



PLAINTIFF SEEKS TO SHOW THOMPSON WAS DRIVING FAST

Witnesses are Called to Try to Establish Fact Car Was Running at High Rate When Accident Occurred

DRIVER ALLEGED TO BLAME

Persons Who Claim to Have Examined the scene of the Accident Within Short Time After Collision Are Called to the Stand Today in \$30,000 Damage Suit.

- The Jury.**
- J. H. Coffman, Milton; U. G. Horn, Pilot Rock; Arthur L. Grover, Helix; G. W. Beddow, Pendleton; Sidney Dennis, Pendleton; A. C. Hemphill, Pilot Rock; G. Neuman, Pendleton; Charles H. Myers, Pendleton; J. D. Wallace, Stanfield; Ralph Polson, Pendleton; John Crow, Reservation; R. G. Still, Milton.
- Excused.**
- By plaintiff, Otis McCarty, J. M. Eldridge and J. M. Butler; by defendant, J. L. Arnew, Joseph N. Scott and S. C. Nichols.

By eye witnesses and persons who claim to have examined the scene of the accident within a short time after the collision, the plaintiff in the Twitchell-Thompson \$30,000 damage suit is today seeking to establish its contentions, namely, that W. L. Thompson was driving his automobile at a high rate of speed and on the wrong side of the street just before the collision and that the responsibility for the accident rests with him.

So far the attorneys for the plaintiff have produced only one eye witness aside from the boy plaintiff himself, and the defendant, most of the other witnesses this morning and this afternoon testifying chiefly to the auto tracks they saw on the pavement right after the accident.

What is believed to be the trump card of the plaintiff was played this morning when John Phay, of Wallowa, who claims to have been an eye witness and to have been the first person to reach the side of the injured boy, took the stand. His testimony directly contradicted that of the defendant last evening as to the speed and course of the auto.

He testified that he and his sister-in-law were coming down Court street from the hospital where they had been to visit the late Douglas Phay and were just crossing Lee street when he noticed the auto coming east side of the street. Mr. Phay declares he noticed that the car was traveling at a pretty high speed, possibly 25 miles an hour, and that to protect his sister-in-law, he pushed her gently in advance of him to hasten her across the street. He had just reached a point near the west curb when he saw the boy round the corner on a bicycle. The driver of the car, he said, swore his machine to the right and the collision followed. The front of the car struck the bicycle broadside on its right hand side, he said, knocking it about 10 feet and the boy further and toward the west. The car then went on about 20 feet, he said, until it collided with a wagon standing by the right curb. He ran at once to the boy, he said, and picked him up, later turning him over to the men in the car.

On cross examination it developed that the witness claimed he had never told anyone, not even the attorneys for the plaintiff, his version of the accident. Judge Bennett had written to him, he said, but in his answer he had said only that he saw the accident. Frederick Steiner for the defendant had visited him in Wallowa, he said, but he had refused to tell what he knew. Also he said he had refused to tell counsel for the plaintiff yesterday morning what his testimony would be. In his cross examination, Col. Haley laid the grounds for an attempt at impeachment by asking him if he had not told George O'Daniels shortly after the accident that he was taking measurements to qualify himself as a witness.

The first two witnesses this afternoon, Fred Stickler and D. Turner, testified as did several witnesses in the morning that they saw auto tracks on the pavement right after the accident and that they were on the east side of the street and crossed diagonally to the west near where the accident occurred. It is believed the plaintiff will take a good part of the afternoon for its testimony and that the defendant will consume most of tomorrow.

(Continued from page 6.)

May Transfer Commanders



GENERAL VON BUDOW AND AIDE

Persistent rumors are in circulation that there has been, or will be soon a general transfer of general commanding the various German armies on the eastern and western fronts.

It is reported that Von Hindenburg will go to France and Belgium in command of the western forces and that General von Buslow will take command in the east against the Russians.

Villa's Cause Has Fallen Through in Opinion of Experts

WASHINGTON OFFICIALS THINK VICTORY RESTS WITH CARRANZA FORCES.

WASHINGTON, April 20.—Villa's "cause" has collapsed, in the opinion of experts who have closely watched the situation in Mexico. There is little doubt that Villa has been beaten and that victory has perched on the banner of Carranza. Reports have reached here of a third crushing defeat to the Villistas at Celaya and of a split between Villa and General Angeles. Rumors that the Villistas are in precipitate flight toward the American border are not denied by his agency here. Villa's defeat appears to be general.

Mayor Roberts to Serve Six Years



Mayor Donn M. Roberts of Terre Haute was sentenced in the federal court to serve six years in Leavenworth prison. To this was added a fine of \$2,000. Roberts was the chief defendant in the Terre Haute election corruption conspiracy trial conducted by the government. Several other officials were also sentenced.

When Judge Anderson asked, before pronouncing sentences, whether any of the convicted men or confessed defendants had anything to say, Mayor Roberts did not move, but two of the convicted men, George Ehrenhardt and Lester Hull, attempted to shield Roberts by declaring that while innocent of the crime charged, they had not been instructed along any lines prior to the election. The government had charged that Roberts held a "school for election inspectors."

Barnes' Attorneys Spring Surprise by Calling Roosevelt

COLONEL ADMITS STATEMENTS—ATTORNEY SCORES HIM FOR WRITTEN ASSAULTS.

SYRACUSE, April 20.—All their evidence being submitted, attorneys for Barnes rested their case before the noon recess. Roosevelt's attorneys admitted all the facts in connection with the alleged libelous statements, in which the colonel accused Barnes of being a political pal of "Boss" Murphy of Tammany Hall. Just before the plaintiff rested, Barnes' attorneys sprung a surprise by calling Roosevelt to the stand. After admitting he issued the objectionable statements, Roosevelt was excused and no further attempts were made to prove malice by his own testimony. When Attorney Ivins for Barnes signified he was through with the former president, the latter's attorneys told him to proceed with testimony in his own defense.

THE LOST KISS WINS 1ST HONORS FOR MISS

This morning at the high school the tryout for the county oratorical contest was held with six students trying for the right to represent their school. Hazel Wyrick took first and Zella Pollet second. Those trying and their orations were as follows: Hazel Wyrick, "The Lost Kiss;" Zella Pollet, "Sagalawea;" Fleta Hall, "The Inventor's Wife;" Hester Proctor, "Aux Italia;" Ralph Hargett, "Ingersoll's Funeral Oration Over His Brothers' Body;" Chas. Russell, "L."

BRITISH OPEN SPRING CAMPAIGN BY DIRECTING A SMASHING DRIVE AGAINST THE GERMAN TRENCHES

Kitchener's Army is Forcing Enemy Back From Point Near the Belgian Seacoast—Operations Extend Southeastward to Vicinity of Lille—Center of Attack Being Waged East of Ypres Where Heavy Fighting is Reported.

(By Ed Keen.)

LONDON, April 19.—After months of waiting and trench fighting the British "spring drive" in France and Belgium is now a reality. From a point near the Belgian seacoast, southeastward to the vicinity of Lille, Kitchener's army is forcing the Germany back. The center of the attack is east of Ypres, where heavy fighting is reported.

Already the capture of the important height known as Hill 60 is reported by Field Marshal French. With fresh British troops arriving at the front the main British force is believed to be attacking the line northward in the region of Ypres, to a point beyond Pilken. The entire line attack extends over a front of nearly 40 miles. It is accepted that the present movement which is referred to officially as "important" is the beginning of an attempt to reclaim Belgium.

Should the present drive of the British succeed in swinging back the Germans from their present positions in Belgium, they will be in grave danger of being hurled back upon their line of communications. This will be of the greatest assistance to the offensive being directed by General Joffre and it is believed here, might result in the expulsion of the Germans from northeastern France as well as Belgium. Extreme activity is being shown by the French in Alsace.

PARIS, April 20.—Fighting is developing at several important points and is believed to be the preliminary of a general advance which is to be attempted. The greatest activity is being shown about Solons, Rheims and Argonne, it was stated by the war office. That the fighting is being pushed with the utmost vigor is indicated by the enforcement of a strict censorship.

BERLIN, April 20.—A renewal of the German sapping attacks in the Champagne region and the repulse of the French in attacks upon German positions at other points on the battlefield were reported by the war office.

"The French attack north of Four de Paris failed," the statement declared. "Between the Meuse and the Moselle, there is only isolated artillery fire. The French attack at Near Flirey broke down before our artillery fire."

PARIS, April 20.—The capture by the Germans of Roland Garros, the great French aviator, was explained by the war office as being due to his motor stopping while he was reconnoitering. Garros endeavored to vplane into the French lines but landed in one of the chief German trenches where he was made a prisoner.

No Time to Talk of Peace is Last Word Heard From France

ALLIES OUT TO BREAK GERMAN MILITARISM AND JOB MUST BE FINISHED.

PARIS, April 20.—"This is not a time to even suggest peace talk. The stoppage of the war at this time would benefit only Germany. The allies have assumed the task of crushing Prussian militarism and must refuse to be diverted."

This is the word given Colonel E. M. House of New York, a personal friend of President Wilson, now in Paris. Because of various stories circulated coupling the visit of House to Europe with reports he was sent on a peace mission by the American administration, a high official visited him informally. House was informed bluntly but courteously, that if he desired to initiate peace this was not the time to make proposals. He was told his mission was worse than useless. Any movement to end the war, with Germany holding her present line through France and Belgium would give Germany too great an advantage.

RECEIVERSHIP IS ASKED FOR IN ROCK ISLAND CASE

FINANCIAL DIFFICULTIES LEAD TO PETITION FILED BY FOUNDRY COMPANY.

CHICAGO, April 20.—The American Steel Car and Foundry Company of New Jersey filed a petition in the federal court today asking that a receiver be appointed for the Chicago Rock Island and Pacific railroad. This new development in the trouble growing out of the financial difficulties of the Rock Island was met by an answer filed by the attorneys for the road, admitting the allegations of the petition asking for a receivership. The petition declares the Rock Island is not and will not be able to meet the current expenses from its resources. Judge Carpenter appointed Jacob Dickinson, former secretary of war, and H. U. Mudge, president of the Rock Island, as receivers.

STRANGE TALE HANGS TO SCALP OF COYOTE

A few days ago Wade Blew, well known dairyman of the reservation, brought into the office of County Clerk Saling a coyote scalp and there by hands a tale, funny, but it's true. The tale concerns a new and modern method of killing wild animals.

Mr. Blew is an up-to-date dairyman and delivers his milk to Pendleton in an automobile. He was returning home one dark evening and was speeding along the road near the Sam Ritterer place when the headlights on his car showed him a coyote standing in the road. More with the intention of scaring the animal than anything else, he switched his machine directly at the brute. Instead of dodging the brute, either blinded by the lights or affected by fumes, kept its ground and the car passed directly over it.

Quickly the driver reversed his levers and backed the car over the prostrate body and then, to make sure of his prey, drove backward and forward over the animal again. Satisfied he got down and found the animal dead. He brought the scalp of the coyote and the tale of his adventure to town on the next day.

WAR HARNESSES ARE ORDERED FROM U. S.

HASTINGS, Neb., April 20.—A big order for war harness manufactured for shipment to England for use in the European war, has just been completed by the J. H. Haney plant here. The manufacturers had five months under the contract, which was for 2,000 sets of six-horse-team harness, but they completed it in just two and one-third months. The work started early in January and a shipment to England of one carload per week has been maintained.

CONVICTION IS AFFIRMED.

SALEM, Ore., April 20.—The conviction of W. J. Canton of Medford, an attorney and former major in the United States army, on a statutory charge involving Richard Coffman, was affirmed by the supreme court.

ULTIMATUM IS EXPECTED FROM ITALY AT ANY TIME

NATION IS READY FOR WAR AND CONFLICT WITH AUSTRIA UNAVOIDABLE.

ROME, April 20.—Italy's last word to Austria, expected to take the form of an ultimatum, may come at any time. The nation is ready for war. Even the pro-Austrian party has lost hope. It is accepted that the government is marking time until the selected hour shall arrive. So certain is officialdom that a conflict cannot long be postponed that the Austrian ambassador has wired his brother to prepare his Innsbruck villa for occupancy. The Austrian envoy, it is declared, fully expects developments in the near future which will result in the Italian government handing him his passports. Upon the frontier the greatest activity is in evidence. Austria has massed enormous forces in the southern front.

RUBBER BIDS MADE FOR U. S. DIRIGIBLES

AKRON, O., April 20.—Akron rubber companies were among bidders today in the keen competition in the rubber trade for the construction of Uncle Sam's two new dirigible war balloons. The bids were opened today.

TELEGRAPH RATE ACROSS COUNTRY NOT UNREASONABLE

WASHINGTON, April 20.—The interstate commerce commission held that W. N. White and Company, New York commission men had failed to prove the Western Union rate of \$1.00 for a ten word message from New York to the Pacific Coast was "unreasonable." The commission did not go so far as to declare the rate "reasonable."

FARMERS THROUGHOUT COUNTY ARE JOINED TOGETHER TODAY TO HELP IMPROVE HIGHWAYS

Volunteer road work has been the order throughout Umatilla county today and when darkness falls this evening there will be many "bad places" made good through the efforts of the impromptu road builders.

In response to the call of the Auto Club and other organizations many people have been traveling today with shovels and rakes in their autos and wagons, making use of them wherever work can be found. Detailed reports of what is being done have not yet been received except in a few instances. Roy W. Ritterer, head of the newly formed Auto Club, has been out with a crew all day working the roads between the Storie-Ritterer ranch and Pendleton.

Not to be outdone by the white men, Parsons Motanic, noted Indian athlete, has also been in the game. He has been at work on the road all day and will make travel better for the auto he recently purchased.

In the west end of the county the most effective work is being done, judging from reports received. According to S. N. Bobo, editor of the Stanfield Standard, who is here today, the west end people expect to accomplish considerable work of a permanent nature. They are anxious to improve the highway between Echo and Umatilla touching Stanfield and Hermiston.

TURKISH FLEET IS BOTTLED IN BLACK SEA SAY REPORTS

Coal Supply is Nearly Exhausted—Russians Reported to Have Mined Entrance to the Bosphorus.

ALL SUPPLIES ARE CUT OFF

Two Ottoman Destroyers Have Been Destroyed by Russian Mines—While Turk Fleet Was Operating in Black Sea, Russians Were Busy Cutting Off Enemy From Base.

SALONIKA, April 20.—The Turkish fleet is marooned in the Black sea, its coal supply rapidly nearing exhaustion, according to reports here. Two torpedo boat destroyers attached to the fleet have been sunk by Russian mines and the remaining vessels are declared to be cut off from their base. The Russians have successfully mined the entrance to the Bosphorus, while the Turkish fleet was operating in the Black sea, reports state.

STANFIELD DENTIST BADLY INJURED IN AUTO ACCIDENT

HIS CAR TURNS TURTLE ON EAST COURT STREET—TAKEN TO HOSPITAL.

Buffalo Vernon, Round-up cowboy, was the driver of the car and it is said he was speeding up Court street at a reckless rate and in a zigzag course. The tracks show that the car was taking most of the street. Vernon escaped with a few bruises and left the city toward the reservation while Dr. Barbour was being taken to the hospital.

GERMANY WILLING TO PAY

BERLIN, April 20.—Among the items given out for publication by the Overseas News Agency was the following:

"An official investigation of the torpedoing of the Dutch steamer Katwyk, near the North Hinder Lightship in the North Sea on April 14 still is pending. If it is shown that the vessel was sunk by a German boat, Germany will be ready at once to pay damages and apologize according to the provisions of international law. No tension between Holland and Germany is feared."

BUSINESS REVIVAL IS NEAR AT HAND

PORTLAND, Ore., April 20.—"Indications all over the country are brighter for a business revival," according to the declaration of A. L. Mills, president of the First National Bank, who returned from an extended visit in eastern states.

"But one shouldn't make the mistake of believing a business revival is already here," he said. "Business is no longer uniformly bad, however, and here and there it is as good as to be almost booming."

NEWS SUMMARY

- General. British open spring campaign by drive against the German trenches. Villa's cause has collapsed think Washington officials. Roosevelt called to stand in Barnes libel suit. No time to talk peace asserts high French official. Turkish fleet bottled up in the Black sea.
- Local. Plaintiff has innings in \$30,000 damage suit. Good roads day being observed throughout county. Stanfield dentist injured in auto accident. Dairyman kills coyote by running auto over it.