

WEATHER REPORT. Fair tonight and Friday.

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BAKER'S DEFEAT COMPLAINTS ARE CONSIDERED RIDICULOUS

THREATENED INJUNCTION IS NOT FEARED

Judge Lowell Says There Are No Legal Grounds for Such Procedure—Thinks Selection Made on Merits.

Walls From Baker City Over Loss of Eastern Oregon Branch Asylum Cause Much Amusement in Pendleton—Telephone Message From Baker Does Not Agree With Published Report—La Grande Takes Decision in Philosophical Manner—Baker Paper Accuses Bowerman of Playing Politics—Salem Paper Says Superintendent of Asylum at Salem and Prof. Scudder Both Recommended Pendleton site.

In local circles the complaints going up from Baker City regarding the selection of Pendleton as a site for the branch asylum are regarded as ridiculous and the story that Baker people may try to take legal proceedings to stop the location of the asylum here are regarded as unfounded. "I had a phone conversation with a prominent Baker man this morning," says W. L. Thompson, president of the Commercial association. "He was one of the leaders in presenting Baker's claims before the state board and he told me he had heard of no move to ask for an injunction. Furthermore he told me that such a move if undertaken would meet with a vigorous protest from him."

winters are much milder. "Prof. H. G. Scudder, a soil expert, also reported favorably on Pendleton and says the soil there is very fertile and well adapted to the cultivation of a variety of products and as soon as the buildings are completed the tract will be cut up and devoted to dairying and diversified farming. Inmates of the institution who are able to work will be detailed to do work in connection with the farm."

Baker Accuses Bowerman. What kind of a man is Jay Bowerman? At the banquet given in his honor here he stood before a score of men of this city and stated that he would award the asylum to the site which merited it. But before leaving the hotel he said to one of the guests: "I have three friends in Pendleton to one here, so you can see where the asylum is going."

Bowerman's entire campaign through eastern Oregon, especially at Baker and Union, was one of deception, for he told a few friends several weeks ago that Pendleton was to have the asylum. Then he had the nerve to come up here and state publicly that merit alone was to count in his decision. He evidently realizes that he is down and out and is playing the game for all it is worth.—Baker City Herald.

Climate Won Out. In the view of Dr. C. J. Smith, who has always been a zealous worker for the branch asylum and was the author of the constitutional amendment that makes its location here possible, Pendleton won the asylum because of its altitude, its climate and its fine geographical location.

"I believe that our altitude and our climate were especially in our favor," said the doctor this afternoon. "It is generally conceded that our altitude is more favorable than a high altitude. Then we have a milder climate than has either Baker or Union and we are free from hard biting winds such as they have. Yet I feel too that the board was influenced greatly by the fact that this place affords a more central location for the branch hospital and is therefore the economical location."

No Danger of Injunction. When asked this morning for his opinion as to the grounds for an injunction against the building of the asylum in Pendleton which course of procedure is threatened by Baker City, Judge Stephen A. Lowell said: "I do not believe there are any legal grounds whatever upon which to base an injunction. The selection of the site was purely discretionary with the board and the fact that Bowerman constituted two thirds of that board does not alter the legal phase of the matter. Baker City may secure a temporary injunction for it is an easy matter to trump up allegations, but when the case is taken up in the courts, I think the decision will remain favorable to Pendleton."

Judge Lowell stated further that he believed the selection of the site was made purely on the basis of relative merits. "I believe the board judged Baker to be too high and cold and the Grande Ronde valley too windy," he said, "while Pendleton with its mild climate offered advantages to the patients which could not be had elsewhere in eastern Oregon."

Steiner Recommended Pendleton. "It was largely through the recommendation of Dr. R. E. Lee Steiner, superintendent of the Oregon State Insane asylum that Pendleton was selected. Dr. Steiner pointed out that the climatic conditions of Pendleton are superior to the other towns, in that it is much drier and that the

MATLOCK TRACT MAY BE BOUGHT

ENTIRE HOLDINGS MAY BE HAD FOR \$5000

Is Fine Bargain Assert Backers of West Court Street Site—Tract Comprises 17 Acres all Told—Arguments for Both Upper and Lower Sites.

W. F. Matlock will sell to the Round-up association the baseball park on West Court street and all the vacant land adjoining the same and lying north of Court street for the sum of \$5000. An announcement to this effect has been received here in writing from Mr. Matlock and with this as a basis of action an earnest move is now on to have that land purchased and used as a permanent home for the Round-up.

All told there are 17 acres of land in the Matlock tract. Aside from the present ball grounds he owns the vacant land east and north of the grounds and his rights extend clear across the river. At the present time much of the land is covered with gravel and considerable filling work would have to be done to get the land into serviceable shape.

However, say the advocates of the Matlock tract, the sum asked for his property by Mr. Matlock is extremely reasonable. In view of these men either the city or the Round-up association should purchase the tract and convert it into a stadium that may be used by the Round-up and also for athletic meets. Mr. Matlock is willing to grant any terms desirable as to payments and wants six per cent interest upon the deferred payments. Already a move is on to induce the city to purchase this land.

Is Very Accessible. Chief among the arguments in favor of the Matlock tract for a Round-up location is the fact that it is very accessible. It is held by many that the frontier show should be held sufficiently close in to permit of people walking to and from the grounds. With West Court street properly improved and with good walks leading entirely to the entrance of the grounds it is argued thousands of people would walk. Therefore the attendance would be better. This argument applies with even more force to football and baseball games than it does to the Round-up.

MRS. MABEL WARNER WINS IMPORTANT POINT IN FAMOUS WARNER-YOUNG WILL CONTROVERSY

Judge H. J. Bean today handed down a decision in which he holds that the so-called "fourth" will to the estate of the late J. W. Young of Weston, is valid and he therefore orders it admitted to probate. This decision was rendered on the appeal from the county court in which the will had been declared a forgery and Mrs. Warner had been pronounced the forgerer. By the terms of the will ordered probated by Judge Bean, Mrs. Warner gains possession of the Young farm in the northern part of the county and practically the whole of the estate of the late mill man and merchant of Weston. The fight which she has waged for the past four years has been one of the most picturesque ever witnessed in the Oregon courts. She was twice tried for forgery and twice escaped the penitentiary through the inability of the jurors to agree upon a verdict.

SAN FRANCISCO WILL HAVE FAIR IN 1915 GIRL MADE INSANE BY JAP TREATMENT

Washington, D. C., Dec. 29.—No matter what course is taken by congress, San Francisco will hold a fair in 1915, according to Senator Flint of California, who is here working in conjunction with the San Francisco committee. He said: "While we would like congressional sanction of our fair with seventeen millions at our disposal we will have an exposition that will draw from any other fair when the Panama canal is opened. I am not worrying about what congress does. All this talk of the logical point being chosen as the official site is fruitless for the fact remains that with the railroad rates properly reduced, where hundreds would brave the summer heat of New Orleans, thousands would go to San Francisco."

Seattle, Wash., Dec. 29.—May Harris, aged 18, and the daughter of Mrs. G. W. Foster, a pioneer pugnet sound family, was taken to the Stellacom state insane asylum today a mental and physical wreck. The girl had been rescued from imprisonment for 46 days in a dark room of a Japanese lodging house, where she had been held in unspeakable bondage, the prey of Jap laborers. The girl was married two years ago to James Harris and has a child. Several weeks ago she dropped from sight while returning to her home after visiting her mother. No trace of her was obtained until a telephone message was received by the police from her asking to be rescued. Detectives searched the place three times and finally located the girl. She was in a terrible condition and said the Japs forced drugs down her throat and kept her semi-conscious most of the time. Judge Jay sent her to the asylum to recover from the effects of the drugs.

BLACK HAND MEN ARE NOT TERRIFIED

New York, N. Y., Dec. 29.—The practically life sentences given Marie Rapp and Stanisla Pattenzi, the blackhand leaders a few days ago, has not stopped the blackhanders in the lower east side. Four bomb outrages occurred today and thirty persons sleeping in a double decked tenement house in the Italian quarter were endangered.

It wrecked the stores on the first floor and demolished the stairway. No one was hurt. Previously Georgino Sagnio, a grocer whose store is in the building wrecked, received a letter demanding \$2000. He refused and the explosion followed. Three other explosions followed the refusals to pay extortions, the police say.

GREECE TERRORIZED BY EARTHQUAKES

Athens, Greece, Dec. 29.—Heavy earthquakes causing much damage and probably loss of life, are reported to be occurring today in the province of Ells. The messenger telegraphic advices say a large number of buildings have already been wrecked. Communication with Ells, Pyrgos and Patros, the principal cities of Ells province, is gone. The center of the disturbance is at Pyrgos, near the southern boundary of the province. The shocks are increasing in violence. The people are reported to be terrorized.

EARTHQUAKE SHOCK IS FELT IN PUGET SOUND

Seattle, Dec. 29.—Two distinct earthquake shocks were felt on Vashon island, situated in Puget Sound, between Seattle and Tacoma late yesterday. The first shock was felt at 5:20 and the second soon after. The earthquake shook the houses and caused the residents to hurry outdoors, but no damage was done.

Famous Tennis Player Dies

London, Dec. 29.—Reginald Doherty, the famous tennis player, died here today. With his brother, H. Doherty, he was the world's double champion.

Lester Means came up from Umatilla Sigma dance in the Eagle-Woodman hall this evening.

BOILER EXPLOSION KILLS FIFTEEN MEN

Pittsfield, Mass., Dec. 29.—Fifteen men were killed and twelve injured in the boiler explosion at the Morowood Lake ice plant today. More than thirty men were in the plant at the time of the explosion which practically wrecked it. Among the dead recovered and identified are: William Dunn, Edgar Allen, John Raymond, Martin Smith. Most of the dead are Poles. Engineer William Dunn was hurled 200 feet and Smith a hundred feet. Their legs were broken and heads crushed. Eleven of the injured were brought here.

PLAN TO MURDER ENGLAND'S KING

London, Eng., Dec. 29.—A plot to assassinate King George on coronation day, next June, has been unearthed in connection with the discovery of a bomb factory in London's east end, according to secret agents. The discovery of the infernal machine works is a sequel to the Houndsditch crimes in which three policemen were killed by burglars. Documents found at the factory and at the burglars' lair, authorities say, prove conclusively that a plan was on foot to kill the king. Mrs. W. H. Clarke and Mrs. E. O. McCabe of Spokane, are here upon a visit with their father, E. M. Graham and other relatives.

FORESHADOWS JAP TROUBLE

Attack on American Vice Consul Taken Seriously by Washington Officials.

JAPANESE GOVERNMENT ASKED FOR EXPLANATION

Officials in Manila Are Still Silent—One Japanese Deported and Others to be Tried for Concealing Explosives—Congress to be Asked to Pass a Law Against Spies—Report of Work on Coast for Months. Washington, D. C., Dec. 29.—That the attack at Dalny by Japanese and Chinese on the American vice-consul foreshadows anti-American disturbances is the belief of the officials here today. The Japanese government has been asked for an explanation and the severe punishment of the offenders is demanded. The report received at the state department indicates that Vice-consul Williamson barely escaped with his life.

Officials Are Silent

Manila, P. I., Dec. 29.—Although the officials are still silent about the discoveries made when they conducted the raids on the Japanese quarters in search of hidden explosives the activity against the Japanese in Manila indicates that startling conditions were unearthed. One Japanese reported to have been the operator of a mysterious wireless outfit has been deported and another, it is said will be tried for concealing explosives. Rumors are still thick that a plan to mine the harbor has been nipped.

Law Against Spies

Washington, D. C., Dec. 29.—Congress will be asked soon to enact legislation against foreign spies as a result of the present agitation at Manila against the Japanese. A law for the same purpose will be also asked of the Filipino assembly. Reports say that wholesale spying by Japanese both in the island possessions and on the Pacific coast has been going on for months.

MAYOR HAS PLAN FOR BETTER STREETS

WOULD DIVIDE CITY INTO IMPROVEMENT DISTRICTS

Citizens to Be Given Opportunity to Vote on Proposed Amendment to Charter—Present Plan Unfair—Citizens May Also Vote on Street Closing.

Pendleton is at last to have an opportunity to build good streets if the night meets with success. The mayor Murphy at the council meeting last night meets with success. He may point out that under the present charter it would never be possible to improve the condition of the streets to any great extent, inasmuch as all expenses of such improvement is assessed to the abutting property. This plan, he declared, was exceedingly unjust and unequitable because of the fact that a few were compelled to pay for the benefits which many derived.

The system advocated by the mayor was the division of the city into improvement districts by which the property owners in one community would pay for the improvements pro rata. This plan seemed to meet with the approval of the entire council and it is very probable that an initiative bill to change the present charter will be drawn up and the petition circulated so that the people can vote on the proposition at the next election, which occurs towards the end of February.

O-W. R. & N. vs. City.

A second matter which the people of the city may be called upon to decide under their initiative privileges is the question of whether or not Aurora and Lileth streets shall be closed in order to give the railroad company more grounds. This matter has been up before the council for several months but, in the opinion of Mayor Murphy, is too great an issue for decision by that body. He himself feels that the streets should be closed because, he says, it is apparent that the O-W. R. & N. company needs more space if they are to carry out the work they contemplate. More Room For Library. There was not much other business transacted by the council last night. A petition was read from the library board in which the council was asked to fit up one of the new rooms in

POWDER GETS SIX VICTIMS

Premature Explosion of Four Thousand Pounds of Powder Results Fatally.

EL PASO, TEXAS, SCENE OF LATEST HORROR

Half Hundred Men, Women and Children More or Less Seriously Injured—Imprisoned Miners Prevented From Escaping by Dead Bodies of Companions—Work of Rescue Slow and Dangerous—Steam Shovel Aids in Removing Debris.

El Paso, Texas, Dec. 29.—Two men are known to be dead, four others are believed to have perished, at least 50 men, women and children were injured, and a number of small houses were wrecked by an explosion of nearly 4000 pounds of powder in a huge slag pile at the El Paso plant of the American Smelting and Refining company yesterday. Three men are still imprisoned. The dead and missing are Mexicans, and no accurate list of the names can be given.

Three tunnels had been bored in the slag pile by the El Paso and Southern railroad for the purpose of removing the slag from the road ballast. A premature explosion of powder in one of the tunnels, where a gang was at work filling in back of the timbering, burying four men, Foreman John Sikes, who was standing near the mouth of the tunnel, was blown 20 feet away, and suffered a broken collarbone and other painful injuries.

The shock of the explosion caused the slag to slip, blocking the entrances to the other two tunnels. Just how many men were working in these tunnels, is not known but six were rescued alive and two dead bodies were recovered. Three men are imprisoned, but alive, and are pleading with rescuers to save them. The four men buried in the tunnel where the explosion occurred, are most likely dead, as they have been entombed more than nine hours. A steam shovel was placed in commission to assist in reaching those inside the tunnels.

ABLE TO TALK

At midnight Eustavo Aguilar was still confined in the third tunnel where the disastrous explosion occurred and there seemed little likelihood of his rescue before morning. The man is partially buried in slag, but is able to talk to the rescuers. At 10 o'clock Joaquin Chaparra was taken alive from the first tunnel after 12 hours' imprisonment. He was prevented from escaping sooner by the dead body of a fellow workman, which completely blocked the passage. The rescuers finally reached and fastened a rope to the body and it was dragged forth. It proved to be that of G. Dominguez, who had been reported alive.

A large force of men worked desperately throughout the night to rescue the imprisoned men and recover the bodies. The work was slow and laborious, and the crumbling slag retarded operations. The fact that 200 cans of powder remained in two of the tunnels lent an element of danger to the situation. No demonstrations accompanied the rescue of the men and bodies. By 9 o'clock the crowds had dwindled to those actually engaged in the rescue work, and the families of the imprisoned workmen remained quietly in their homes.

It is considered remarkable that the loss of life was not greater, as hundreds of children were playing in the vicinity of the slag dump at the time.

Aviator Falls

London, Dec. 29.—Failure again marked the effort of Lorraine to fly across the English channel. He took a trial trip first and found his machine faulty. He is after the \$20,000 prize.

HONDURAN REBELS DEFEATED TROOPS

Puerto Cortez, Honduras, Dec. 29.—The first skirmish between the revolutionary forces under Former President Bonilla and the federal troops was fought today near Cape Gracias. The rebels won and with the disorganized government forces fleeing before them started on the march to Tegucigalpa, the capital. The rebels number approximately 3000. Bonilla and Lee Christmas, an American adventurer, are heading the revolutionists. They arrived this morning on the gunboat Hornet. Their arrival was a signal for the opening of hostilities.

(Continued on page five.)