

IN LOWEST DEGREE

White Found Guilty Only of Manslaughter.

NO EVIDENCE OF ROBBERY FOUND

Judge Fraser Disposes of Charge of First Degree Murder, and Jury Rejects Theory of Second Degree—Defense Satisfied.

After deliberating from 4:45 until 8 o'clock last night, the jury which tried Andrew White for killing Peter Beauschene returned a verdict...

Judge Fraser cut off the eloquence of John F. Logan on behalf of White...

The question to be determined is whether the defendant is guilty of murder in the second degree or guilty of manslaughter...

Argument of Counsel.

John Manning, the Assistant District Attorney, then opened the argument for the state. He contended that it was a poor justification for White to say that he was so drunk at the time of the killing...

George C. Stout, who made the first argument for the defense, devoted much time to showing that it was impossible for White to have hit Beauschene with the piece of wood produced in evidence...

Final Appeals to Jury.

After the noon recess Mr. Malarky made the last argument for the defense. He declared that no man concerned in the drunken killing of Beauschene was anything but manslaughter, for there was no room for premeditation, as all were drunk...

He tried to impress on the jury the reasonableness of the theory of the defense...

Mr. Chamberlain made the final argument for the state. He objected to White being called a boy, saying that Beauschene was only 19 years older...

Judge Fraser then instructed the jury, defining the several crimes of homicide, and saying:

Instructions to Jury.

"In this case the evidence of deliberation and premeditation and the evidence that defendant killed Beauschene while attempting a robbery is so slight and unsatisfactory that the court determines that you would not be justified in finding the defendant guilty of murder in the first degree...

In determining whether or not the killing was purposely or maliciously done, you must take into consideration the state of defendant at the time as to intoxication..."

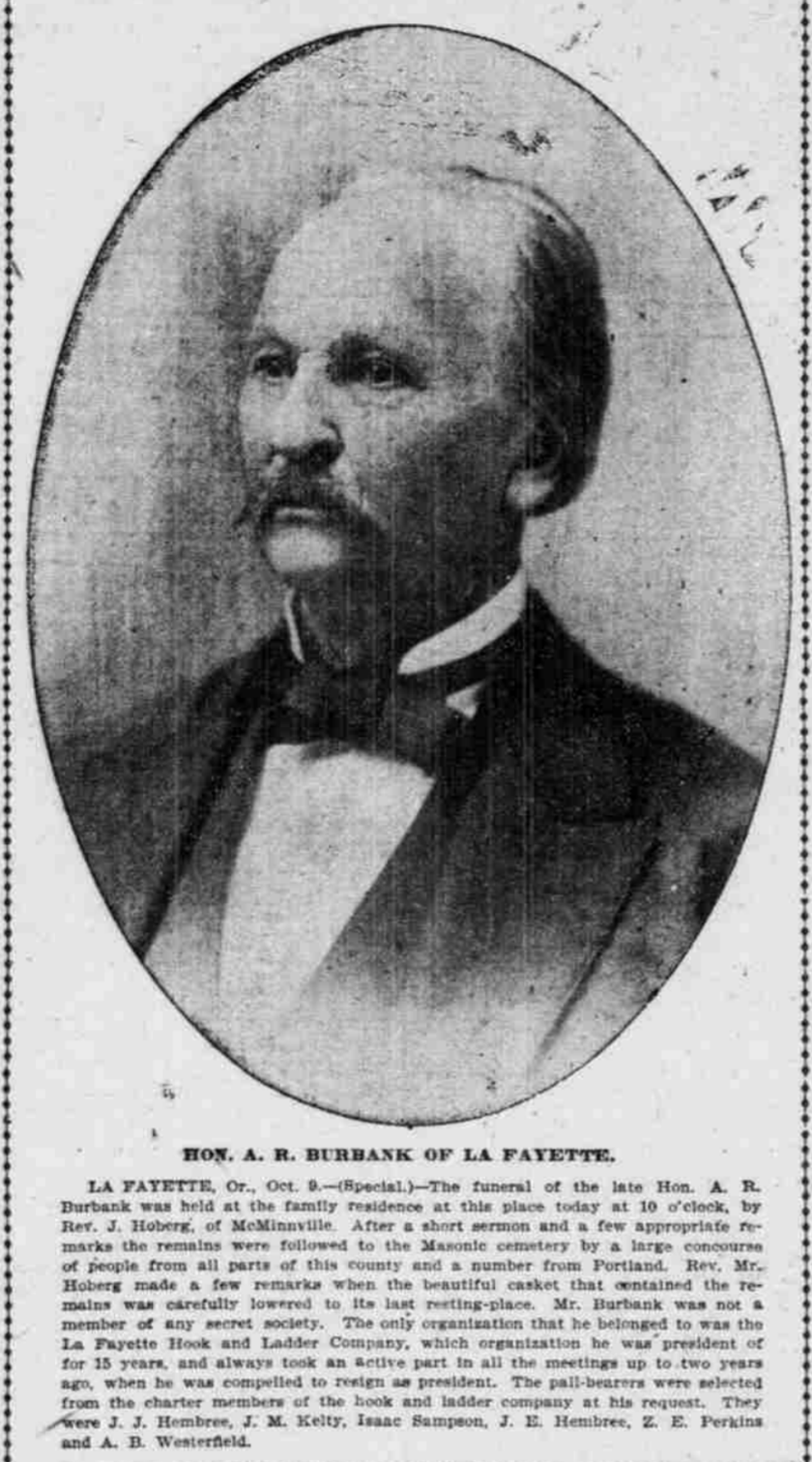
the defendant guilty of murder in the second degree. But if the intoxication did not go to this extent then he may be guilty of manslaughter...

PORTLAND STILL LEADS.

Bureau of Labor Furnishes Figures on Northwestern Cities.

OREGONIAN NEWS BUREAU, Washington, Oct. 9.—The Bureau of Labor, in its statistics of cities for the calendar year 1901, estimates that the population of Portland on January 1, 1902, was 94,000, or an increase of 374 since the last census was taken...

FUNERAL OF THE LATE HON. A. R. BURBANK



HON. A. R. BURBANK OF LA FAYETTE.

LA FAYETTE, Or., Oct. 9.—(Special.)—The funeral of the late Hon. A. R. Burbank was held at the family residence at this place today at 10 o'clock...

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the largest city in the Pacific Northwest, the estimated population of Seattle is 90,000 (a growth of 5229), Tacoma, 49,000 (a growth of 2286), and Spokane 40,000 (a growth of 3152).

HEAD OF COLLEGE RETIRES

Webb Will Take Advantage of New York Pension Law for Teachers.

NEW YORK, Oct. 9.—General Alexander Stewart Webb has sent a letter of resignation to the board of trustees of the College of the City of New York...

THROUGH THE COLUMBIA RIVER

A delightful trip of a few hours will take you through the famous "Columbia River Gorge," the greatest combination of water and mountain scenery on earth...

DIFFER AS TO REMEDY

SEATTLE LONGSHOREMEN'S STRIKE DIVIDES DELEGATES.

Some Claim Coast Federation Will Support It, Others Say Otherwise—Question of Overtime.

A general misunderstanding seems to have arisen among the delegates to the Pacific Coast Convention of International Longshoremen, Marine and Transport Workers...

ITINERARY OF PRINCE.

Entertainment Provided for Royal Visitor From Siam.

WASHINGTON, Oct. 9.—The Crown Prince of Siam and party, who are to arrive here Saturday next, will be brought to this city on a special train...

VALUE IN HEMLOCK BARK

Western Lumbermen Have Not Realized Its True Worth.

OREGONIAN NEWS BUREAU, Washington, Oct. 9.—The lumbermen of the Pacific Northwest, and particularly of Washington, apparently do not place a proper valuation on the hemlock tree...

PROTECT TIMBER LANDS

OWNERS WILL ASK LEGISLATURE FOR ASSISTANCE.

They Want Rangers to Prevent and Extinguish Fires—May Meet to Draft Measure.

Protection of timber lands from fire is one of the subjects with which the next Oregon Legislature will have to wrestle...

VISIT OF A PUBLISHER.

Daniel Appleton, of New York, on a Trip of Inspection.

Daniel Appleton, of the firm of D. Appleton & Co., publishers in New York, Seattle, visited Portland yesterday on a trip of inspection...

SCHWAB TO GO ON CRUISE

Steel Trust President Will Spend Winter on Mediterranean.

NEW YORK, Oct. 9.—Charles M. Schwab, president of the United States Steel Corporation, has chartered Anthony Prexel's steam yacht, the Marguerita...

GHOST IN THE CLOSET.

Terrible Experience of a Man Who Was Alone at Home.

Worried by troubles, constipation, and the loneliness of the dark in the lonely house, Mormon Bishop Pills are the cause of his ghostly experiences...

RECREATION.

If you wish to enjoy a day of rest and pleasure, the Seattle and Tacoma Union depot at 9 A. M. for a short trip up the Columbia, returning, if desired, by boat from Seattle...

held at Bay City, Mich., next July were F. W. Clark, of Seattle, and Charles J. Kelley, of San Francisco.

The next convention will be held at San Francisco the first Monday in October, 1903.

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WASHINGTON, Oct. 9.—The Crown Prince of Siam and party, who are to arrive here Saturday next, will be brought to this city on a special train...

Monday the party will visit the Naval Academy at Annapolis. The programme for Tuesday includes a visit to Mount Vernon. On Wednesday the Prince will proceed to Wilmington, Del., and then visit Philadelphia incognito from the 15th to the 22d inst...

The official entertainment will terminate at Boston, whence they will start on a tour of the country, visiting Syracuse, Niagara Falls, St. Louis, Kansas City, Colorado Springs, Pike's Peak, Portland, Or., and San Francisco...

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Advertisement for Ben Selling's Overcoat or Raincoat. Includes image of a man in a coat and text: 'IF YOU WANT TO KNOW WHAT SMARTLY DRESSED MEN WILL WEAR THIS SEASON ASK BEN SELLING ABOUT IT'.

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All large areas have been taken up, and dealing now is chiefly in small tracts to fill out those areas. It is sometimes said that there is still timber for those who are willing to pay for it...

Boss Farmer Killed by Indian.

NAPER, Neb., Oct. 9.—Edward C. Taylor, a white boss farmer and teacher at the Indian school on the Rosebud Reservation...

MUST LOG BURNT AREAS.

Railroads Needed in Districts of Washougal and Lewis Rivers.

What to do with the burnt-over timber districts of Washougal and Lewis Rivers is a subject that will require the early attention of the owners of lands in those sections...

PORTLAND-CHICAGO.

Seventy hours is the time of the "Chicago-Portland Special" from Portland to Chicago. Leaves Portland every day at 9 A. M. and arrives Chicago at 10 P. M.

Advertisement for Mellin's Food. Text: 'Mellin's Food is a food that feeds. Send for a free sample of Mellin's Food. Mellin's Food Company, Boston, Mass.'

ALL WRIGHT-FOR MORE THAN HALF A CENTURY

CROSSMAN'S SPECIFIC MIXTURE

A Sure Cure for Gonorrhoea. \$1.00 A BOTTLE. ALL DRUGGISTS. WRIGHT'S INDIAN VEGETABLE PILLS, New York.

Large advertisement for 'Presto' biscuits. Text: 'Presto Light Biscuits, Light Cakes, Light Pastry, and Light Hearts, Quick-as-a-Wink! The H-O Company'.