

WEATHER REPORT. Fair tonight and Saturday; continued cold.

Calling cards, wedding stationery, commercial stationery and job printing to order at the East Oregonian.



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REBELS WIN FIERCE BATTLE

Deadly Fire of Small Band of Insurrectos Drives Back Federalists.

MORE THAN SCORE KILLED IN CONFLICT Arrival of Reinforcements Saves Small Band of Insurrectos from Annihilation—Eighteen Men Hold Nearly Ten Times Their Number at Bay for Three Hours.

Comstock, Texas, Jan. 13.—More than 20 men were killed in a desperate battle between the Mexican federalists and a small party of insurrectos on the bank of the Rio Grande opposite this point yesterday.

The return of 20 insurrectos who had been out on a raid saved the rest of the band and prevented what probably would have been a massacre of those defending the rebel camp. The original party of insurrectos numbered 40 men. They had been on a raid through the country south of Las Vacas, getting horses and recruits. For two days 70 rurales had chased the band and Tuesday night the party went to the river to water their jaded horses, thinking they had eluded the government forces.

The next morning, 20 rebels started for a ranch about 12 miles away to get more horses. The camp of the insurrectos was discovered and 70 mounted infantrymen were sent to the support of the rurales. When they approached the 20 insurrectos then there, prepared to give them a hot reception.

Two of the rebels were set at work packing extra ammunition and rifles on mules.

Rebels Accurate. The 18 remaining insurrectos took position in a line drawn across the trail of the advancing soldiers. The firing began at a distance of about 300 yards. The insurrectos poured a volley from their 30 calibre rifles into the enemy and three soldiers fell. The soldiers replied with their mauler carbines and the battle was on.

After half an hour of continuous fighting, the federalists received reinforcements from their main body and a charge was made on the insurrectos. As the federalists advanced, the defenders of the pass sent a storm of bullets into their ranks, firing coolly and accurately. The federalists advanced a short distance and then returned to their original position.

The firing continued and one by one the rebels dropped from the ranks, either dead or wounded, until only nine men remained working their guns.

Again the soldiers charged, this time approaching within 50 yards of the gully where the insurrectos were concealed. Not a man gave way but continued firing deliberately until the soldiers again retreated. Both in the charges and in retreats, the rurales kept their line in good order and showed no panic.

The steady fire and good aim of the insurrectos were more than the soldiers could stand, and they shrank from closing for a final assault.

The battle started at 4:20 o'clock and continued until 7:30. As darkness approached the 20 insurrectos who had been sent for horses appeared on a neighboring hill at a gallop. The bugles of the soldiers blew a retreat and the federalists fell back about a mile, where they took a stronger position in a shallow canyon. The field was left to the insurrectos. The 18 rebels had successfully held at bay nearly ten times their number for three hours.

Bury the Dead.

The insurrectos buried their dead, cared for the wounded, packed their equipment, and two hours later started across the country for El Burro, a mountain on which they have established a stronghold. The report from Mexican government sources that a detachment of insurrectos had crossed the river and fired on the soldiers from the American side is denied by the insurrectos, who say that had they wished to do so, after the fight started.

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WOMAN DYING. TELEPHONES HUSBAND

Santa Ana, Jan. 13.—"Come home, John, the house is on fire and I think I am dying," Mrs. John Gowan telephoned her husband after she had been fatally burned by the explosion of a gasoline iron. Her husband rushed home, extinguished the blaze and endeavored to revive his wife. She died after physicians had been called. The woman was attempting to refill the iron when it exploded.

THREE FREEZE TO DEATH IN MONTANA

Helena, Mont., Jan. 13.—Three are known to have frozen to death in various parts of Montana, while there is a heavy loss of livestock and no signs of relief from the storm. It is believed others have perished and that their bodies will be found later.

The mercury is twenty below, railroad traffic is badly demoralized and the Great Northern throughout the flatfoot country is blocked. Traffic has been routed via the Northern Pacific.

Eleven hundred passengers are stalled on trains, but most of them are amply provided with food and fire.

LORD DECIO'S PAUL NOT PAY DRESS DUTY

New York, N. Y., Jan. 13.—After a night in the customs house where it was held for duty, Mrs. Gould's \$1400 gown was redeemed today and taken home. It was brought from Paris by Lord Decios, the fiancé of Miss Vivian Gould. He arrived last night but could not pay the duty and the government officials would not take a check. The duty amounted to a thousand dollars. The lord will marry Vivian Gould in February.

GOVERNOR JOHNSON ATTACKS RAILROADS

RADICAL LEGISLATION URGED BY EXECUTIVE

California's Chief Official Demands Early Consideration of Rate Regulation Bill and Scores Transportation Officials.

Sacramento, Calif., Jan. 13.—Urging the most radical legislation ever presented to a California legislature Governor Johnson in a special message to the legislature today demanded early consideration of the Stetson railroad regulation bill. The message was introduced five minutes before the presentation of the governor's message.

The message deals in specific rates between stations in California showing their inequality and alleging they were fixed on the theory of "all the traffic will bear." He asserts the operation of railroads in California is as cheap as any in the world and then shows that many short haul rates are the same as for hauls between stations nine times as far.

PUBLIC SERVICE BILL WILL CAUSE BIG FIGHT

Salem, Or., Jan. 13.—One of the big fights of the present session of the legislature will be on the public service commission bill. The Portland Railway, Light & Power company has announced that it is in favor of a fair measure on this sort, but it is the only one of the larger corporations which has declared a favorable attitude, while members of the legislature have heard that several of the railroads and other public service companies will be in the fight against it.

In the senate the bill will be introduced by Dan J. Malarky, while Edwin G. Amme has announced that he will have a bill in the house. Amme's bill will be modeled after the New York state law, which he believes to be better than any other adopted by any other state.

He declares that the New York law is fair to the corporations, while at the same time the members of the commission are so bound by its provisions that they are unable to discriminate against the people.

"Oregon has as yet met with comparatively few abuses from corporations," declared Amme yesterday, "but if we accept the experience of the eastern states as a barometer they are bound to come. I believe Oregon should take care of the situation before the extremity is reached. If we regulate the corporations now in existence in a manner which will only protect the people and not discourage the investment of legitimate capital, we will not have the abuses and problems which have been the experience of many of our sister states."

"I know there is going to be a strong lobby against the passage of any public service commission measure which will be all serviceable to the people, but I have confidence in the present legislature and I believe the commission will be created and that the law will have useful provisions."

CIVIC FEDERATION TACKLES MANY BIG PROBLEMS

New York, N. Y., Jan. 13.—The workingman's compensation law was the principal subject before the national civic federation today, although uniform taxation, pure food, taxation of corporations and uniform banking laws were also discussed. Roosevelt and Carnegie are scheduled to address the meeting today.

MORE GROUND FOR ASYLUM

Governor West Says Additional Adjoining Acres Must Be Purchased.

STATE BOARD GOES OVER LAND TODAY

Gardening Tracts Will Be Added—Main Building Will be as Large as One at Salem Says Chief Executive—Not Certain That Hill Side is Best Building Site—Party Entertained.

"More ground is necessary and must be had," said Gov. Oswald West this morning after he had returned from a trip to the site chosen for the location of the branch insane asylum in company with State Treasurer Thomas B. Kay, Dr. R. E. L. Steiner, superintendent of the asylum at Salem, Engineer Charles A. Murphy and Architect Louis R. Hazeltine. The party arrived in Pendleton this morning on the early train from Portland and at 9 o'clock were driven by auto to the Oliver tract by a committee from the local Commercial association club managers. The fall of snow during the night was a considerable handicap in the inspection but the general topography of the land could easily be ascertained.

Several adjoining tracts of bottom land will have to be purchased in the opinion of both Governor West and Treasurer Kay as the present acreage is inadequate. Governor West is, moreover, not certain that the hill land to the north of the road is the best site for the buildings. "I think the main building will be as large as the one at Salem," he said, "and in that event it is a question whether there is enough suitable hill ground to be had for such a large site. Then it must be taken into consideration that all supplies will have to be hauled to the buildings which would present a serious difficulty in case the latter were situated on high ground. Then there is the water problem. We can not locate the institution at the same elevation as the reservoir. There are also a great number of other problems which will have to be solved later and for which purpose, both Engineer Murphy and Architect Hazeltine will remain for some time in the city."

At Luncheon. At 12 o'clock Governor West, State Treasurer Kay and others of the visiting party were entertained at luncheon by Commercial association board of managers. The affair was held in the annex to the Quella and those present were Governor West, State Treasurer Kay, Superintendent Steiner, Mr. Hazeltine, the state's architect, Mr. Murphy, the engineer, Mayor E. J. Murphy, Lee Teutsch, James Johns, W. L. Thompson, Dr. C. J. Smith, G. W. Rice, W. E. Brook, Clarence Bishop, Dan P. Smythe, Harry Gray, Ben F. Hill, and E. B. Aldrich.

In response to a call for a speech Governor West spoke briefly and told something of the work now confronting the board in erecting the branch hospital here. He explained that in his judgment and in the judgment of other members of the board some additional land should be purchased. He pointed out that the great problem confronting the board is how to erect the buildings upon a location suitable for building purposes and one that will also provide close connections with the railroad siding.

A move extended talk was made by Mr. Kay though he covered much of the ground that was gone over by the governor. He said that the Pendleton site has been selected as the location for the branch asylum and that there is no disposition to criticize the selection made. Yet the new board is anxious to avoid mistakes of any nature and so the ground will be gone over carefully before final plans are adopted. However the state board will go ahead and ask the legislature

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FOUR ARE KILLED IN RAILROAD WRECK

Batavia, Jan. 13.—Four passengers in a Pullman sleeper were killed today and twenty injured in a rear-end collision on the New York Central. The accident occurred at the station.

One passenger train was standing still when another plunged into it, telescoping the rear sleepers. None of the dead had been identified at noon.

Wrecking trains are being rushed from Buffalo and Rochester. The injured were penned under the debris for four hours before they were released from the wreck.

VETOED BILLS UP TUESDAY

House Will Consider Measures Chamberlain Refused to Make Into Laws.

NEARLY ALL ARE INCREASE SALARY BILLS

Former Governor Refused to Approve of Plans to Raise Salaries of County Officials During Present Terms of Office—Announced Intention to Use Veto Is Firmly Adhered To.

Salem, Or., Jan. 13.—House bills passed by both houses at the twenty-fifth legislative session two years ago and which were vetoed by Governor George E. Chamberlain have been made the order of business in the house for 2 o'clock next Tuesday afternoon. There were 15 house bills vetoed, the majority of which were so-called salary bills, increasing the salaries of county officials during the term for which they had been elected.

It was the announced intention of Governor Chamberlain early in the session to veto all such salary bills that came before him. Among these was house bill No. 349, having for its purpose the increase in the emoluments and salaries of the offices of county judge, county clerk, sheriff, recorder, treasurer, county school superintendent and county assessor of Benton county.

Other Proposed Increases. House bill No. 341 purported to increase the salary of the county judge of Coos county.

No. 340 attempted to increase the salary of the justice of the peace and constable of the Eugene justice district.

No. 328 was returned because it attempted to increase the salary of the school superintendent of Columbia county.

A similar bill, denominated house bill No. 303, attempted to increase the salary of the assessor and his deputies in Marion county from \$4200 to \$5,000.

No. 196 attempted similarly to increase the salary of the county school superintendent of Willowa county.

No. 170 had for its object the increase in salary of several officials of Klamath county during the term for which they had been elected.

No. 109 attempted to increase the salary of the county assessor of Coos county.

No. 96 had for its object the increase of the salaries of the deputy district attorneys in the counties of Lane, Benton and Lincoln.

No. 83 proposed to permit the assessor of Tillamook to employ a deputy at an annual salary of \$900, when the law already in effect gave the assessor such deputy hire as he required and was necessary. It also attempted to increase the emoluments of the deputy clerk.

No. 83 attempted to increase the salary of the county superintendent of Jackson county during his term of office.

McLoughlin Home Trustees. A bill providing for the appointment of a board of trustees of the McLoughlin home, at Oregon City, and appropriating \$1250 to be expended toward the permanent preservation of the home located at Oregon City, formerly owned by Dr. John McLoughlin, was vetoed by Governor Chamberlain for the reason that the ground upon which the house was situated had been sold and the house had been removed to another quarter and because of this removal and the uses to which the house had been put during the past few years, it had become entirely disassociated with the revered memory of its former owner.

Would Injure Orchards. No. 216 was vetoed because it proposed, according to the governor's interpretation of it, to eliminate from

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NEW INSTRUCTOR FOR HIGH SCHOOL

Leroy Breithaupt, a graduate of the Oregon Agricultural college, has been chosen by the Pendleton board to fill the vacancy caused by the resignation of Prof. Fate and will commence his duties the beginning of the second semester which is on January 23. Mr. Breithaupt comes highly recommended by President Kerr of the state college. He was graduated from that institution last June with high honors and all during his career there was a leader in student activities. Since graduation he has been doing post graduate at Corvallis and is especially fitted to instruct in the agricultural department.

AGED BROTHER AND SISTER MURDERED

Independence, Kansas, Jan. 13.—John Walker and Mary Walker, brother and sister, both aged, were found dead today in the ruins of their home near this city. It is believed they were murdered and robbed as it is known they kept their money in their home.

The bodies were partially cremated indicating that the house had been fired to hide the crime. Barns and other buildings on the place were burned and the horses turned loose.

EATS EXPENSIVE MEAL, THEN BLOWS OUT BRAINS

Tacoma, Jan. 13.—After ordering and eating an expensive dinner today, Archie Shillaty, who came from Aspen, Colo., blew out his brains while the waiter was writing out his check. He was about thirty years of age. He entered the cafe shortly before midnight, joked and seemed light-hearted.

A note was found in Shillaty's pockets which shows he premeditated suicide. He wrote that he intended to have a good meal and then die as he feared consumption would finally end him. He was an assayer.

DR. PLAMONDON HAS BEEN REMOVED

NO LONGER SUPERINTENDENT OF BRANCH INSANE ASYLUM

New State Board Declares There Is No Need for Such an Official at Present—Place Left Vacant.

Salem, Or., Jan. 13.—Dr. J. D. Plamondon, appointed by Acting Governor Ja7 Bowerman superintendent of the eastern Oregon branch asylum yet to be built at Pendleton, was late yesterday afternoon removed from office by Governor Oswald West and State Treasurer T. B. Kay, the new members of the board governing the state institutions.

Dr. Plamondon was notified of the intended action of the board soon after Governor West was conveyed to him from the governor through State Senator C. A. Barrett of Umatilla, his father-in-law, that his resignation would be accepted. Dr. Plamondon, however, answered by stating he would resign if he were assured by the board of a place on the staff of the new institution when that staff is selected by the board. This neither State Treasurer Kay nor Governor West would promise and the action taken by the board this afternoon followed.

A copy of the resolution removing Dr. Plamondon of Athena and giving the reasons of the board for his removal follows:

"Whereas: It would appear from the records that the position of superintendent of the eastern Oregon branch asylum has been filled by the appointment of Dr. J. D. Plamondon, and

"Whereas: It would appear that at the present time the state has a competent and efficient staff, thoroughly familiar and acquainted with needs and requirements of insane hospitals, which are willing to assist and advise the board without extra expense to the state in all matters pertaining to the plans and procedure necessary in the construction of said branch asylum and preliminary to its active operation, and

"Whereas: It would appear that there are no duties the performance of which at this time requires the services of a superintendent,

"Therefore, be it resolved, that the said Dr. J. D. Plamondon be removed from said position as superintendent of the eastern Oregon branch asylum and that said office be left vacant until further orders of this board.

"Dated this 12th day of January, 1911. (Signed) OSWALD WEST, Governor. T. B. KAY, State Treasurer."

GAS CAUSES DEATH DEALING EXPLOSION

Connellsville, Penn., Jan. 13.—Five bodies, two of which were burned beyond identification, were removed from the ruins of McCory's store today. The police and firemen are searching the ruins in the belief that others may have perished. Gas caused the explosion.

Nomination Unanimous.

Salt Lake City, Utah, Jan. 13.—The nomination of George Sutherland to serve a second term as United States senator from Utah was made unanimous yesterday by the republican legislative caucus. The nine democrat members in the legislature are said to have organized a complimentary vote for former Congressman W. H. King. The two houses will ballot on January 28.

STORM WAVE WORKS EAST

Snow and Rain Prevail Along Coast of Oregon and Washington.

EASTERN OREGON COLD WITH LIGHT SNOW FALL

Telegraphic Reports Mark Progress of Storm Across Northwest—Centers Over Nevada Today—Two Men Freeze to Death in Montana—Livestock Suffer in Many Places.

EIGHTY PASSENGERS FACE DEATH BY FREEZING

Whitefish, Mont., Jan. 13.—With the temperature twenty below zero, eighty passengers on trains No. 3 and the fast mail, No. 27, of the Great Northern are stalled in the mountains near Fielding, Montana, where the trains were sopped by great wind blown snowdrifts. There are no diners on either train and they have only enough coal to last till Sunday. The fate of the passengers is unknown.

Rotary snowplows are working from Cutbank and Whitefish toward the trains, but so far have been unable to clear the track, owing to the rapid drifts. Frenzied efforts are being made today to reach the trains.

May Release Trains.

Spokane, Wash., Jan. 13.—General Superintendent Brown of the Great Northern, said he expected the release of Nos. 2 and 27 by midnight. He said the reports today indicate progress toward the trains is being made.

Portland, Ore., Jan. 13.—Gushes of rain and snow prevail on the western coast of Oregon and Washington while the cold weather in eastern Washington and Oregon, with little snow. Heavy snowstorms and bitter cold weather are being experienced in Montana, Alberta, the Dakotas, while much snow is also reported to have fallen in Idaho.

These reports mark the progress of the cold snap which is now working across the northwest and centers over Nevada today.

From Walla Walla comes the report that fall sown wheat is endangered, while Medford reports the coldest weather in twenty years, but it is believed fruit will be undamaged.

In Montana and the Dakotas, trains are stalled. It is believed the weather will moderate in another twenty-four hours.

Livestock in Montana, the Dakotas and Alberta, is suffering. Two men have been frozen to death in Montana.

Rain in California.

San Francisco, Cal., Jan. 13.—A general rainfall north of Tehachapi is reported by the weather bureau today and will continue until tomorrow. The cold snap which accompanied the storm at first, gave way to warmer weather today. Nearly three inches of rain has fallen since Monday.

Condition Serious.

Whitefish, Mont., Jan. 13.—Railroad officials say the condition is the gravest for several years. High winds continue to blow snow over the track as fast as it is cleared, and the snow plows no sooner make progress than flakes are blown in behind. Yesterday three big rotaries were compelled to return to Whitefish to escape burial. On top of all this it is feared snow slides may cause a repetition of last year's Wellington disaster.

Livestock Suffering in Alberta.

Winnipeg, Jan. 13.—The Canadian west is experiencing bitter cold weather. Livestock in Alberta and Montana is suffering and there will undoubtedly be heavy losses.

Fifty degrees below zero at Prince Albert, Sask. forty-four below at Calgary and thirty below at Winnipeg.

BAKER'S POPULATION IS NEARLY SEVEN THOUSAND

Washington, D. C., Jan. 13.—The population of Baker, Oregon, is given at 6742 by the census bureau today.

SIX MEN ARE BLOWN TO BITS.

Prince Rupert, B. C., Jan. 13.—Six men are dead and one other is dying as a result of a premature blast late yesterday on the right of way of the Grand Trunk Pacific within the city limits. The victims were workmen who were putting in the blast and their lodges were blown to bits. The one survivor has a fractured skull.