT RIVER DAMMING

Rains Continue to Pour Upon Gay France and Rivers Rise One Half Inch an Hour—Floods Invade Wealthy Section and Residents are Moving Their Possessions—Show Street are Already Inundated.

Paris, Jan. 25.—One third of France is under water according to today's reports from provisional towns. The rains that have been falling steadily for more than a week continued today and the Seine, few by swollen tributaries, is rising more than half an inch hourly.

Hundreds of men and boys are working along the banks and in barges in the river in an effort to keep tons of drift and wreckage from accumulating at any point. Should an obstruction form in the river the city will be inundated by the diverted waters.

Early today the flood invaded the lower Champs Elysee, where is located many of the handsomest homes in France, including that of President Fallieres. Through that section hundreds of vans are moving furniture and other property out of reach of the rapid advance of the waters. Quai de Billy and Avenue Montaigne, the two Paris "show streets" are already submerged.

FIGHTING IN NICARAGUA

Government Troops and Rebels Have Bloody Engagement.

Bluefields, Nicaragua, Jan. 25.—After a desperate and bloody engagement in which it is thought at least 600 were killed, the government troops in the vicinity of Acoyapa today withdrew to await reinforcements that are being rushed to the front from Managua. Revolutionists under General Chamorro are reported to have lost 300 killed and wounded since the beginning of the long expected Acoyapa yesterday. Madrid's army it is believed, sustained even heavier losses. Under cover of machine guns, Vasquez, the government leader withdrew his men this morning. Chamorro made no effort to follow, evidently choosing to wait for the cover of darkness to make another attack. It appears from dispatches from the front that no reinforcements from the capital can reach Vasquez until tomorrow and his position is dangerous. During yesterday's fighting the rebels captured one machine gun, two English gunners and many native prisoners.

Oppose Hay's Proposed Road.

Olympia, Wash.—The Thurston County Pomona Grange adopted a resolution favoring the building of roads leading to the center of population in each county, instead of "trunk roads," as advocated by Governor M. E. Hay in a recent speech at Spokane. The resolution reads: "Resolved, that we sincerely regret that Governor Hay has taken an announced position in favor of trunk line automobile state roads. For we emphatically declare that in our better such a position will be detrimental to the commerce which must have an outlet from the farms. We further declare that we believe in first taking care of main roads leading into incorporated cities and then if need be, the pleasure and desire of the automobilists for scenic overland roads."

Greeks Allege Graft.

Spokane, Wash.—A hitch is threatened in the construction work for the new Astoria, Seaside & Tillamook Electric railroad, because many of the Greeks who have applied for work on the grading allege that the foreman, also a Greek, sends to Portland for his help. They also charge that the foreman will not fire any man that does not first pay him \$2 in cash and agree to pay him a further monthly stipend of \$1. As a result of this alleged "graft" the local colony of Greeks has become very indignant and it is not thought that they will permit it to go much farther, if they can prevent it.

Irrigation for Rogue River.

Medford, Ore.—It has been announced that work will start February 1 on a huge irrigation system, which will place 55,000 acres of the Rogue River valley under water and which will cost \$1,250,000. Fred N. Cummings is the local representative of the syndicate, which is back of the movement. It being composed of Spokane and San Francisco capitalists. They have already expended \$25,000 in preliminary surveys.