

WEATHER REPORT

Fair tonight and Tuesday.

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BRIEFS FILED BY ATTORNEYS

Brandies, Pepper and Vertrees Submit Briefs to Investigating Committee.

DOCUMENTS BRISTLE WITH VITUPERATION

Last Chapter of Famous Balingier-Pincho-Glavis Investigation Is Being Written—Each Attorney Eulogizes His Client and Bitterly Assails Opponents—Brief Covers Three Thousand Typewritten Pages—Balingier Gets Worst Dose.

Washington, June 13.—Three thousand pages bristling with vituperation were submitted today by the attorneys who appeared before the Balingier-Pincho-Glavis investigation committee. "The record disclosed that Balingier is hostile to the people and shows his cooperation with special interests and with violation of the law," says the Brandies brief. "I trust the committee will find the public domain in unsafe hands," said Peppers. "The prosecution's contention is cruel and baseless. It is nothing on which to assail the character of cabinet members and is absolutely no ground for an attack," declared Vertrees' brief. These three briefs totaled nearly a thousand written pages. They were largely along the lines of argument laid down by the attorneys before the committee previously. Balingier was severely excoriated in the documents.

Brandies asked that Glavis be regarded as a patriot. Vertrees referred to him as a "traitor, and a snake." Pepper defending Pincho, referred to the discharged forester as "a zealous advocate of good government." Vertrees called him "an arch conspirator seeking to destroy the good name of cabinet officers." Brandies, referring to the Glavis charges, declared the "records prove the facts as stated. These were not the same records the president saw. In this proceeding Wickersham appears no longer as an assistant judge, but as an over zealous advocate, lawyer is no longer a judge but stands in his true light as a prejudiced witness and bitterly vituperative."

"In these cases Glavis, Pincho, Jones and Kerby have been dismissed and Newell and Davis hold only a slight tenure of office. The committee will determine whether they are snake to be killed or traitor to be shunned. If any of them told the truth, the secretary of interior should be dishonored and declared unfit for office."

MURDER MYSTERY IN ITALY STILL UNSOLVED

Como, June 13.—Local police today received word that Porter Charlton, the young Washingtonian, suspected of the murder of his wife, Mary Scott Castle, whose body was found in a trunk in Lake Como, was at Lucerne, Switzerland. Meantime Ispoloff, the Russian who rented the couple the villa, is being held, and opinion is being divided regarding the identity of the murderer. Some believe Charlton himself was murdered and authorities today began digging up the grounds around the villa, looking for a possible body.

Fishermen this afternoon found a coat like Charlton's in the lake. This strengthens the theory that Charlton was murdered like his wife.

J. E. SMITH WOOL TO BE MADE INTO PENDLETON INDIAN ROBES

An important wool sale was made this morning when the Pendleton Woolen Mills company purchased the Barnhart clip of the J. E. Smith company. This is considered one of the best clips in the country and is the one on which five different bidders tied at the sale here last Saturday. The bids were all refused by Mr. Smith and this morning he disposed of the wool to Clarence Bishop of the Pendleton Woolen Mills company. The price has not been made public.

The clip consists of 75,000 pounds of exceptionally good wool and there is much satisfaction in local circles that the Pendleton plant was able to secure and to keep at home such a high grade of raw material. This will now be made up into the famous Pendleton Indian robes and other goods turned out by the local manufacturing establishment and will assist in further spreading the fame of

WHAT DOES RECALL OF JAP ROYALTY PORTEND?

Washington, June 13.—Diplomats are discussing the sudden recall of the Prince and Princess Fushimi of Japan, who are touring America. There is much speculation as to whether their recall means that Japan intends to renounce the existing treaty with this country. It is believed it will be formally renounced Friday. The anticipated act is not a sign of hostility, but there is feeling that Japan did not want to place the royal couple in an embarrassing position should the treaty negotiations result in acrimony. The Prince and Princess start for Seattle tomorrow, and thence to Japan.

DECLARES GOVERNOR FORGETS DUTIES DURING CAMPAIGN

Topeka, June 13.—The political opponents of Gov. Stubbs are declaring today the governor and several state officials are shunning their duties to give their time to campaigning. They point out Stubbs on the platform declared for a "Dollar's worth of work for a dollar pay." Open letters are being circulated asking why he does not pay more attention to duties.

WHITE TELLS OF BRIBERY IN ELECTION OF LORIMER

Chicago, June 13.—Charles White, confessed bribe taker, was the first witness in the trial of Browne, the democratic leader of the Illinois house, accused of bribery in connection with Lorimer's election. White told of receiving payments in Springfield and Chicago. He said the money was given him to vote for Lorimer.

HASKELL DESTROYS INJUNCTION PAPERS

OKLAHOMA GOVERNOR HURLS THEM OUT OF WINDOW

Threatens to Throw Sheriff Who Serves Them After Them—Injunction to Prevent Removal of Capitol.

Oklahoma City, June 13.—Governor Haskell today ordered Sheriff Mahoney from his office when Mahoney tried to serve injunction papers brought in state courts to prevent the removal of the capitol to this city. Haskell threw the papers out of the window and told the sheriff to get before he was treated likewise. He acted on the advice of the attorney general who said the supreme court of the state could not mandamus the governor. There is much excitement owing to the result of the election which changed the location of the capitol. State officials believe they can not transact business till the election has been canvassed, and this will probably be Thursday.

AMERICAN CHARGED WITH TREASON IN NICARAGUA

Bluefields, June 13.—It was learned today that Walter Pittman, an American, who it was believed escaped, is a prisoner of Madriz at Greytown. It is understood he will be taken to Managua to be tried for treason. He is responsible for the death of a company of troops which he blew up by mines while the Nicaraguans were trying to capture this city recently. Managua reports that Madriz's prisoners are treated barbarously. Estrada it is said, is preparing to ask Washington to authorize the creation of a republic called New Nicaragua, which will include half of the present state of Nicaragua with Bluefields as the capital.

A man who is ashamed to show his face can't blame people for talking behind his back.

BIG DISASTER IN MONTREAL

Many Employes of Newspaper Killed and Injured in Explosion and Fire.

WATER TANK CRASHES THROUGH THREE FLOORS

Timbers Supporting It Collapse and It Plunges Through Three Floors, Carrying Employes and Machinery to Death and Destruction—Sixty-eight Girls Working on Top Floor—Feared Death List May Total Thirty.

Montreal, June 13.—Fourteen persons are known to have been killed and fifteen injured in an explosion and fire which destroyed the Herald building here today and it is feared that the total loss of life may be thirty. Sixty girls were employed on the upper floor working in the bindery. The accident was caused by the collapse of the timbers on the roof supporting the water tank which dropped through three floors. Briefly, the managing editor, says the loss will be half a million dollars.

The tank carried several persons to death as it tore through the building, accompanied by heavy machinery. Sixty-eight employes were working on the top floor at the time. The art room, composing and editorial rooms, and the bindery were wrecked.

ONLY TWO KILLED IN PORTLAND AUTO WRECK

Portland, Ore., June 13.—It is considered certain that Chauffeur Day and Mabel Monte, the divorced wife of a Portland fireman, were the only persons in the automobile which plunged into the Oregon slough near the Vancouver ferry Friday night. The machine was removed yesterday and contained no one, but it is believed the bodies will be found later in the Columbia river.

DECLARES TEDDY WILL NOT MIX UP IN CAMPAIGN

New York, June 13.—Several men recently returned from abroad are authorized for the statement today that Colonel Roosevelt will not take part in the coming campaign. His program, it is asserted, includes a rest at Oyster Bay, and then maybe he might help Governor Hughes in an effort to secure an adequate primary election law for New York. It is declared Roosevelt will not enter the senatorial race to succeed Depew.

ROOSEVELTS ABOARD SHIP HAVE THEIR SEA LEGS

Aboard Steamship Kaiserine August Victoria, June 13.—With Bongo, Ethel's dog, in full possession of his sea legs, Colonel Roosevelt and family report a clean bill of health today. The Colonel spent the morning writing letters. Yesterday he addressed the immigrants and exhorted them to become good citizens of the country to which he welcomed them.

Ahead of Weston.

Reno, Nev., June 13.—Jack Eldridge after a 12 hour rest, left here today on the last leg of the walk across the continent from Boston to San Francisco begun March 15, to beat E. P. Weston's record of 105 days. Eldridge, who is 24 years old, is now 19 days ahead of the septuagenarian's record and expects to reach the coast June 18, 77 days from Boston. Last Wednesday he beat Weston's best daily record of 72 miles in 24 hours while crossing the desert. Several Boston sportsmen have wagered a large sum that the lad will beat Weston, and if he succeeds, he will be paid \$2,000.

Wanderer Picked Up.

Chicago, June 13.—The police here have in custody a man believed to be R. H. Edmeston, a former millionaire dry goods merchant of Buffalo. The prisoner was found wandering in the streets Saturday night penniless. According to the police their prisoner once owned two large stores in Buffalo and at one time was reputed to be worth \$2,000,000. The police also say that the supposed Edmeston was placed in an eastern sanitarium two years ago.

Two are Drowned.

Montreal, Que., June 13.—Albert Enough, a builder of St. Lambert, and his adopted daughter, Lena Healy, jumped from the center of Victoria bridge and down 60 feet into the swift current of the St. Lawrence river yesterday. Both were drowned. Enough leaped first and was followed a moment later by the girl but whether she jumped in the excitement of the moment or was following out a suicide compact is not known.

CORPORATION IN INTERNAL BROIL

Orchard Development Company Stockholders Fight Among Themselves.

UMATILLA MEMBERS ACCUSED OF FRAUD

Montana Stockholders in Land Company Alleges Local Members Held Illegal Meetings and Sold Stock to W. L. Thompson—H. R. Loughlin, One of Defendants, Explains Transaction—Says Montana People Tried to Play Freezout Game.

A valuable tract of land in the west end of the county and control of a corporation owning the land, are the bones of a contention in another big legal battle, the first gun of which was fired Saturday. At that time a suit was filed in the United States court at Portland, in which S. P. Wright, C. W. Smith, G. M. Russell, T. S. Lane, Olaf Lundwall, D. W. Grieve, J. R. Afflerbaugh, E. W. Foster and Lewis R. Andererg are plaintiffs, and the Orchard Development company, H. R. Loughlin, Bertha E. W. Loughlin, N. D. Stanfield, W. L. Thompson, R. N. Stanfield, Inez Standfield and J. N. Burgess are defendants.

The Loughlins live at Hermiston and the other defendants in various parts of the county. The plaintiffs live in Montana. The Orchard Development company, a corporation in which all of the above people with the exception of the Stanfields have an interest, and being the owner of a tract of about 200 acres of land near Hermiston, which was purchased from Mr. and Mrs. Stanfield.

Illegal Meetings Alleged.

The complaint charges that the defendants held illegal meetings of the corporation and sold stock to W. L. Thompson and that the Montana stockholders, who constitute the plaintiffs, were misled as to the purpose of these meetings by the form of the notices which were sent, and it also asks an accounting from H. R. Loughlin, treasurer, for the moneys which have passed through his hands.

Mr. H. R. Loughlin, secretary and treasurer of the company, was in town today and, when seen, gave the following version of the transactions: Mr. Loughlin states that the company was organized about four years ago, with a distinct understanding that the properties were to be immediately placed on the market and sold, and that he has ever since that time been endeavoring to get the Montana stockholders to go ahead with the proposition, but that the Montana people have not been able to agree among themselves as to what should be done with the property, some desiring to hold it and others to sell, and that they were constantly embarrassing him in his efforts to successfully handle the affairs of the company.

This condition of affairs has continued for two or three years, until it became necessary, in order to meet the payments on the contract, the Montana people having refused to advance further moneys for this purpose, to raise funds in some manner. Mr. Loughlin states that he submitted the proposition to the attorney for the company and was informed that the entire holdings of the company would be lost and forfeited under their contract if they failed to meet their payments. He then proceeded to call a meeting which, under the advice of the corporation attorney, was entirely regular and, after canvassing the situation from every possible point of view, it was decided that the only feasible method of raising the money was the sale of some 15,000 shares of treasury stock in the corporation. The directors accordingly proceeded to sell the stock and the same was submitted to local capitalists, among others Mr. Thompson, who, after investigation, purchased the stock.

Freezout Game Alleged. According to Mr. Loughlin's statement, as soon as the Montana stockholders learned that he had succeeded in raising money to handle the affairs of the corporation and to defeat their purpose in endeavoring to freeze him out, they immediately began efforts to wreck the corporation, by publishing paid advertisements in Umatilla county papers calculated to discourage investments in the corporation property, and discrediting him. They came to Hermiston and without notice to the Umatilla county stockholders, attempted to hold a meeting without a majority of the stock being represented, and attempted to take the control of the corporation away from the Umatilla county stockholders, and to elect their own members and two Hermiston men, to whom they transferred two dollars worth of stock each, as directors, to control the affairs of the company. Loughlin, on learning of their purpose, telephoned to the other Umatilla county

stockholders, and Mr. Thompson immediately secured the proxy of Mr. Burgess and left by automobile for Hermiston to attend the meeting.

Loughlin says he requested that the Montana stockholders wait until such time as the stock should be fully represented, in order that all the business of the company could be settled up and disposed of. They, however, refused to do so and he says that when the dust of Mr. Thompson's automobile was seen coming over the hill into Hermiston they proceeded to close up their business as fast as they could, endeavoring to finish it before he could arrive. However, he got there before the meeting was closed and by his promptness succeeded in voting the stock represented by him and preventing the control of the corporation from passing entirely out of the hands of the local stockholders.

Attorneys Approved Action.

Mr. Loughlin states that he is thoroughly satisfied with his position in the entire matter. That all of his acts have been passed upon and approved by the attorney for the corporation, R. R. Johnson, and that in addition Mr. W. L. Thompson has had the matter thoroughly examined by his attorneys, who have assured him that the records of the corporation are entirely regular.

The complaint also asks for an accounting from Mr. Loughlin, as treasurer of the company, but Mr. Loughlin states that the accounts of the corporation have been repeatedly examined by the Montana stockholders and by accountants they have designated, and have been approved by them, and that he has no fear whatever on that score.

Mr. Loughlin considers the property a good property and says it would have been possible to have disposed of practically the entire tract had it not been for the constant efforts of the Montana stockholders to hinder his actions.

EARNHART WINS FROM SWITZLER

COURT GIVES HIM THE POSSESSION OF THE ISLAND

Another Battle in Island Controversy Is Fought Out—Judge Bean Disallows Injunction Keeping Earnhart Off Island.

F. E. Earnhart is once more in complete and—for the time being—undisturbed possession of the Dave Beavert or "Little" Switzler island in the Columbia river. Circuit Judge H. J. Bean this morning rendered a decision dissolving the injunction which he had granted a few days ago and which put Earnhart off the island as well as ordered him not to harvest the alfalfa crop.

The island contains about 70 or 80 acres of land and is valuable chiefly for growing alfalfa. It is claimed by William Switzler who had purchased the improvements made on it by Beavert and who says he intended to secure final possession by means of the homestead law. A little more than a year ago, Earnhart took possession of the island and the case has been in the courts since that time.

Switzler secured an injunction from Federal Judge Wolverton which put Earnhart off. A few weeks ago, the Wolverton decision was overruled by a higher court and Earnhart went on again. It was then that the temporary injunction was secured from the circuit court.

Bean's decision this morning was to the effect that the state circuit court has no jurisdiction in this case.

Horses for Sale.

P. G. Smith of Burns, is now at the Bowman ranch 5 miles south of Pendleton, with 60 head of big horses to sell.

Principal L. W. Keeler of the Echo schools, passed through Pendleton this morning on his way home from a visit to the east end of the county.

EXPENSIVE COLLISION IN LOCAL RAILROAD YARDS

An expensive accident occurred in the railroad yards last night when the cafe car of the Spokane train which spends the night here, collided with the switch engine. Both were put out of commission and must be sent to the repair shops in Albina.

A few minutes after 12 o'clock the night switch engine crew switched the cafe car onto a side track. A block was placed in front of the wheels to hold the car there while the switch engine backed out and started to come back up the adjoining side track. Hardly had the engine passed the switch when the cafe car came down the track at about 12 miles an hour. The engineer saw the car coming in time to stop but not in time to reverse his engine and the two pieces of railroad equipment came together with a crash which was

HAMILTON DOES THRILLING DEED

Aviator Sails From New York to Philadelphia and is Now Returning.

THOUSANDS APPLAUD HIS WONDERFUL FEAT

Makes First Half of Trip in One Hour and Fifty Minutes, Distance of 86 Miles—Asks for Cigarette When He Alights—Says Trip Was Perfect—Curtiss Assists Him to Repair Damage of Bad Star and Pathfinder Guides the Way.

Breaks Down on Return.

New York, June 13.—After successfully breaking the American record for the longest sustained flight, by a trip to Philadelphia, Hamilton started on his return. At Southamby, N. J., his engine broke and he descended and his propeller also broke so he was compelled to give up his return trip this afternoon. Hamilton will probably not reach New York before tomorrow night or Wednesday. He will send to this city for another propeller.

Philadelphia, Pennsylvania, June 13.—Charles Hamilton, the aviator, landed in North Philadelphia on Fronters street early today, completing the first half of his trip from New York to Philadelphia and return. He covered 86 miles in one hour and fifty minutes, leaving New York at 7:38. His start was witnessed by thousands of people and fully twenty thousand greeted him when he alighted here.

He circled the field three times before alighting with the twenty thousand people cheering him wildly. His first remark was: "Has anyone got a cigarette?"

He said it was the most beautiful flight he ever had, the weather being perfect.

Curtiss Helps His Start.

New York, June 13.—While Hamilton was preparing for his Philadelphia flight he started and the propeller struck a tree, smashing it. Hamilton alighted, swore some and then borrowed one from Curtiss. Curtiss and his assistants soon had things in working order and on his second attempt the aviator plunged into the air at high speed.

He passed the upper bay at a height of 600 feet and headed for New Jersey meadows. River boats whistled and dipped their flags as the airman shot over the Hudson. At Elizabethtown he turned inland and followed a pathfinder automobile swathed in white blankets. The machine tore along at a mile a minute clip with Hamilton 500 feet above it.

On Return Trip.

New York, June 13.—Hamilton started on his return trip at 11:25. At South Amber, New Jersey, he descended and began tinkering with his engine.

Lightning Kills Many.

Berlin, June 13.—Six are dead, 17 severely injured and 80 slightly, today as a result of lightning. The people returning from a picnic sought refuge in an iron fenced building, at Bresslau, where the lightning struck.