



FEDERAL BLDG. IS UP TO CITY

Must Decide On Small Structure Now, or Larger One Later.

MASS MEETING CALLED

Senator Bourne Requests Citizens to Discuss Matter and Advise Him of Wishes—Ample Postoffice Means More Delay.

Do local people want to have the plans for the federal building revised so as to provide for a cheaper building which may be paid for out of the funds now appropriated or would they prefer to secure an additional appropriation to provide for a building such as is needed here in order to accommodate the post office and other federal offices?

This is the question that is now up to Pendleton and a special meeting of the Commercial club has been called for tonight to pass upon the matter. The following telegram was received here yesterday from Senator Jonathan Bourne, Jr.:

Message from Bourne.
Washington, D. C., Jan. 12.
President Commercial Club, Pendleton, Oregon.

Bids on proposed federal building far exceed appropriation made. Today I held conference with treasury department and supervising Architect Taylor. Situation necessitates either endeavoring to secure \$35,000 additional appropriation for utilization of plans already drawn or redrawing plans for smaller building than conditions in your city require to serve the postal business there. Suggest you call meeting of your association and citizens and discuss subject. Telegraphically notify me whether Pendleton people prefer delay on expectation of securing larger and better building or prefer redrawing plans to make building come within present appropriations. Personally, I believe better results for government and Pendleton would be achieved even at cost of delay by securing additional appropriation though I cannot guarantee there will be a public building built this season. Desire information based on meeting of your association and citizens. Wire reply collect.

JONATHAN BOURNE, JR.
Want Good Turnout.
In the absence of President Smythe of the Commercial club, who is still in Portland, Vice President W. E. Brock has called a special meeting for 8 o'clock this evening. The meeting will be held in the club quarters and local citizens who are not members of the club are also invited to attend. At the meeting the subject will be discussed and action taken to express the views of local people. A reply will then be wired to Senator Bourne.

In view of the importance of the gathering a large attendance is desired for the meeting tonight.

Taft Accepts Bacon's Resignation.
Washington, D. C., Jan. 13.—In a letter published today President Taft accepted the resignation of Ambassador Bacon to France, who will accept a fellowship at Harvard.

"OLD GUARD" LEGISLATORS ABANDON LOSING FIGHT AGAINST STATEMENT NO. 1

With the date for the primary election only three months distant and with the Umatilla county legislative ticket now in the making, news of what is transpiring elsewhere in the state will be of much interest here.

A story in the Oregon Journal of yesterday tells of the situation in many counties and shows the abandonment by the old guard of its fight upon statement No. 1. The story is as follows:

From all parts of the state evidence is accumulating that the adherence to Statement No. 1 will be an almost universal doctrine among candidates for the legislature this year. Standpatters are stampeding into the Statement No. 1 camp, preparing to pledge their votes for the people's choice for United States senator even though it be Jonathan Bourne or a democrat.

Statement No. 1 syrup does not taste well to many of the standpatters that will swallow it. But they have reached the conclusion that they must recognize it as an established prescription in Oregon. They are ready to admit that the people cannot be induced to look with favor on those who will not pledge themselves to carry out the will of the people in electing a senator.

Old Guard Leader "There."

One of the leaders of the hegra is

BODY OF NARKAUS FOUND UNDER SNOW

Victim of Avalanche Four Feet Beneath the Surface

Remains Brought to Pendleton Pending Arrival of Relatives and Arrangements for Funeral.

Under only four feet of snow, the body of John Narkaus was found yesterday after the searchers had dug but a few moments and their fears that he had been caught in an avalanche in Hobbs canyon were confirmed. The body was frozen stiff when discovered and indications were that he had been dead for several days. It was brought to this city last evening by Isaac Hagen and is now in the Folsom undertaking parlors pending the completion of funeral arrangements.

According to Mr. Hagen, the searchers had dug but a few moments before they came across the hat of the lost man and soon after they uncovered the body of the victim of the storm. His gloved hand was held close against his mouth but there was no evidence of any great suffering. Death had apparently resulted quickly from suffocation.

The searchers account for the escape of the horse from the fate of the man by the theory that Narkaus must have been leading the animal along the steep hillside when the slide occurred and that the edge of the avalanche caught the man but did not extend far enough to carry the horse with it.

According to the story told by Hagen, the mother of the young man had felt fears for her son's safety ever since Monday evening when he failed to return from his search for a cow and calf and it was she that finally secured the organization of a searching party.

The deceased young man leaves a mother and father with whom he made his home, a brother in Canada, another in the east and a sister, Miss Ida Narkaus, who teaches at Juniper. All have been notified of the tragic end of the young man and funeral arrangements are postponed until word is received from them.

QUAKER METROPOLIS HAS QUARTER MILLION BILAZE

Philadelphia, Jan. 13.—Fire which started last night in a moving picture show on Market street and which for hours raged in the downtown district, was gotten under control shortly before nine o'clock this morning. The damage is estimated at a quarter of a million dollars. It was necessary to call out the entire fire department.

JAPAN SOLDIERS ARE ON U. S. SOIL

Tokio, Jan. 13.—Commenting on General Carter's assertion that the Japanese government has smuggled thousands of Japanese soldiers into Hawaii, foreign officials today said it was "laughable." They explained that most of the Japanese are soldiers, but denied that the government had anything to do with smuggling them in.

PENDLETON HAS MANY POOR AND NEEDY; MOVEMENT FOR RELIEF SOCIETY STARTED

To the Editor:—
We crave the courtesy of your columns to invite the prosperous citizens of Pendleton, those who are not in need, to assemble at the rooms of the Commercial Association at two o'clock on Monday, Jan. 15, 1912, for the purpose of re-organizing the City Relief Association as it existed in the hard times of the nineties. It is apparent that we have among us many worthy men and women who are in need of temporary assistance, and honest work of any kind available. There is now no organization, and the giving is promiscuous and unavailing. The City Relief Association as it once existed was equipped to make investigations, and to separate the worthy from the unworthy calls, and to register the places where work could be found. It is for the interest of all that such conditions be reproduced to meet the needs of this time. This is meant for all people, men and women, who believe that the religion of the century is proclaimed in the language of the English prophet, "A union of all who love in the service of all who suffer." Will the clergymen of all the churches read this call on Sunday morning.

STEPHEN A. LOWELL.
C. J. SMITH.
LEON COHEN.

Jan. 13, 1912, Pendleton.

BANDITS DROP LOOT DURING DUEL WITH POSSE

One Robber and Members of Pursuing Party Wounded During Terrific Running Battle.

New Port, Beach, Calif., Jan. 13.—Three cracksmen this morning blew open the safe of the Bank of Newport and escaped with a small sum of money after a running battle with citizens, during which one of the bandits wounded Bradley Kemble, a fisherman, perhaps fatally. Bills of large denomination were left on the streets by the bandits who, fleeing, dropped a bag crammed with gold and bills aggregating several thousand dollars.

Two posers are now pursuing the three bandits who escaped with a small sum. That William Hall, a saloonman who fought a duel with the robbers as they escaped in a buggy, wounded one of them, is evidenced by great splashes of blood on the road. The robbers had carefully planned the job. They cut all telephone and telegraph wires. The bag of money they dropped was taken in charge by Cashier Wallace.

They robbed a general store before they touched the bank.

3 DIE IN SNOWSLIDE

Wallace, Ida., Jan. 13.—The bodies of William Pearson, Oscar Lundquist and John Thone, miners who were killed last night in an avalanche which struck their cabins while they were at dinner, have been recovered and searchers are looking for two more who are missing. The accident occurred at Big Creek, five miles away. With warmer weather, the danger of more slides, such as killed a score of persons in 1910, is great.

DUCK SEASON DOES NOT CLOSE JAN. 15

Umatilla county hunters can continue their quest of ducks until April 1, without violating the game laws of the state, the published statement in another newspaper that the open season would close on the 15th of this month to the contrary notwithstanding. The statement was evidently prompted by stories appearing in the Portland papers, but the laws regarding the killing of ducks are different for different sections of the state.

In Clatsop, Columbia and Multnomah counties the season closes on January 15, but in the counties of Umatilla, Morrow, Union, Grant, Harney, Malheur and Wallowa ducks remain unprotected until April 1. After that date until September 1 it will be unlawful not only to kill ducks but to take, injure or have in possession any mallard, wood, widgeon, teal, spoonbill, gray, black, sprigtail, canvas back or any other species of wild duck.

The law relating to the shooting of ducks in this county is to be found in section 2290 of the fish and game laws of Oregon.

SPECIAL MEETING TO TALK FAIR BUILDING

For the purpose of discussing the proposition of a permanent fair pavilion for the Umatilla-Morrow county fair, a special mass meeting will be held at the city hall next Tuesday evening. The meeting has been called by the district fair board and President Hurd says he is anxious to get a representative attendance.

"We want a permanent fair building if we can get it," he says, "but we do not want to undertake the move if the local people who will have to pay for it do not want it."

Members of the Commercial club, of the Round-Up board and all local citizens in general are asked to attend the meeting at the city hall.

VESSEL CAPSIZES ON COLUMBIA BAR--3 DIE

Crew of Schooner Admiral Have Hard Fight Against Angry Waves for Several Hours.

Astoria, Ore., Jan. 13.—Three men are supposed to have been lost this afternoon when the American schooner Admiral turned turtle on Columbia river bar shortly after she had been abandoned by the crew and while being towed to shore by the tug Walula. Six of the crew on a jetty on the bar fought for life for several hours. The Hammond life saving crew has prepared to go to their rescue. Captain Bender and his wife and daughter are safe at Fort Stevens. They left the ship this morning. Later the men were rescued by a breeches buoy.

COLD KILLS EIGHTEEN

Chicago, Jan. 13.—Eighteen deaths from the cold within the last twenty-four hours have been reported, three of these were in Chicago, two at Hammond, Ind., three at Fargo, N. D., two in Minnesota, one at Valley City, N. D. and six in northwestern Texas. At Columbus, Ind., today the temperature is 25 degrees below zero and it is very cold throughout Illinois and the middle west.

Many Die in New York.

New York, Jan. 13.—Zero weather struck New York for the first time in many years today. At 8:30 o'clock the temperature was five below zero. At 8 o'clock it had risen three degrees. Deaths from cold and starvation are hourly reported. Even the morgues are crowded by poor people who are attempting to keep warm.

G. O. P. Subcommittee Meets.

Chicago, Ill., Jan. 13.—Headed by Chairman New of Indianapolis, several members of the subcommittee on arrangements are conferring here today regarding plans of republican national convention which meets here June 18. Among those present are Committeeman Williams of Oregon.

BURNED-OUT THIS MAN COMES BACK

As an example of what a man can do when misfortune overtakes him, the record of E. F. Marks since coming to Pendleton a little more than a year ago stands out conspicuously. A prosperous and happy farmer in the Coeur d'Alene district of Idaho, in the course of a few days he had seen his home, crops and all of his material possessions swept away by the raging forest fires that devastated so many miles of rich land in Idaho in the fall of 1910.

His land was left but he had no funds with which to repair the damage done and, so, without wasting time in mourning his loss, he secured temporary quarters for his wife and two children, bought a ticket for Pendleton and arrived here with only 40 cents in his pocket.

The day he arrived he heard of a job on the Osborne farm, walked there at once and secured employment for a few weeks. The money he received was sent at once to his family and he started in search of other work. Encountering John Montgomery, the grain buyer, and noticing the K. of P. pin which he wore, he made himself and his object known. With true fraternal spirit, Montgomery directed him to E. P. Marshall, the well known farmer, who was in need of a foreman for one of his ranches. Although inexperienced in wheat farming, Marks accepted the position and made good by his wonderful perseverance, courage and force of will. He sent for his family and for a year remained on the Marshall farm as foreman.

Though his family suffered much from sickness during the year, he was out of debt when he resigned his position and now he is installed in the Mrs. Wiley Frazier home in the west end of the city and is making a good living as a purchasing agent for a stock company.

ZEUSKE CASE ENDS IN WIDOW'S FAVOR

Judge Phelps Decides She is Entitled to Homestead.

Litigation of Many Years Results Today in Court Recognizing Contract Made Verbally.

Circuit Judge G. W. Phelps made it plain today, in his findings in the Zeuske vs. Zeuske case that it is the intention of his court to uphold the rights of the widow and orphan in so far as his duties permit, and hence his decision was for the plaintiff in the case.

The case of Emma Zeuske vs. August Zeuske and wife is one well known locally as it has been in the courts for the past few years. The plaintiff is the widow of Edward Zeuske who was a son of the defendant. At his death several years ago, his parents made an attempt through a law suit to oust the widow and her child from the 320 acre farm near Hellix which had been left to them by the deceased husband and father but title to which was held by the elder Zeuske.

In her defense, the widow claimed that a verbal contract had been made between her husband and his parents whereby he was to have title to the land and in corroboration she pointed out that he had been in possession a number of years and had made improvements to the value of \$1500 on it.

The case appeared for trial before Judge Bean and the jury found for the widow. It was appealed and the supreme court reversed the decision on the grounds that it was not a law case and ordered it back to the local equity court.

Judge Phelps in his findings cites several authorities for his decision and a number of parallel cases. In concluding his opinion he says, "The conclusion is irresistible that the facts present a case where the father and mother through natural but none the less commendable impulse sought to place their son in a position where he could establish himself for life by use of his knowledge as a farmer. That the son had met the expectations of the parents and had by his industry at the time of his death earned title to the land. It is unfortunate that the same kindly impulses which prompted the purchase of the land for the son in the first instance and

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U. OF C. INVITES PENDLETON HIGH

Berkeley, Cal., Jan. 13.—High schools throughout the state, and a number in Oregon and Washington, have accepted the invitation of the University of California to compete in the Second Pacific Coast Interscholastic Meet to be held on the campus April 26 and 27. The meet, to which the Pendleton High school, among others, has been invited, will undoubtedly be the most important event on the coast in the realm of high school track athletics. This meet is an annual event.

Special preparations have been made by the Big "C" society of the university for the entertainment and housing of all visiting athletes during their entire stay at Berkeley. The fraternities and house clubs have offered their houses for this purpose.

The above item was received at the East Oregonian office this morning. Principal Hampton states that the local school has not yet received the invitation mentioned, and in case it does come, he is not certain that it can be accepted owing to the distance and the amount of time necessary for such a trip.

LADIES OF METHODIST EPISCOPAL CHURCH ORGANIZE TO RELIEVE SUFFERING OF POOR

In order to alleviate the suffering of the poor during the winter months, the ladies of the Methodist Episcopal church are heading a charitable movement and they are asking the citizens to cooperate with them by notifying them if they can contribute clothing, food or anything else.

The ladies gave out a statement as follows: "There have been perhaps more calls for help during this year than Pendleton has experienced for many years," said one of the ladies this morning, "and this last cold weather has added even more suffering and need."

"Many families have been found in absolute want; in many cases small children have been found bare footed and with very little other clothing."

JOHN M'COURT TELLS PLANS

Will Take Long Route to Establish Right of Local Indians to Water.

WILL USE STATE COURT

Enemies of Indian Rights Hope for Change of Sentiment by Supreme Court—Case Now Before State Water Board Awaiting Hearing.

John McCourt, United States district attorney for Oregon, will endeavor to establish the reservation water rights through the adjudication suits now pending before the state water board. He will not take the shorter and quicker course of trying the case before the federal courts unless instructed to do so by the attorney general. Nor will he join forces with any individual and take the case into the federal courts unless he is specifically instructed to do so. At this time William Caldwell is ousted from the federal court presumably because he could not make the government a party to the suit without the district attorney's consent.

In an interview given an East Oregonian representative in Portland a few days since McCourt explained his attitude in reference to the reservation cases. He still holds that under the ruling of the United States supreme court the Indians of the reservation are entitled to use water upon their allotments. He advises the Indians to make use of the water and says he will defend them in their right should they be molested. However he declares he will not protect renters who seek to use water upon rented land.

Before State Board.
According to the United States attorney the Indian cases are now before the state board for adjudication because of the answer he filed to the contest brought before the state board by Sophie Byers. In that answer McCourt sets up the right of the Indians to water and holds the Byers claim to be secondary to the rights of the Indians under the treaty.

However it will be some months before the cases can be tried before the state board as the Indian cases will come up along with other adjudication suits from this section. After the water board has passed upon the case it will then be subject to the jurisdiction of the circuit court, of the state supreme court and later of the United States courts.

Asked as to why such a roundabout course should be taken instead of the more direct course of trying the matter in the federal courts, District Attorney McCourt asserted the propriety of trying the case before a local tribunal, despite the fact the great point at issue in the reservation cases is a federal question.

Hope for Reversal.
Apparently there is hope in certain circles that some day the United States supreme court may alter the ruling made in the Montana Indian cases. According to McCourt a government irrigation official told him not

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J. W. McALLISTER IS DEAD AT LA GRANDE.

Word was received here today of the death of J. W. McAllister, state president of the Farmers' Educational & Co-operative Union and well known in this city. His death occurred yesterday at his home in La Grande, and was the result of an operation he underwent for bowel trouble.