

WEATHER REPORT

Fair tonight and Wednesday, cooler tonight.

COUNTY OFFICIAL PAPER.

VOL. 23.

PENDLETON, OREGON, TUESDAY, APRIL 26, 1910.

CITY OFFICIAL PAPER.

NO 6886

JAIL BREAK ENDS FATALLY

Convicts in Colorado Pen Shot by Guards When They Try to Escape.

TWO ARE KILLED AND TWO ARE WOUNDED

Long and Carefully Planned Plot is Nipped in Bud by Watchfulness of Prison Guards—Shoot One Guard and Use Body as Shield, but are in Turn Shot Down by Other Guards—Make Attempt to Dynamite Prison Wall.

Canon City, Colo., April 26.—Two convicts were killed and two others and a guard are wounded in a desperate attempt of prisoners to escape from the state penitentiary here last night.

The dead: HARRY BROPHY, ANDREW JOHNSON. The wounded: JOHN BRADLEY, W. J. WILLIAMS.

CELL HOUSE KEEPER EMERY. When Emery threw the lever opening the doors of the cell house to admit the members of the prison orchestra at 8:30 last night, Brophy, who had filed a key to his cell, jumped into the corridor, drew a revolver he had concealed in his blankets, and shot Emery in the leg disabling him.

They then broke out one of the bars of a window that had been sawed nearly through, and using Emery's body as a shield, Brophy and Williams forced their way into the prison yard. They were seen and challenged by a guard on the walls and Brophy answered by a fusillade of bullets. The guard returned the fire, shooting Brophy through the head. Johnson attempted to follow Williams and Brophy through the window and was shot and killed by another guard.

Williams in the meantime had reached the shelter of the walls and was lighting a fuse attached to five sticks of dynamite which he had placed against the wall when he was seen by Warden Tynan, who shot him in the leg.

Warden Tynan and Guard Russell then rushed to the cell house, where they found Bradley hiding in an empty cell with a bullet wound in the abdomen. It has not been ascertained how Bradley was hurt. Miller was found unhurt in the cell house and locked up.

Brophy had evidently planned the attack some time ago, as the key with which he opened the cells was of intricate design and must have taken many weeks to make.

PROBE WILL WORK IN ALL BRANCHES OF TREASURY

Washington, April 26.—An extension of the customs house inquiry into all branches of the treasury department service was announced here today. The United States appraisers' stores at New York will be the next bureau of the department to undergo probing. According to information there are no charges of irregularities at the appraisers' stores. It is asserted an investigation will be a precaution taken to make sure that the present methods of appraising property protect the revenues.

WANT TEDDY TO OPEN CONGRESSIONAL CAMPAIGN

Washington, D. C., April 26.—Colonel Roosevelt will be asked to make the opening speech of next fall's congressional campaign on June 28th. This will be his first political speech in America since he retired from the presidency. The invitation will be extended by the National Republican League.

Didn't Make Long Flight.

Dijon, France, April 26.—The report sent from here yesterday that Count Decators had made an aeroplane flight with a passenger from Mouremelon to 15 kilometers beyond Dijon, a distance of about 140 miles has proven untrue.

ALBANIAN REVOLT IS SERIOUS CIVIL WAR.

Constantinople, April 26.—Government officials admitted today that the Albanian revolt has assumed proportions of a civil war, and will be treated as such. Sixty thousand Albanian rebels and government troops are waging war against each other. Before the end of the week both sides will receive strong reinforcements. Atrocities have been reported from both sides.

THOUSANDS OF ARMENIANS AT STARVATION'S DOOR

New York, April 26.—Thousands of Armenians are on the verge of starvation, and many are succumbing daily, according to a cable from officials of the Armenian relief committee at Constantinople. The dispatch reads:

"Twelve thousand people in the Marash and Zeitoun region in extreme need, will die, unless helped till harvest two months hence."

It is the families of the Armenian highlanders of Cilicia who are threatened with starvation as the aftermath of the massacres of last year, in which the fruitful provinces of Adana and Aleppo of Turkey, known as Cilicia, were devastated and tens of thousands of people, mostly widows and orphans, left destitute.

The association today appeals for funds for the relief of the sufferers. The association is anxious to cable to the international committee \$10,000 toward the lives of the starving people.

COMET GROWING LARGER IN HEAD AND LONGER IN TAIL

Pasadena, Cal., April 26.—That the head of Halley's comet is much larger than it was at first believed and that its tail has grown to a length of approximately fifteen million miles, is the theory of scientists who are observing the wanderer from Carnegie observatory. The head appears to be growing larger. The comet is visible from the observatory forty minutes each morning. The color now appears to be pale yellow.

JURY GIVES KEARNEY ONLY TWO THOUSAND

VERDICT IN BIG DAMAGE SUIT REACHED TODAY

Plaintiff Had Sued O. R. & N. Co. for \$200,000 for Injuries Received in Fall From Train—Company Had Offered to Settle for \$30,000.

Damages in the sum of \$2000 were awarded to Clarence Kearney today by the jury which had been out since 10 o'clock last night. The verdict was brought in at 2 o'clock today.

Kearney had sued the railroad company for \$200,000 for injuries received in falling from a train pulling into the local depot, May 28 of last year. It was alleged that the door of the vestibule had been left open contrary to the rules and custom of the train service and that he fell out of this door in the darkness when the train was subjected to a jerk in being brought to a stop. It is understood that the company had offered to settle the claim for \$3000.

When the jury came in this morning and asked to have a portion of the instructions read to them again, the feeling prevailed that a hung jury was probable. Some surprise was therefore occasioned when it was announced at 1:30 that they were ready to report.

It seems that nine of the 12 men were in favor of allowing big damages, while the other three did not think he was entitled to any damages. The compromise verdict resulted.

HUSBAND KILLED, WIDOW DIES OF BROKEN HEART

Seattle, April 26.—Mrs. Alexander Hoffman, whose husband was killed last week in an accident at the Union Oil company's yards, died today of a broken heart. When her husband died the wife became hysterical and declared she wanted to die also. Her wish was granted. Already a victim of tuberculosis, her grieving brought on a hemorrhage and she was found dead in her room in the hotel this morning.

COULDN'T KISS HIS BABY SO SHOT HIS FAMILY

St. Louis, April 26.—Joseph Flaherty, 25 years old, shot and killed his father-in-law, Charles Schneider, fired a shot at his wife, missing her and then shot himself through the head last night, because he was refused permission to kiss his baby. He was separated from his wife.

FAVOR FEDERAL ADOPTION OF "STATEMENT NO. 1"

Boston, Mass., April 26.—The lower house of the legislature this afternoon adopted a resolution favoring a federal constitutional amendment providing for direct election of United States senators.

Kingsland Commits Suicide.

St. Louis, April 26.—Phillip S. Kingsland, 62 years old, until recently president of a gas engine company and a member of one of the city's most prominent families, committed suicide yesterday afternoon after a quarrel with his son.

Austrian Diplomat Sails.

New York, April 26.—Baron Louis Ambrosy, Austrian charge d'affaires, who was recently succeeded at Washington by Baron Loewenthal-Linau, sailed for home today.

IDAHO STIRRED WITH SCANDAL

Register of State Land Office Resigns Before His Removal by the Governor.

M. I. CHURCH TRIED TO EXECUTE LITTLE GRAFT

Had Contracted to Receive \$2500 from Promoters of Irrigation in Return for Approval of Land Board—Irrigationists Say Church Worked Skin Game on Them—Latter Excuses Himself to Governor on Ground That Other Members Were Practicing Graft.

Boise, April 26.—The whole state is stirred by disclosures following the resignation of M. I. Church, as register of the state land board, who is alleged to have stepped out to prevent his removal. Governor Brady says Church confessed he had contracted to accept twenty-five hundred dollars from promoters of irrigation in case it was approved by the land board. The promoters declare that Church represented it was customary for irrigation companies operating under the Carey act to pay him for his services. Church is said to have given as an excuse to the governor that members of the land board were profiting by the Carey act projects and he decided to do the same. More sensational disclosures are expected as the governor declares he will sift the affair to the bottom.

SCHOOL TEACHER COMMITS SUICIDE

Spokane, April 25.—Miss Rosie Baumberger, aged 24 of Lind, Iowa, but until recently a school teacher at Metairie, Wash., shot herself through the head in a room at 11 o'clock this morning. The room is occupied by J. E. Fairley, employed by a drug company. He was at work at the time and the first intimation of anything wrong was when he came to his room at the noon hour. The girl lay on the floor with a revolver clutched in her hand. She was alive, although unconscious, but died just as she was admitted to the emergency hospital. The girl arrived in this city last Wednesday.

In some manner the girl got the key to Fairley's room. She had evidently started to write a note to her sister, but had torn it up. This note was addressed to Miss Mabel Baumberger, No. 407 Seventh street, Portland, Ore.

Fairley was inclined to cast a shadow of mystery over the whole occurrence until pressed for a statement. He said he had known Miss Baumberger since last August, having met her at Metairie. She came to Spokane several days ago, he said, seeking employment.

ABERDEEN MAN BREAKS NECK IN 2-FOOT FALL

Aberdeen, Wash., April 26.—Peter Lent, a millwright, is dead today from a fall of two feet from a step ladder at the mill. Lent fell backward, breaking his neck.

YESTERDAY WARMEST APRIL DAY EVER KNOWN IN COUNTY

Yesterday was the warmest day ever seen in Pendleton during the month of April, according to the records in possession of the local weather observer. The mercury registered a strong 94 yesterday, while the highest temperature ever recorded here during the month of April prior to yesterday was on April 13, 1904, when a temperature of 92 was recorded. The April of 1906 was also unusually warm, but the highest temperature recorded during that month was 86.

As a rule the highest temperature recorded during the month of April in Pendleton is in the vicinity of 80. The maximum temperatures for the past seven years are:

1904	92 degrees
1905	82 degrees
1906	86 degrees
1907	76 degrees
1908	80 degrees
1909	75 degrees
1910	94 degrees

It was nearly exactly a week ago that the mercury in the thermometers began its attempt to break all previous records. Saturday with 89 degrees was warm, and Sunday with a little better than 90 was still warmer, but it remained for yesterday to take the record.

Hardly had the sun set last evening

GOV. HUGHES NEW JUSTICE

President Taft Sends Nomination to Senate and it Will Be Confirmed.

GOVERNOR IN LETTER TO TAFT ACCEPTS NOMINATION

Chief Executive of New York Will Be Elevated to Supreme Bench to Fill Vacancy Caused by Death of Justice Brewer—Appointment and Acceptance Meets With General Favor—Hughes Will Not Take New Position Until October.

Washington, April 26.—Governor Charles E. Hughes of New York will in all probability fill the vacancy on the supreme bench, caused by the death of Justice Brewer. President Taft has nominated him and he has accepted the honor, and the senate is now considering the nomination.

A canvass today indicates the senate will unanimously confirm the appointment.

The selection of Hughes is meeting with general approval, even among those who have criticized his acts as governor.

Members of the cabinet this afternoon discussed the appointment of Hughes and expressed gratitude at the acceptance by the governor. President Taft is receiving hundreds of telegrams and letters congratulating him on his choice.

There has been much speculation ever since it was intimated Governor Hughes would be tendered a place on the supreme bench as to whether his appointment would take him out of the fall campaign in New York where republican leaders say he is sorely needed.

President Taft would not discuss this phase of the case. He has been anxious to secure the best man he could for the supreme court vacancy and he feels he has done so. He was much elated over Governor Hughes' acceptance and last night said:

"I am very much delighted to secure Governor Hughes for the bench. He is a man of wide experience and marked ability and it is a mighty valuable thing to have on the great bench of the supreme court a man of affairs. Governor Hughes is 48 years old. I think, and even if he should retire at 70 he will have had 22 years of solid usefulness on the bench."

The appointment of Governor Hughes was received in Washington with the greatest satisfaction. The announcement, however, came as a surprise, despite the fact it had been generally understood the position would be tendered him. President Taft had been warned Governor Hughes might not be able to accept because his service as governor of New York had depleted his small private fortune and he felt the necessity of again entering the practice of law to earn a competence for himself and family. This did not deter the president, however, and he had optimistically awaited a reply.

The first overtures regarding the appointment are said to have been conducted through Senator Root. It was not until Friday the president wrote a formal letter offering the place to the governor. The fact was

carefully guarded. Governor Hughes deliberated for a day and Sunday wrote his acceptance. The letter reached the White House yesterday afternoon as the president was preparing to leave. He delayed his departure long enough to see the nomination was sent to the senate and directed an official statement be prepared.

It is believed the appointment of Governor Hughes will eliminate him from the state campaign this fall. The campaign will be only fairly under way at the time the governor will take the oath of office and enter upon his judicial duties.

The news of the appointment and acceptance of Governor Hughes reached the justices of the court just as they were adjourning for the day. All were surprised and pleased.

Was Appointment Political Move?

Albany, April 26.—The appointment of Governor Hughes to the supreme bench and his withdrawal from New York politics will result in the reuniting of the republican state organization, according to leaders here today. A working agreement between the "reformers" and the old machine men has already been reached, it is reported. The agreement, it is understood, allows reformers now in the foreground to stay in nominal control of the party, though they will work in harmony with the machine leaders. Some of the Hughes followers are not pleased with his appointment. They declare the appointment was a clever move by President Taft to remove a possible presidential candidate from the field.

DR. TEMPLE BOUGHT BASLER PROPERTY

CONSIDERATION SAID TO HAVE BEEN \$15,000

New Owner Will Make Improvements and May Utilize Building for Theatre Purposes—Property 100 Feet Deep.

Through a deal that has just been completed Dr. I. U. Temple has purchased the Main street property of Joseph Basler. The property consists of a 50 foot frontage on Main street, just north of the Hotel St. George, and has a depth of 100 feet, though the building is but 90 feet deep. Mr. Basler owns clear through to Cottonwood street but the Cottonwood street property was not included in the purchase made by Dr. Temple.

According to Dr. Temple he paid \$15,000 for the property and he regards the purchase as a "good buy." He is expecting to improve the property but at this time has not fully decided upon his plans. It is possible he will add another story to the building this fall and among other things he is considering the advisability of utilizing the building for theatre purposes. The lot is now occupied by a one story building and this for many years was used by Joe Basler for furniture store location. Until recently the building was used by the Graham furniture store but it is now vacant.

DEDICATE LIBRARY.

President Taft and Andrew Carnegie Speak to Students.

Washington, April 25.—President Taft and Andrew Carnegie spoke at the dedication of the new Carnegie library at Howard university here before a congress of negro educators from various sections of the country. President Taft laid the cornerstone of the library nearly a year ago. He alluded to that fact today and said that he had been glad to act for Mr. Carnegie, who was absent on that occasion, and to "feel as a great millionaire benefactor feels."

"We don't envy Mr. Carnegie his money, or the fortune that has attended his efforts," said President Taft. "The thing we do envy him is the happiness that it must give him to do so much good for his fellow man as he is doing every month of the year."

Mr. Carnegie urged the negro students to educate themselves. "Fit yourselves," he said, "to take your place with the white man, and the race problem will be no more."

TESTIFIES DR. TWYMAN DESTROYED HYDE'S MEDICINE

Kansas City, April 26.—Circumstances attending the illness of Colonel Swope's family were recounted on the stand by Elizabeth Gordon, a nurse, in the trial of Dr. Hyde today. The witness said Dr. Twyman, family physician of the Swopes, had destroyed all of the medicines prescribed by Dr. Hyde just after Margaret Swope was attacked by a convulsion after taking the medicine given by Dr. Hyde. Miss Gordon testified that Margaret was ill with typhoid when Dr. Hyde gave her medicine. Soon afterward she manifested symptoms similar to those exhibited by Col. Swope.

Lost Steamer Found.

New Orleans, April 26.—The pleasure steamer Mercate, with a score of society people aboard, was sighted today on the farther side of Lake Ponchartrain. The steamer was thought to have been lost in a storm.

TAFT PREPARES FOR HIS TRIP

President Lays Plans For His Journey Into Western Territory.

WILL NOT CRITICIZE INSURGENTS IN SPEECHES

"Big Bill" Will Take Flying Trip Through Middle West—Knox Will Accompany Him—Leaves Washington on Friday—Stops at Buffalo, Pittsburg and St. Louis—Will Be Careful Not to Criticize Rebellious Members of Party.

Washington, April 26.—Outlining a series of speeches that will include no criticism of the insurgents, President Taft today began plans for his coming western trip. The presidential party will include Secretary Knox and will leave Washington next Friday for Buffalo, where Saturday will be spent. The main event there will be a dinner by the Buffalo chamber of commerce, where both the president and Knox will speak.

Sunday will be spent in Pittsburg and next day Taft will attend a concert and supper of the Musical Festival association. On May 4 the party will reach St. Louis, where an extensive program has been prepared, including an address at the Farmers' convention.

SAYS ROOSEVELT WOULD NOT HAVE DONE IT

Washington, D. C., April 26.—Charging the Taft administration with attempting to dictate legislation, Senator Clapp, republican, of Minnesota, today attacked the railroad bill.

"Roosevelt never sent such a bill as this to congress," he declared. "He never dictated. He stood for the concrete sentiment of the people and then proposed legislation to meet it. He flourished his big stick in conformity to American sentiment. We have fallen on strange times," he continued, "when a republican can no longer discuss national questions except at a banquet board."

HEINZE DOESN'T WANT STANDARD OIL JURORS

New York, April 26.—The defense and prosecution in the trial of F. Augustus Heinze had their first clash today over questions asked prospective jurors concerning possible affiliations with the Standard Oil company. The prosecution objected to the questions, but Attorney Stanchfield justified the questions by declaring the Standard Oil and Amalgamated Copper company had fought Heinze for years for control of the Montana copper fields and prejudice might exist in the minds of any jurors possibly affiliated with the former opponents of Heinze.

MORGAN'S DAUGHTER WILL ORGANIZE FRISCO WOMEN

San Francisco, April 26.—Anna Morgan, daughter of the great financier, is today planning to meet with labor leaders here for the purpose of organizing the working women of San Francisco into a league which will have for its object the betterment of its members. A meeting will be held tomorrow night when the organization will be perfected.

Put Varnish on Candy.

Washington, April 26.—A number of candy manufacturers were summoned to Washington today for a hearing before the officials charged with enforcing the federal pure food laws. It is alleged that the makers of sweets have been varnishing cheap candies with shellac, as the shine on the striped sticks attract children.

Agree on Quotations.

Elgin, Ill., April 25.—The Elgin board of trade today agreed upon a quotation of 29 cents for butter, a decrease of three cents from last week. Perfect harmony prevailed at the meeting.

METHODISTS TO PREVENT JEFFRIES-JOHNSON BOUT

Cincinnati, April 26.—Methodist ministers of this city today started what they intend shall be a national movement to prevent the Jeffries-Johnson fight on July 4. The plan of the campaign, as outlined by the ministers, includes an appeal to every Methodist church in the nation to exercise its influence to prevent the battle. It is claimed the fight will be nothing less than a national disgrace and calamity to the moral life of the people.