

WEATHER REPORT.

Occasional rain and cooler tonight and Thursday.



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

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PROGRESSIVES WIN STATE ELECTIONS THROUGHOUT COUNTRY

JOHN M'COURT GIVES VIEWS

United States Attorney Outlines Position on Reservation Litigation.

WILL NOT AID CALDWELL

Holds Indian Rights Superior to Milling Rights, But Deplores Effect on Community and the West End of Establishing Such Rights.

The following letter from John McCourt, United States district attorney, has been received in reply to a letter addressed to Mr. McCourt by the editor of the East Oregonian and to an editorial of November 2, entitled "Why Criticism Is Made."

I am not sure that I can place the matter fully before you in a short letter, but will make an effort to clear away some of the misconceptions you have received from some one personally and privately interested in this question.

Some time ago I had a survey made of the Indian lands along the Umatilla river susceptible of irrigation therefrom. This survey showed about 5,200 acres of irrigable land, embracing parts of about 110 allotments, some tribal land, part of the agency lands and part of the school farm.

Whenever a case arises where an Indian desires to irrigate a portion of his land, and any person whatsoever attempts to interfere with him; or if any attempt is made by anyone to interfere with use of water at the agency or school farm; or if at any time any Indian or the government itself has undertaken by contract or otherwise to place water on any Indian lands on the reservation, and attempt is made to prevent the performance of such obligation, in every or any such case, I will, upon my attention being called to the same, secure immediate authority from the attorney general to bring suit or defend as the case may require.

No case of the kind mentioned has arisen, and until it does, no occasion exists for the government to commence a suit. Indeed, no controversy exists upon which it can get into court as plaintiff, either on its own account or on behalf of an Indian.

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DEMAND DIVISION OF MEXICAN REPUBLIC

Mexico City, Nov. 8.—Formal demands, that they be allowed to establish a separate southern republic, were received today by President Madero, from the victorious rebels. They declare that they will immediately march on the capital if their demands are refused.

TAKE PEKING FIRST THEN TALK PEACE

Rebel Chief Li So Answers Chinese Government's Letter

Premier Yuan, Assumes Role of "China's Caesar," and is Returning to Capitol With Large Force of Troops.

Shanghai, Nov. 8.—"I won't make peace until the republican forces are in possession of Peking," this dispatch states, was General Li's answer to the government's letter, proposing a truce, which Premier Yuan Shi Kai sent.

Premier Yuan offered a constitutional government and the deposition of all Manchus from state powers and complete pardon for all rebels in exchange for peace.

Yuan Would Be a Caesar. Peking, Nov. 8.—With the reported intention of declaring himself the "Caesar of China," Premier Yuan today is returning to Peking at the head of a strong body of selected troops.

Has march follows a communication to the national senate, declaring that a truce of peace with the rebels would prove useless unless the government is first reformed.

Many rumors are afloat and throughout the city the greatest unrest is felt. It has also been reported that the emperor has fled.

Rioting at Peking. Shanghai, Nov. 8.—It is reported that rioting has started in Peking and that disorders are disturbing nearly all suburbs. Confirmation has not been received.

SLAYS WIFE WHILE DREAMING, SUICIDES

San Francisco, Cal., Nov. 8.—Awakening from a horrible nightmare, to find that he had literally hacked his wife to pieces with a hatchet, John Edwards Cooper, a middle-aged and wealthy contractor, today slashed his throat with a razor and died. The woman is fatally injured and is dying at the emergency hospital.

The couple have three daughters and were happy and planning an outing when they went to bed last night.

He first carried the smallest daughter, Lillian, out of the room and then got a hatchet, returned and struck his wife, who shrieked and called for the police. They heard her pleas and rushed officers to the house, and Cooper, meanwhile, awakening, found what he had done cut his throat just as the officers entered the room.

McFarland May Meet Murphy. San Francisco, Nov. 8.—Packey McFarland, of Chicago, and "Harlem" Tommy Murphy are tentatively matched to fight here Thanksgiving day, under the management of James Coffroth. McFarland wired his acceptance to Coffroth yesterday and Murphy is said to have previously agreed.

E. N. Dandy of La Grande is registered at the Pendleton.

PETITION FILED FOR NOMINATION OF W. F. MATLOCK FOR MAYOR OF CITY

With the filing today of the nominating petition of W. F. Matlock it begins to look like a genuine race for mayor with the former mayor and present city attorney as the chief competitors. Such a race there will be unless Mr. Matlock decides later on to withdraw from the contest or his young opponent comes to think differently of his intentions to run.

porters of Mr. Matlock are earnest in their efforts in his behalf and predict his election. They are plainly resentful over the entrance of Mr. Raley into the race and show a desire to stay by their man to the finish, backing upon Mr. Matlock's well-known popularity to take him into office.

(Continued from page five.)

BURNS SECURES IND. EVIDENCE

After Federal Grand Jury is Through, Will Remove it to Los Angeles.

TO OPPOSE INTRODUCTION

Five Jurors at Beginning of Today's Session Cut Down to Three When Court Excuses Two Who Were Acceptable to State and Defense.

Los Angeles, Nov. 8.—The evidence seized in the Indianapolis raid, on the McNamara office will be brought by Detective Burns in person to Los Angeles for use in the trial as soon as the federal grand jury at Indianapolis, gets through, according to word received today from Burns.

The defense will fight any attempt to introduce the Indianapolis evidence. The prosecution is greatly pleased and insist the evidence will enable them to back up Orville McNamara's confession.

Jurors Bain, Clark, Green, Lisk and Mendenhall were the only five men remaining in the jury box today, when the trial was resumed. The rest had been excused through peremptory challenges. The state challenged two and the defense five.

The defense had accepted five jurors making them permanent. When Judge Bordwell asked them to be sworn Clark, Mendenhall and Lisk refused, first saying they should be excused on good grounds, already sworn to the court. Finally they were sworn after the judge said he would take up their excuses immediately.

Recess was ordered and Judge Bordwell went to his chambers to talk with them. Mendhall said his mother was seriously ill and his father had died recently. Clark claimed he had heart disease and Lisk offered bad health and business reasons. Judge Bordwell excused Clark and Mendhall.

To Withhold Indictments. Indianapolis, Nov. 8.—United States district Attorney Miller today announced that no indictments in the McNamara cases, if any were found here by the federal grand jury, will be published until the McNamara cases are disposed of in Los Angeles. They are charged with having violated the federal law by transporting explosives from different states, in a conspiracy to dynamite non-union plants. Miller admitted that if the McNamaras are acquitted in California he plans to bring them here to face trial in the United States courts.

TOBACCO TRUST PLANS APPROVED BY COURT

New York, Nov. 8.—The United States circuit court of appeals this afternoon approved the reorganization plan of the Tobacco trust, as proposed by the department of justice. Only slight modifications were required.

The judges ruled that they had no power to insert in the reorganization plan, the five year injunction, asked by Attorney General Wickorsham, which would allow the government to bring the case back to court and demand other changes.

When refused by a frightened maid she vowed she would return and left. The police this afternoon are waiting at the Kelly home for her.

The woman gave birth to a baby Sunday and left a few hours later. Detective Smith, who has worked on the case, alleged he found some baby bones in the furnace. Physicians believe they cannot be the infant's, as they state the fire would consume all of the body of a babe so young.

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SIX 'POSSIBLES' NOW IN RACE FOR MAYOR---EXPRESS YOUR PREFERENCE

With the withdrawal of W. E. Brock from the race for the mayoralty there remain three active candidates for the position and three who are "mentioned" for the office, W. F. Matlock, former mayor, J. R. Raley,

BALFOUR RETIRES AS CONSERVATIVE LEADER

London, Eng., Nov. 8.—Bulletin—Arthur Balfour today created a sensation in England when he resigned as leader of the conservative party. He announced his retirement at a meeting of the conservatives, giving as his reason that he was getting old.

FIRE DEPARTMENT CANDIDATES NAMED

Rivalry Between Several Companies Becomes More Keen

Chief John Vaughan Nominated by Company No. 2 to Succeed Himself at Coming Election.

Indications are that the firemen's election which is to be held on the same day as the city election will be a spirited one. That there will be rivalry over the different offices was made certain last evening at a meeting of Hose Company No. 2, when a full ticket for the departmental and company positions was named.

John Vaughan, the present fire chief, was named by the No. 2 boys as their choice to succeed himself, which Jack Childreth and William Gardner were nominated for the offices of first and second assistants.

The following men were unanimously nominated to fill the offices of the company: Carl Leonard, president; George Goodman, secretary; Will Penland, treasurer. For the positions of foreman of the company and the two assistants, however, there will be opposition. Ralph Coon, George Goodman, Roy Palma and Jesse McConnell were nominated for foreman. Bert Lovell and Alex Manning for first assistant and Glen Finch and Aubrey Graham for second assistant.

Following the meeting, a banquet at which a few guests besides the members sat was served and a general good time had.

WOMAN ACCUSED OF SLAYING HER BABE

Portland, Nov. 8.—While detectives were searching at Warren, Columbia county, for Hilda Johnson, a domestic, who is charged with the murder of her twenty-four hour old alleged illegitimate infant and its incineration in a furnace at the home of Mrs. George Kelly on North Twenty-third street, the woman appeared at the Kelly home today and excitedly demanded her clothes.

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TAFT'S TARIFF PRINCIPLES REBUKED IN MASSACHUSETTS

Democrats Make Big Gains in Ohio and New York Throws Off Rule of Tammany Hall

NEW MEXICO'S FIRST GOVERNOR A DEMOCRAT

Kentucky Returns to Progressive--Democratic Column and Socialists Show Gains in Various Parts of Country--Labor Loses in San Francisco.

New York, Nov. 8.—The New York legislature goes republican throwing off Tammany's grip but the Tammany county ticket was elected by a narrow margin.

Rhode Island elected Pothier, a republican, as governor, and the entire state ticket, gaining seven in the legislature.

In Maryland, H. L. Goldborough, republican, is leading over Arthur P. Gorman, democrat, for governor.

In Kentucky, James McCreary, democrat, was elected governor by 29,000, and the legislature is democratic, assuring Ollie James as the next United States senator.

In Mississippi, Earl Brewer, democrat, was elected governor.

In New Mexico, William McDonald, democrat, was elected the first governor with the entire democratic state ticket, but it is indicated the legislature goes republican.

Democrats Jubilant. Washington, D. C., Nov. 8.—Victory for the progressives everywhere are shown today in the election returns throughout the east.

The democrats are jubilant over the democratic gains in Ohio and they hail Governor Foss' election in Massachusetts as a repudiation of the republican tariff principles.

Socialism also shows big gains in all parts of the country.

In Ohio, the progressives elected a majority of delegates to the constitutional convention, assuring the adoption of the initiative, referendum and recall.

Taft is Silent. Frankfort, Ky., Nov. 8.—Beginning his fourth day invasion of Kentucky and Tennessee President Taft today is the guest here of Governor Wallington. The president breakfasted and then retired to begin work on his message to congress. He refused to comment on the Ohio elections. This afternoon he dedicated the Lincoln statue in Capitol square.

N. J. Legislature Republican. Trenton, N. J., Nov. 8.—The return (Continued on page eight.)

MOVEMENT FOR PUBLIC PARK NEAR DEPOT REVIVED AT COMMERCIAL CLUB MEETING

Another step toward the ultimate transformation of the vacant area north of the O-W-R. & N. depot into a city park was taken last night at the regular meeting of the Commercial association when Secretary Keefe was instructed by vote to co-operate with the Civic club, the city authorities and the railroad in bringing that desirable end about.

The matter was brought up for discussion by the secretary himself when he read a communication from W. Hollins, superintendent of the railroad company which owns the land, in which that official announced the willingness of his company to lease the land necessary to the city for a park and to move such section houses now on it.

Mayor Murphy spoke in favor of the movement started by the ladies of the Civic club and declared the city council is much interested in securing the park. He suggested that it is important to secure a lease on the grounds for a definite period before expending money or energy on the project and, in accordance with this suggestion, Secretary Keefe will immediately ascertain for how many years the railroad company will give a lease on the ground.

President Smythe reported that he had had a conference with Superintendent Bolons and believed from statements made by the superintendent at that time there will be no difficulty in securing the ground for a long period.

To Educate Farmers. Secretary Keefe also brought up for discussion the suggestion made recently by W. L. Thompson, namely that the Commercial club undertake to educate the dry land farmers in the Campbell system, which is admittedly the most successful. Mr. Keefe urged that club funds be used to purchase subscriptions to Campbell's "Soil Culture" and "Scientific Farmer" and that these publications be distributed gratis among the dry land farmers of the county. The matter was referred to the promotion committee.

Seven New Members. Seven new members were added to the association last night, which brings the roll up to 130, just twice the membership when the present secretary took his office. The new members voted in are Bruce Smith, clerk at the Alexander Department Store; A. A. McCook, cashier of the American National Bank; John Baker, proprietor of the Baker Furniture store; Herman Peters, proprietor of the Columbia Saloon; Ray Crystal, head of the grocery department of the Peoples Warehouse; Ralph Hassell, clerk in the grocery department of the Peoples Warehouse; and Martin Anderson, proprietor of the Bowman Hotel bar.

Secretary Keefe urged all members to assist the membership committee in enlisting new blood, declaring that there are still many business and professional men who are not connected with the club.

Meeting Well Attended. The meeting last night was well attended although there were a number of chairs left vacant. Following the meeting, Secretary Keefe entertained the members with a few of his "pianoology" selections.