

## VERDICT BLOCKED BY ONE JUROR

### J. O. Cook Stubborn for Acquittal.

## THE JURY STANDS II TO I

### Will Be Discharged Today if Agreement Is Not Reached.

## NEW INSTRUCTIONS GIVEN

### Judge De Haven Gives a Charge Indicating Right of Minority to Submit to Will of the Majority.

Neither 11 hours and more of argument, the opinion of those learned in the law, nor his own convictions, have served to convince J. O. Cook, of Eugene, a former clerk for Booth-Kelly, Lumber Company, that the defendants Williamson, Genser and Blizz are guilty of having conspired to suborn men to commit perjury. Judge De Haven, after waiting until after 5 o'clock last night, retired to his home, leaving word with the Marshal that he would not return again unless the jury should return a verdict, and then only providing the action should be taken prior to 10:30.

J. O. Cook, the man from Eugene, is hanging the jury and cannot be changed from his position, so the rumors that float around the Federal building whisper. From the first he has opposed the wishes of the other 11 men, and all their massed persuasions cannot turn him from his opinion.

Mr. Cook has been a fractious juror from the first, so it is understood, and has not been easy under the yoke of the rules laid down. Even at the beginning of the trial he was disinclined to heed the admonition of the court that he should neither read the comments concerning the case as published in the papers nor discuss the case as he pleased. It is understood that he did not care to follow the instructions, and it is stated that he would read what he pleased and discuss the case when he wished.

During the trial the juror from Lane County seemed the most attentive of all, and found amusing passages in the evidence where others could see nothing to provoke a smile. It was Cook again who contrasted the Duncan and Barry testimony in a different way than the remainder of the jury and asked for the rehearing of the evidence on Tuesday night. Yesterday morning he began early to argue his views, and can see no other light upon the evidence than that cast by his own mind.

### Jury Asks for Information.

Yesterday morning shortly after 10 o'clock the jury asked for additional information and was brought into court. J. A. Hinkle, the foreman of the jury, asked the court as to its future course, and requested an outline of the duties of a minority, stating that the men had taken a great number of ballots, but had not been able to arrive at a verdict. Judge De Haven read, as his answer to the question, a decision rendered by the Supreme Court of the United States in the case of the United States against Allen, found in 150 United States Reports. In this the Supreme Court quoted and approved of the instructions given by the trial judge in the case under appeal. In the instructions it was held that in a minority case it is possible to find absolute certainty of proof, and that, though the verdict of the jury must be the expression of the individual opinions of each member, yet in the case where the numbers were very unevenly divided the few should take into consideration the fact that a greater number of men, equally intelligent with themselves, had formed a different opinion. The mind of one or two men ought to listen to the opinions and conscientious arguments of a much larger number who had formed their convictions from the same story as told to all.

Mr. Cook, after hearing the decision read by the court, asked if it would be lawful to have a part of the charge read again, and upon being told that such would be in order, asked concerning the definition of perjury as explained by the court. This was read again, and M. V. Thomas, another juror, wanted to know the nature and definition of a contract as defined by Judge De Haven, and that section of the charge was read to him. The juror was then returned to the room, where they spent the rest of the day.

After dinner Judge De Haven returned to his chambers, remaining there until after 5 o'clock, when he returned to his home, leaving word not to be called in any event unless a verdict was reached, and then not later than 10:30.

### May Be Discharged Today.

It is the supposition that the jury will be discharged today if it is not able to reach a verdict by evening. In the event of final disagreement, it is the announced intention of District Attorney Henny to call the second trial as soon as he has finished with the Jones case, now set for hearing on Friday.

It is understood that the Government has come into possession of new evidence since the close of the trial that would strengthen its case in the event of a second hearing.

## PARLEY WILL PAY HEAVIER TAXES

### But Assessment on Improvements Will Be Lighter, Says B. D. Sigler.

## CONDEMNNS CHEAP SHACKS

### Taxes on Many Properties Known as Eyesores Will Be Raised and That on Expensive Properties Lessened.

Taxes on real estate in the business part of Portland will be heavier in next year's collection and the improvements will be lighter, according to the assessment which B. D. Sigler, County Assessor, is preparing. The total new assessment will be three times as large as that of last year and the tax valuation on all kinds of property will be raised, but the kind that will feel the heaviest increase is cheap shacks, in which there has been much speculation in the last two years and the values of which have grown to big figures.

One of the important effects of the new assessment will be higher taxes on ground which holds cheap buildings and a consequent spur to owners of such property to make improvements. Big rents are drawn from shacks which stand on the most valuable ground in the city and which have a value of between \$500 and \$1000, beside buildings which cost hundreds of thousands of dollars each. These shacks have been relatively more profitable than handsome, costly buildings. The new assessment, by increasing the tax share of such cheap properties and lessening that of expensive properties, will tend to discourage maintenance of eyesores in the heart of the city and to encourage erection of slightly structures; at least, such is the hope of Assessor Sigler.

The new assessment will not be finished until the end of next month. Mr. Sigler and his corps of deputies are busy on the roll, sided by outside persons, expert in estimating land and building values. Right now, Mr. Sigler is assessing business property. When asked yesterday for sample valuations on the hope of property he responded that he could give tentative figures, which, however, would be an approximation of assessed valuations and not a final assessment.

### Land Dispute Settled.

Judge Gilbert sitting in United States Circuit Court yesterday afternoon handed down a decision in the case of Hanna Sternfels et al. vs. T. J. Watson et al. In this case the plaintiff is recognizing their ownership in a 7-acre tract of land in the city limits of Hood River and ended a dispute that has been in the court since 1881.

In 1881 Sternfels, Watson and Rate, formed a syndicate for the purchase of 7 acres of land in Hood River paying for the property the sum of \$2000. The syndicate Sternfels held a 4-1/2 interest, Rate 3-1/2 and Watson 5-1/2. The property was deeded to T. J. Watson trustee, and a select jury returned a verdict awarding \$1000 on the land giving, his note and mortgage for the amount. This mortgage was foreclosed and the property sold to the holder of the note, and was subsequently transferred through several hands. Sternfels and Rate began suit to recover their interest in the land, contending that they had not been consulted about the loan and raising the point in law that the word trustee in the deeds and mortgage should have put the purchaser on inquiry and caused them to investigate title.

Judge Gilbert in his opinion ruled that the contention of the plaintiffs was correct and ordered that an equity of the lands revert to the plaintiffs, Sternfels and Rate.

## BODY WILL LIE IN STATE

### Arrangements for Reception of Commander Blackmar in Chicago.

CHICAGO, July 19.—The body of General W. W. Blackmar, of Boston, late commander-in-chief of the Grand Army of the Republic, which will arrive in Chicago tomorrow morning at 7:30 o'clock, will be met by a delegation of Grand Army men led by General John C. Smith, commander of the Department of Illinois, and escorted to Memorial Hall in the Public Library, where it will lie in state for two hours.

### Commander Billings and Rev. Edward A. Herton, chaplain of the Grand Army Post in Boston to which General Blackmar belonged, will take the body to Boston for burial, leaving for the East on the Michigan Central Railroad at 3 o'clock tomorrow afternoon.

## ARRANGEMENTS FOR FUNERAL

### After Lying in State Body Will Be Buried Sunday.

BOSTON, July 19.—The arrangements for the funeral of the late Commander-in-Chief W. W. Blackmar, of the G. A. R., were completed today with the exception of selecting the hearse. The funeral will be held Sunday at 2 P. M. at the Unitarian Church. The body will be escorted from the State House, where it will lie in state from 9 A. M. to 3 P. M. The funeral will be held Sunday at 2 P. M. at the Unitarian Church. The body will be escorted from the State House, where it will lie in state from 9 A. M. to 3 P. M. The funeral will be held Sunday at 2 P. M. at the Unitarian Church.

## ATTEMPT TO KILL HIGH OFFICIAL

### Assassin Is Thwarted in Attack on Procurator Pobiedonostseff.

## REVOLVER READY TO SHOOT

### Bomb Thrown at Vice-Governor of Finland, Wounding Him Severely—Military Plot Against Czar.

ST. PETERSBURG, July 19.—A circumstantial report of an attempt on the life of Constantine Petrovitch Pobiedonostseff, Chief Procurator of the Holy Synod, is current in St. Petersburg tonight, but the associated Press is unable to obtain confirmation of it. The authorities, and even the police at the Tsarskoe-Selo railway station, where the attempt is reported to have been made, disclaim all knowledge of any happening.

According to the report, as M. Pobiedonostseff stepped to the platform from one of the coaches of the train from Tsarskoe-Selo, where he is residing during the summer, a man about 25 years of age rushed up with a revolver in his hand, but he was seized by a quick-witted passenger before he could shoot and was turned over to the police.

### Franchises to Be Assessed.

Mr. Sigler will introduce the innovation this year of assessing public franchises and says that if the corporations holding the franchises are to defeat payment of the tax they must do so through the courts. The corporations whose franchises are to be assessed are the street car companies, the electric light company, the gas company and the telephone company.

## ESCAPES DEATH VALLEY

### Only Survivor of Three Prospectors Is Half Crazy.

GOLDFIELD, Nev., July 19.—John Mullin, E. M. Titus and Earl Weller, of Telluride, Colo., left Rhyolite on June 30 on a prospecting trip to Death Valley. Today Mullin was brought to Rhyolite half-crazed from the terrible suffering he had undergone in the desert and in 15 days failed to return. It is believed that the two bodies and 15 burros belonging to the party also met their death from thirst.

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The members asked by what authority he acted. He replied that it was unlawful to hold any kind of meeting calculated to arouse disorder.

The members greeted his statement with laughter, denied that the meeting was in violation of the law, declaring that the Czar's sanction had been given to the congress, and refused to obey the order. "Where are your Cossacks?" were heard, but Prince Dolgorokoff said that the police were simply performing their duty, and finally it was arranged that the police should formally draw up a warrant for the members of the assembly.

The members of the assembly, at the police, who maintained their good humor throughout, agreed, retired to an adjoining room and prepared the warrant, while the congress entered into a discussion of a plan for a national assembly.

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### KOZLOFF TOO MILD-MANNERED

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Despite the strict instructions given General Kozloff, the Zemozvoists, now given him in secret communication, to prevent the assembling of the Zemozvoists, it is a source of great annoyance to the government that, despite its outward half-hearted show of firmness, the assembly, it was allowed to meet.

General Kleigels is known as a man who will follow instructions, and therefore was only selected in order that the government will be able to charge who will carry out its instructions with an iron hand.

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It is believed that at the best, the congress can only academically discuss Boulligan's plan and reject its principles. The Russian Korrespondents will say that the Zemozvoist party, it is explained, underestimated the government's strength and disclosed its plans too early. In this way the government was enabled by means of bribes to strengthen the loyalty of certain troops.

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