

WEATHER REPORT. Occasional rain and cooler tonight. Tuesday fair.



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

COUNTY OFFICIAL PAPER.

CITY OFFICIAL PAPER.

VOL. 24.

PENDLETON, OREGON, MONDAY, OCTOBER 9, 1911.

NO. 7238

MCNAMARAS WIN VICTORY

Contempt Case Against Their Attorney Is Tabled

FIRST VENIRE ON HAND

Many Members of Merchants and Manufacturers' Association, Prisoners' Accusers, Are Included and Bitter Legal Battle Is to Be Waged.

Los Angeles, Calif., Oct. 9.—Judge Bordwell, who will preside over the trial of the McNamara brothers for dynamiting the Times building, today indefinitely postponed the case against Attorney Harrington, of the McNamara defense, who was charged with contempt of court, as an outgrowth of his refusal to answer questions propounded to him by the grand jury investigating the explosion case a few weeks ago.

The postponement of the Harrington case is generally looked upon as a decided victory for the defense. The first panel of veniremen from whom will be drawn the jury of twelve men who will finally decide the guilt or innocence of the two accused brothers, are today on hand to qualify for jury duty. Neither of the defendants are present, as the trial will not begin formally until Wednesday. Most of the men present are showing signs of their unwillingness to serve as jurors in the case.

Attorneys for the defense have served notice on the court that they will demand separate trials for each of the two brothers and the district attorney must now specify which he will call for trial first. It is almost certain that James McNamara, who is charged with actually throwing the bomb, which destroyed the Times plant and caused the death of a score of employees, will be the first to be tried.

It today became absolutely certain that the first struggle between the opposing counsel will come within the first minute of the actual trial Wednesday and the home of contention will be the veniremen, who today qualified for jury duty.

In the venire is included a number of members of the Merchants' and Manufacturers' association, which is the organization which is backing the prosecution of the McNamaras. When the first of these reaches the jury box to qualify, Chief Counsel Darrow of the defense, will demand that he and all other members of the association be excused, for cause.

This motion will be objected to by District Attorney Frederick and upon the ruling of Judge Bordwell will depend whether the work of securing the jury will be shortened.

Attorneys for the prosecution will insist that the court cannot hold that membership in the association is a legal obstacle to serving on the jury. The defense contends that to allow a member of the association to become a member of the jury would be placing the fate of the accused brothers in the hands of their accusers.

Practically every large city in the United States is represented by one or more newspaper correspondents, which shows that the interest in the trial is probably without parallel.

How strong the desire is of the veniremen to keep from serving was shown by the fact that eight of the first twelve called to qualify were stricken from the list and the four others had their excuses taken under advisement.

When Judge Bordwell ordered luncheon he had passed on thirty-three of the first venire of 125 and three names only are on the list for further examination. The other thirty were dismissed. Indications are that it will be nearly impossible to secure a jury.

U. S. SUPREME COURT IN FALL SESSION

Washington, Oct. 9.—The supreme court of the United States, confronted with a large number of great problems, directly bearing on the political and economic development of the country, convened at noon today for the October term. All the justices, except Associate Justice Day, whose wife is sick, were present.

Because President Taft is absent from Washington, the usual custom of adjourning court immediately on coming, to give the justices an opportunity to call on him, was done away with and a large amount of routine business accomplished instead. Hearing of arguments will begin tomorrow.

To what extent the anti-trust laws may be applied, in the various classes of business, is among the early cases.

DESERTS WIFE AND ELOPES WITH GIRL

Charge Against Man Caught In This City

Mother Locates Runaway Daughter In Pendleton and Arrest of Pair Follows.

After eluding the vigilance of the officers for a year a man by the name of Morgan, who is charged with having deserted his family and inducing the minor daughter of Mr. and Mrs. J. Z. Payne of Dayton, to elope, was Saturday arrested by Sheriff T. D. Taylor and was this afternoon taken back to Dayton by Sheriff Ed M. Davils of Columbia county.

Morgan had been employed near Helek while the girl was working in Pilot Rock. The girl, it is said, had come into Pendleton Saturday to meet her lover and yesterday her mother came over from the Washington town and, by a singular coincidence, registered at the same hotel at which the girl was staying. When she glanced over the register, she noticed her daughter's name and a reunion followed.

Morgan, it is said, comes from a family which bears an unsavory reputation. After he had deserted his wife and children, it is declared that members of his family intimidated his wife by threats to kill her and thus blocked her efforts to trace her erring spouse. The charge against the prisoner is that of contributing to the delinquency of a minor child and the officers believe there is a good case against him.

COUSE ROAD CASE TO CIRCUIT COURT

Although the county court ruled Saturday to open the Couse creek road south of Milton, the end of the fight which has been agitated for several months is not yet. Upon the announcement of the decision, Col. J. H. Raley for the opposition, immediately appealed the case to the circuit court. Judge James A. Fee represented the faction fighting for the road.

To Rebuild Town. Black River Falls, Wis., Oct. 9.—Two companies of troops are patrolling the river here today, preventing the looting of wrecked structures. A famine was averted by the arrival of supplies. The waters are receding. It has been decided to rebuild a town on the west side of the river on a hill.

Rodgers Resumes Flight. Joliet, Ill., Oct. 9.—Aviator Rodgers, the one remaining contestant in the coast to coast flight, today ascended at this place and expects to reach Springfield by following the Chicago and Alton Railroad tracks.

Rodgers Makes Progress. Peoria, Oct. 9.—Aviator Rodgers landed at Streater fair grounds, Illinois, at 11 o'clock.

Trust Plunks. New York, Oct. 9.—The American Tobacco trust announced that its plan of dissolution won't be filed in the federal court today, as scheduled.

Benz Car Wins. Philadelphia, Oct. 9.—The two hundred mile auto race of the Quaker Motor club here today, was won by Bergedolt in a Benz car.

Keefe's Brother Dies. Jack Keefe, popular secretary of the Pendleton Commercial club, received sad news yesterday in the form of a message from his father telling of the death of Jack's brother, James T. Keefe, at his home in Boston. Death resulted from an illness, of several months and while the end was not unexpected the news came as considerable of a shock to the local man for the afflicted man was his only brother.

The deceased was 22 years of age and until taken ill was engaged in business with his father in Boston. The funeral is to occur tomorrow and the interment will be in a Boston cemetery.

Lecture on Tuberculosis. Dr. Joseph Dorsey, lecturer for the Idaho Young People's association, for the study and prevention of tuberculosis, will have the associations exhibit on display at the city hall Wednesday, October 11. Many interesting methods will be used for instructing the public along the line of the prevention and cure of consumption—the dread white plague. A world wide crusade against this disease has been inaugurated and what is being done can be seen by attending the lecture and exhibits on the above date.

Moves Into Pendleton. Rev. J. M. Cornelison, Presbyterian missionary at the Tutuilla mission, has moved his family into the city, having rented a residence on Union street, in order that his children might have the advantages of the local schools.

TAFT WITHIN FOOT OF DEATH

Flirts With Grim Reaper At Height of 6,500 Feet

GETS STUCK IN MUD

Forest Rangers Have to Dig Presidential Party Out—Begins Busiest Week of Western Trip, Visiting Cities in the Northwest.

Bellingham, Oct. 9.—After a day spent flirting with death on the slopes of Mount Rainier, President Taft arrived here from Tacoma today, beginning his five day trip through Washington.

President Taft rode up to Paradise Valley, reaching an altitude of 6500 feet on the mountain yesterday, over a road that is faced with deep canyons. Once the party got stuck in the mud and forest rangers had to dig them out.

The roadway on the mountain was so narrow that the president's automobile many times was within a foot of the edge, which sloped for hundreds of feet, where a single defect in the auto meant death. He covered 109 miles by automobile and got back to Tacoma late at night.

President Taft breakfasted at the Chamber of Commerce and spoke at the armory. He will visit Mount Vernon and Everett and reaches Seattle this evening.

At Seattle Tonight. Seattle, Oct. 9.—President Taft arrives here at 7 o'clock tonight and speaks at the armory at 8. Later in the evening he will be entertained by the Seattle Press club.

Tomorrow morning he breakfasts with Congressman Humphreys, then will march through the city and deliver an address at the city hall park in the morning. Former Secretary Ballinger of the department of the interior, will entertain Mr. Taft at luncheon. Afterward, Mr. Taft will leave for Tacoma.

Governor Clark of Alaska, arrived here today to confer with the president on Alaskan affairs. He said he believed Secretary Fisher's visit would result in great benefit to the territory.

Parade in Rain. Bellingham, Oct. 9.—Despite a chill breeze and an occasional rain a large crowd watched the Taft parade and 5,000 heard the president talk on conservation and the effect the opening of the Panama canal will have on the coast. He said the canal will be open for traffic in July 1912.

President Taft talked vigorously on reciprocity and declared Canada made a mistake in defeating it, and intimated that Canada will not develop so fast as a result.

FOUR KILLED BY AN EXPLOSION IN SHANT

New York, N. Y., Oct. 9.—Four workmen were instantly killed here this morning by a premature explosion of dynamite in a rock shaft on West Drive, near Sixty-ninth street. Superintendent Marlin and Foreman Kearney, both of whom sustained serious injuries in the explosion, are to be held to answer to charges of criminal carelessness.

CLAIM PORTUGUESE REVOLUTION CRUSHED

Lisbon, Oct. 9.—Premier Cazaas, of Portugal, today announced that he is considering calling an extra session of the legislature for the purpose of making plans to deal with the revolutionists. He insists that the invading royalists have been crushed.

PORTLAND CONSTRUCTION FIRM MAKES LOWEST BID ON LOCAL FEDERAL BUILDING

Welch Bros of Portland, were the successful bidders for the work of constructing Pendleton's federal building and they will obtain the contract unless something now unforeseen arises to interfere.

When the bids were opened at the office of the supervising architect in Washington on Friday it was found that out of the 12 bidders who offered to build the local structure the Portland firm was \$5000 lower than its nearest competitor, Olson & Johnson of Missoula, who are now here constructing the branch asylum.

Welch Bros. made a round bid of \$79,000 for the work while Olson & Johnson bid \$75,575. G. H. Rush of La Grande bid \$54,770. Some of the bids were in excess of \$100,000. Under the terms of the contract to be made with Welch Bros., the build-

2ND WEEK OF STRIKE BEGINS

Situation at Frisco Is Considered Very Grave

STRIKEBREAKERS ARM

Police Warn Them to Stay Within Railroad Company's Property—Equipment in Bad Condition—Strikebreakers Arrive at Portland.

San Francisco, Calif., Oct. 9.—The beginning of the second week of the strike inaugurated by the federation of shopmen of the Harriman railroad lines, shows that the conditions, with relation to both the company and the strikers, is more grave than at any time since the strike started. This is especially true of the conditions at this place.

Today two hundred strike-breakers are housed in the shops of the Southern Pacific company and have been armed with stout clubs, presumably by the company to resist any demonstration on the part of the striking employees.

The San Francisco police commission this morning notified the strike-breakers that they would immediately be arrested if found outside the railroad properties.

The railroad company announces that the conditions are satisfactory, to the officials and it is known that a large number of strike-breakers will soon be working. The strikers are still firm.

Locomotives Disabled.

Sacramento, Calif., Oct. 9.—Strikers here declare that the locomotives of the Southern Pacific company at this place are in very bad condition. They claim that many engines are kept hot continually, because the strikebreakers fear that they will not be able to get up steam again, should they allow them to cool off, in their present leaky condition.

Strikebreakers at Portland. Portland, Oct. 9.—Sixty strike-breakers, recruited in Washington were put to work in the Albina shops by the Harriman line today. They were smuggled in aboard a special train, which ran directly into the shops where the men were unloaded.

May Strike in Canada.

Wilmington, Mass., Oct. 9.—Word was received last night from the international headquarters of the machinists at Washington and the international headquarters of boiler-makers at Kansas City, calling a strike on the Grand Trunk Pacific railway for Tuesday.

It is said by the men that sixty per cent of these trades on this railroad were locked out Friday night by the company. The other 40 per cent will strike on Tuesday, it is said.

WORLD'S SERIES SEATS HAVE BEEN SOLD OUT

Philadelphia, Pa., Oct. 9.—Sixty thousand dollars worth of baseball seats of this city, today are raising one mammoth kick, because the money which they sent to engage seats for the world's series games, between New York Nationals and Philadelphia Americans, to be played in this city, has been returned to them with the information that no more seats are to be had.

New Robbery Clew.

Vancouver, B. C., Oct. 9.—Detectives, working on the New Westminster bank robbery, have a new clew which leads them to believe that the stolen money is secreted in a house near here and that arrests may be made soon.

NEW EVIDENCE IN SEN. LORIMER'S CASE

Books of Hines and Tilden Secured

Announced That Sensation Will be Revealed When Committee Resumes Work.

Chicago, Ill., Oct. 9.—New evidence, that promises to prove extremely sensational, will be introduced into the investigation in the election of United States Senator William Lorimer, which will be resumed in this city tomorrow, by the Senate investigating committee. The nature of the new testimony has not as yet been revealed but it is presumed that it will be given in the books of Edward Hines, the Millionaire lumberman, and Edward Tilden, the meat packer, who are alleged to have been instrumental in bringing about the election of Lorimer by bribing members of the Illinois legislature.

The committee has access to the books of the two men, for the first time since the investigation was started. Just what the books will show is not at this time known. Senators Dillingham and Jones, members of the investigating committee have already reached Chicago for the sessions.

Vernon Wins.

Vernon, Calif., Oct. 9.—Vernon this morning defeated Portland by a score of 4 to 2. This leaves Portland not quite two points in the lead. The standing of the two teams is now: Portland591 Vernon589

PORTUGUESE REVOLT PROVES FAILURE

Oporto, Oct. 9.—With all royalists prisoners aboard the warships Vence De Gama and St. Gabriel sailed today for Lisbon. Captain Conzeiros is reported to be retreating to the frontier and it is believed the uprising is a failure and is practically over.

Killed in Accident.

Santa Rosa, Calif., Oct. 9.—Peter C. Rossi of San Francisco, president of the Italian-Swiss colony Wineries company and a director of the Italian-American bank of that city, was almost instantly killed here yesterday when he was thrown from a buggy.

Ros was attempting to alight from the vehicle when it started, throwing him to the pavement. He struck head foremost on the curb and sustained a fractured skull. Rossi was 64 years of age.

Police Capture Robbers.

San Francisco, Oct. 9.—After an exciting chase of four blocks in an automobile during which several shots were fired, Frank Doherty and Martin Flynn, alleged highwaymen, captured by the police yesterday after they had robbed Conrad Messner, a Portland, Ore., merchant, of \$400 in gold.

New Store Front.

Preparations are now being made for installing an up to date store front in the room in the Oregon theater building occupied by the Clarke Hardware company. The plans for the front are being drawn by T. P. Howard and call for one front for both rooms occupied by the hardware store. The improvement is estimated to cost \$2000.

CONVICTED INDIAN FUNDS AID FROM HIS PROSECUTOR

Solicitor General Lehmann Asks Supreme Court to Grant New Trial Because of Prejudicial Error of Judge.

Washington, D. C.—Solicitor General Lehmann took an unusual step when he asked the supreme court of the United States in a brief filed with it, to give Robert Gilland, a South Dakota Indian, convicted of the murder of Thomas Powers, his cousin, a new trial.

On the records of the court the solicitor general stood as prosecutor of the convicted man. However, the official considered that the trial judge committed error at the trial so prejudicial to Gilland that the Indian should win his fight before the supreme court for another trial.

The solicitor general said the trial judge charged that if there was an intent to kill by Gilland his act was murder, and not manslaughter. Mr. Lehmann in his brief pointed out that there is "intent" to manslaughter.

"The intent in the case is deliberate, and in cold blood," said the solicitor general, "and in the other it is impulsive and in hot blood."

Isaac Ware, formerly a pharmacist at the Tallman drug store, but who is now a traveling representative for a drug concern with headquarters at Salt Lake is here today.

ONLY 3 DIE IN TRIPOLI FIGHT

First Reports of Bloodshed Greatly Exaggerated

TURKISH FLEET SAFE

Italian Government Abolishes Slavery in Tripoli—Turks and Arabs Are Scrolling Into City and Surrendering to Captors of Fallen Town.

London, Eng., Oct. 9.—With the restoration of cable communication with Tripoli and Malta, reports reaching this city today tend to show that the first reports of heavy loss of life and much bloodshed, in the fight between the Italian and Turkish forces before the two towns were captured by the Italians were ridiculously exaggerated.

The reports show that the casualties were confined to the accidental killing of three persons during the bombardment and that the town of Tripoli was practically unharmed by the attacking Italian warships.

The reported sinking of a Turkish torpedo boat is also discredited.

King Views Troops. Rome, Oct. 9.—King Victor Emanuel arrived today from Pisa and boarded a special train to review the military expedition starting to Tripoli.

Turkish Fleet Safe. Constantinople, Oct. 9.—Despatches today say the entire Turkish fleet is safe in Bosphorus.

Abolish Slavery.

Rome, via frontier, Oct. 9.—The Italian authorities at Tripoli have issued a proclamation suppressing slavery. Tripoli was the only remaining port on the coast of Africa where slavery still prevailed, notwithstanding the efforts of Great Britain and France to prevent the traffic.

Advices from Tripoli say groups of Turkish soldiers are coming in to surrender. The Arabs armed at the last moment by the garrison with Mauser rifles, landed by the steamer Derna, are gradually returning to Tripoli and offering their submission.

Their only request is that the Italian commander purchase their rifles for a few francs, which seems to show that not only are the Arabs—those at least in the vicinity of Tripoli—not ready to fight for Turkey but also that starvation prevails among the natives. More than twenty thousand of these, it is rumored, will soon be forced by hunger to return to town.

MYSTERIOUS LAWYER DEFENDS MURDERESS

New Orleans, Oct. 9.—A lawyer from Birmingham, Ala., who refuses to give out his name, appeared here today and offered to defend Anna Crawford, who is charged with murdering her sister Elsie, which is now being considered by the grand jury.

His services will be accepted and two assistants will be appointed by the court. The girl is also suspected of the murder of three other members of her family, for the insurance carried on their lives.

MISSOURI JURISTS ALARMED BY DIVORCE PETITIONS

Kansas City, Mo.—So Numerous have become applications for divorces at each session of the circuit court in this county, that the judges of the court, sitting en banc, decided some action must be taken to stop the rush.

The majority of the judges favor the suggestion of having the board of public welfare employ an attorney or attorneys to investigate each suit as it is filed.

At a recent session of the divorce court almost sixty separations were granted in one day. It is said many persons leave the state immediately after obtaining their divorces.

DR. HYDE ASKS VENUE CHANGE

Application is Made on Grounds of Prejudice—Charged With Murder. Kansas City, Mo.—Application for change of venue in the case of Dr. B. Clarke Hyde, whose second trial on the charge of murdering Colonel Thomas H. Stone, is to begin Oct. 16, was filed with Judge Ralph S. Lathaw in the criminal court here.

Judge Lathaw presided at the first trial. Change of venue to Judge E. E. Porterfield's division of the criminal court is asked on the ground of prejudice.

J. D. Gillilan is over from La Grande and is registered at the Pendleton.