

THIRTY BALLOTS BUT NO VERDICT

Jury Is Discharged in Williamson-Biggs-Gesner Case.

SEVEN VOTED TO CONVICT

After Three Ballots, the Vote Was Evenly Divided—Proposal to Convict Gesner and Biggs Is Defeated.

HOW THE JURY TOOK

For the first three ballots out of 30 cast during the entire deliberations the vote stood seven for conviction and five for acquittal. On the fourth ballot George Kirk, of Eugene, Lane County, changed his vote in favor of acquittal, the jury standing six for conviction and six against from that time until the discharge. At one time those voting for acquittal proposed to convict Gesner and Biggs, provided Williamson should be acquitted, but Henry Keene, voting from Astoria, Multnomah County, held the caucus, and no compromise could be reached.

Those voting for conviction were: James Green, farmer, Sweet Home, Lane County; W. W. Porter, blacksmith, Oregon City, Clackamas County; S. A. Thors, farmer, Monroe, Benton; J. P. Lewis, merchant, Cottage Grove, Lane; W. D. Barclay, stockman, Beaton; M. S. Adams, carpenter, Dayton, Yamhill.

The six for acquittal were: L. A. Rose, foreman, farmer, Phoenix; Jackson Scott, clerk, Crescent, Lane; George Kirk, farmer, Eugene; Lane; R. B. Collins, farmer, Hillsboro, Washington; Henry Keene, farmer, Astoria, Multnomah; John N. Williamson, Dr. Van Geener and Marion Biggs will have to face trial on August 28, for the third time, on the charge of conspiracy to suborn perjury. After having striven for 45 hours to reach some conclusion, the jury in the Williamson case came into court, and upon its request was discharged by Judge De Haven. At only one time did the Government cause hold the majority vote, that being during the first three ballots, when seven of the jurors voted to acquit, the vote then changing to six for conviction and six against from that time until the discharge. At another time those voting for acquittal proposed to convict Gesner and Biggs, provided Williamson should be acquitted, but Henry Keene would not consent to the agreement, and no change was made in the vote. George Kirk, after having voted for three times to convict, changed his ballot to the other hand, and refused to make another decision. According to the story told by several of the jurors, it was apparent early in the course of the deliberations that the vote could be reached, and the subsequent ballots were taken more as a matter of form than with the expectation that any change would be shown.

The bone of contention seemed to be in regard to the existence of a contract, and in the question of intention on the part of the three defendants to do wrong. It was argued by those who voted to acquit that the evidence was insufficient to show beyond a reasonable doubt that a contract had been made, or that the men had entered deliberately into a scheme to suborn the juror, and that they claimed for them. It was held by these six men that there was a strong possibility that the defendants had not intended to violate the law, and, therefore, being of pure mind and without desire to transgress the laws, they should not be punished for a mistake unwittingly made.

Mr. Heney, upon the discharge of the jury by Judge De Haven, at once moved that the third trial of the case be set down for that date.

Jury Takes Last Ballot.

Shortly after breakfast yesterday morning, the jury took its final ballot, and, finding the vote evenly divided, changed in any way the opinions of the men, they decided to ask the court to discharge them from further consideration of the case. A request was, therefore, sent to Judge De Haven, that he call the jury in, and word was passed by the Marshal to the attorneys and the defendants, notifying them that a report was about to be made.

At 9:45, Judge De Haven opened court and had the jury ushered into the courtroom, when he asked if a verdict had been reached. L. A. Rose, the foreman of the jury, addressed the court, stating that no agreement had been reached, and then reading from a paper prepared in the jury-room, and signed by himself as foreman, as follows:

"Your Honor, after a sitting of about 45 hours in the jury-room, during which time we have tried very hard to reconcile our conclusions to each other, we have failed to agree, and are convinced beyond doubt that an agreement cannot be reached by us; and, thanking you for the provision, protection and privileges we have received, we ask to be excused from further duty."

"Gentlemen," said Judge De Haven, addressing all of the jurors, "is that the statement of you all?" The members of the jury responded in chorus that it was, and Judge De Haven directed the clerk and directed him to enter an order in the record showing that, after having deliberated in the jury-room since 2:30 o'clock on August 1, the jury had been unable to reach a decision, and that upon his request, taking into consideration the time of deliberation and the positive statement of the jurors, it had been discharged from consideration of the case. The jury was then excused from the room, while the court took up the consideration of other matters.

Immediately after the adjournment of court the defendants and their attorneys, Mr. Bennett and Mr. Wilson, went out into the corridor, where they thanked those jurors who had voted for the defense for their support and consideration. District Attorney Heney also mixed with the 12 men, and discussed the case with them, apparently not taking to heart his failure to secure a conviction upon this, the second attempt.

No Heated Arguments.

The members of the jury state that at no time was there any heated disagreement in the jury-room, each man being

apparently made up his mind one way or the other and refusing steadily, but quietly, to be changed by the arguments of those opposed to his view of the case. The 12 men are pleased with the consideration shown them by the court and the officials, and while they did not relish the prison-like confinement, had no complaints to make for anything happening during their long service.

Mr. Heney left last night for San Francisco, but will return about August 21 to begin his work with the grand jury, which is to be called about that time. On August 18, Judge Hunt will convene the Federal Court once more, when the third trial of the Williamson case will be begun.

Judge De Haven will leave tonight for his home in San Francisco, and will not return, it having been decided that he remain in charge of his court in that city.

District Attorney Heney Leaves.

United States District Attorney Heney left last night at 8:30 for San Francisco, where he will spend the next two weeks in attending to his private business and taking as much rest as can be found between times.

Before leaving the city Mr. Heney stated that he would be in the least encouraged over the failure of the jury to agree in the Williamson case, and that he would be ready on August 28 to take up the trial for the third time upon the same indictment.

Mr. Heney feels that the public sentiment of the state is in accord with him in his efforts to purge the state of illegal practices in relation to the acquisition of public land, and feels confident that in the next trial the evidence of the Government will carry weight enough to secure a conviction.

Mr. Heney feels that he has been done an injustice in regard to the imputations cast against his conduct of the case, and he desires to see the people of the state will see that he has been acquitted entirely by a regard for his duty and for the welfare of the people of the state and of the Nation.

DIFFERENCES ARE SETTLED

Arieta People Vote Their Directors Unlimited Power to Act.

The taxpayers and residents of Arieta school district, No. 47, met Thursday evening at the schoolhouse, and in a quiet and amicable manner, settled all the differences that have caused so much bitterness for several months. Charles Kadderly presided, and Robert Taylor acted as clerk in the absence of Clerk Higgins. W. T. Kearns was elected to fill the place of H. C. Cummings, who resigned at a former meeting. Then it was voted that the directors be authorized to incur a debt in the erection of a suitable temporary building and to run the school for another year. This motion was carried with only one vote against it.

It gives the directors absolute freedom to exercise their judgment and even the amount of money to be borrowed by them is not limited. Heretofore, the fight has been against allowing the directors any latitude at all, but the outcome was that the directors were given power without any limitation whatever, something rarely done in any district. The board is composed of Charles Kadderly, Dr. D. S. Briggs and W. T. Kearns, well-known citizens in whom the community has great confidence. The last census of the district gave the school population as 402. Eight classrooms will be needed. Temporary buildings are being put up until such time as the district can erect a modern schoolhouse.

ATTACH TO ADJACENT LOTS

Marquam Gulch Section of Street May Be Vacated.

Dr. J. Surman has filed a petition in the Auditor's office to the effect that on September 6 he will apply to the City Council praying for the vacation of that portion of Baker street lying between the east line of Front street and a line parallel therewith and 212 feet easterly therefrom. Petitioner sets forth that the portion of the street in question has never been opened or improved, and has for many years been abandoned, and is located in what is known as Marquam's Gulch. It is the further desire of petitioner that this portion of the street may attach and become a part of the adjacent lots.

The property-owners particularly affected are Andrew Hanson, Belinda Dolan, William Fleider, the Oregon Railroad & Navigation Company, Emma Austin, Sophia Schad, the German Savings & Loan Society and petitioner, all of whom consent to the proceedings.

TODAY'S GREAT BARGAINS

From 8:30 A. M. to 10:30 P. M. we will offer unprecedented bargains in every department. The following lines will be on sale today: Corsets, kid gloves and silk gloves, shirtwaists and shirtwaist suits, advance styles on Fall and Winter suits, skirts, new making black box coats, long rainproof covert coats, all samples, for ladies and misses. Prices today, \$5.00, \$7.50, \$10.00, \$12.50 and \$15.00. All new Fall garments. Exceptional values and bargains. Real imported Japanese kimono, \$4 and \$8-inch. On sale today at \$1.49 and \$2.49. All colors. Best values on overalls. See display in Morrison-street show window. Big sale today. McAllen & McDonnell, corner 34 and Morrison.

COLUMBIA RIVER TRIP.

Steamer Bailey Gatzert Leaves This Saturday Morning 8:30 A. M., Sunday at 9 A. M.

Round trip to the celebrated Cascade Locks in the heart of the Cascade Mountains, passing en route the grandest scenery in all creation. Splendid steamer. First-class accommodations. Meals on board. Round trip, \$1.50. Steamer starts from foot of Alder street. Phone Main 214.

FOR COLUMBIA SCENERY

Tourists Like the Steamer Undine From Taylor-Street Dock.

"Too wonderful for me to describe" is a fair expression of those returning on the steamer Undine from a trip up the Columbia River to Cascade Locks. The scenery is unequalled.

The Undine leaves the Taylor-street dock daily at 8:30 A. M. Round trip, \$1.50.

LOW EXCURSION RATES EAST.

On August 24, 25, and September 14, 17, the Great Northern Railway will sell excursion tickets to Chicago and return, \$11.50; St. Louis and return, \$7.50; St. Paul, Minneapolis and Duluth and return, \$9.00. Tickets good for going passage for ten days; final return limit, 90 days; good going via Great Northern Railway, returning same or any direct route; stop-overs allowed going and returning.

The Undine leaves the Taylor-street dock daily at 8:30 A. M. Round trip, \$1.50. Do not purchase or weaken the bowels, but act specially on the liver and bile. A perfect liver corrector. Carter's Little Liver Pills.

PRINCIPAL PORTLAND AGENTS FOR BUTTERICK PATTERNS AND PUBLICATIONS

OPEN TONIGHT UNTIL 9:30

The Meier & Frank Store

OPEN TONIGHT UNTIL 9:30

Portland's Largest and Best Store

Custom Shade and Drapery Work Our Specialty—Best Materials and Workmanship Only

Sole Portland Agents for "Ostermoor" Patent Elastic Felt Mattresses—All Sizes—3rd Flr.

The Largest and Best Selected Stock of Trunks and Bags on the Coast—Third Floor

1200 Men's 50c Ties at 29c Each

Great Special Saturday Sale of Men's Neckwear—A manufacturer's stock of one hundred dozen handsome silk Four-in-Hands—Very newest colorings—Immense variety of pleasing patterns—2 1/4 inches wide—Full length—Every tie in the lot regular 50c value—The shrewd buyer won't fail to take advantage—The grandest neckwear value of the season at this low price—See Morrison-street window display

29c



Men's Pongee Overshirts, soft attached collar; very best make; all sizes; regular \$2.00 value, for today only at the low price of... **\$1.59**

Men's fine extra quality twilled Muslin Nightshirts, cut extra large; all sizes; best value in town at the low price of, each... **69c**

Men's fine all-Linen hemstitched Handkerchiefs, each... **17c**

25c-35c Hosiery 17c Pair \$2.00 Golf Shirts \$1.59 Ea.

Men's fine black open-work lisle thread Half-Hose, all sizes; superior quality; regular 25c and 35c values, today at, pair... **17c**

Boys' fine Madras Golf Shirts, in new patterns; light and dark colorings; all sizes; our best 75c values, on sale for... **59c**

Men's and Boys' Bathing Suits.

500 Men's high-grade Golf Shirts, fine mercerized Oxfords and Silk Pongees in white and tan; big variety to select from; best \$2.00 values, on sale for... **\$1.59**

Women's Outing Shirts in Pongee Silks, light blue, tans, grays and black; \$2 and \$2.50 values, on sale today at... **\$1.79**

Clearance Sale of Men's Underwear

Our entire stock of Men's Summer Underwear is being offered at greatly reduced prices—All the best styles and grades are included—Many of the lines are medium weight and are desirable for Fall and Winter wear

Men's Balbriggan Underwear, brown and ecru, all sizes shirts and drawers; regular 25c values, on sale for the low price of... **18c**

Men's fine French Balbriggan Underwear, all sizes shirts and drawers; regular 50c value, on sale for this low price... **38c**

Men's form-fitting ribbed Underwear, brown or light blue, shirts and drawers; regular 50c value, for the low price of... **38c**

Men's fine white honeycomb Mesh Underwear, extra quality; all sizes shirts and drawers; grand value at this great reduction... **41c**

Men's super-weight natural wool Underwear, all sizes shirts and drawers; regular \$1.00 quality, on sale for... **83c**

American Hosiery Underwear, a fine, soft-finished garment, light ground with blue stripes, all sizes, \$1.25 value, for only... **93c**

Men's Egyptian ribbed Union Suits, all sizes, finely finished, perfect fitting; regular \$1 value, for this sale... **83c**

Men's fine French Balbriggan Underwear, extra quality, full finished; the grade most stores ask \$1.00 a garment for... **61c**

Boys' French Balbriggan Underwear, all the best 50c values, on sale for... **36c**

Cooper's Underwear for Men, tan, pink and blue; all sizes shirts and drawers; regular \$1.25 Underwear, for this sale... **85c**

Men's fancy mercerized Lisle Underwear; tan, blue, pink and salmon; different styles of open work and fancy weaves; regular \$1.25 Underwear, for... **79c**

Cooper's best quality fine mercerized Lisle Underwear in salmon and light blue shades; reg. \$1.50 Underwear, for... **\$1.21**

Men's fine pure Silk Underwear, beautiful Underwear in salmon shade, form-fitting, all sizes shirts and drawers; regular \$3.75 value, for... **\$2.51**

Men's Straw Hats at Quick-Selling Prices

Our entire stock of Men's and Boys' Straw Hats on sale at August Clearance Sale Prices—Nearly all sizes

MEN'S GENUINE PANAMA HATS

\$6.50 val. **\$4.95** \$7.50 val. **\$5.40**

\$9.00 val. **\$6.45** \$10.00 val. **\$7.40**

MEN'S FINE STRAW SAILORS

\$1.00 val. **.73c** \$1.50 val. **1.05**

\$3.00 val. **\$2.10** \$3.50 val. **\$2.49**

BOYS' STRAW SAILORS

50c values... **36c** 25c values... **18c**



Children's Hosiery Bargains Today

Boys' 1 and 1 rib Hose of medium weight, double knee, spliced heel and toe. Best 25c values today, pair... **18c**

Misses' black lace Hose, sizes 6 to 8 1/2—Best patterns (3 pairs for \$1.00). Our best 50c values on sale today at, pair... **35c**

Misses' fine ribbed Hose, double knee, Harmsdorf fast black dye—Black or white maco feet—3 1/2 values. On sale today only at this low price, pair... **18c**

Jewelry Specials Hand Bags 89c

Great special sale of 130 Handbags. Fitted with card case and coin purse; black, brown and tan seal leather and walrus leather; very attractive bags and the best value ever offered at, each... **89c**

Alligator leather Handbags, blue, brown, green and tan, fitted with coin purse; regular 70c value, for... **42c**

Fine showing of new taffeta silk Girdles and Belts, largest display in the city and very unusual values at, each... **50c**

New Wash Belts of embroidered linen, plain and scalloped effects, white only. Just the styles you want... **35c**

August Clearance Sale of Men's Suits

Entire stock of Men's Outing Suits, single and double-breasted styles in Homespuns, Tweeds, Cheviots and fancy Flannels; very best patterns; splendid variety—

\$ 7.50 Outing Suits... **\$ 5.89** \$15.00 Outing Suits... **\$12.35**

\$ 8.50 Outing Suits... **\$ 6.10** \$16.50 Outing Suits... **\$13.45**

\$10.00 Outing Suits... **\$ 7.65** \$18.00 Outing Suits... **\$14.15**

\$12.50 Outing Suits... **\$ 9.35** \$20.00 Outing Suits... **\$15.40**

\$13.50 Outing Suits... **\$10.15** \$22.50 Outing Suits... **\$16.85**

Men's medium-weight Suits in fancy Worsteds, fancy Cheviots and fancy Tweeds; all new, up-to-date styles from leading manufacturers; regular \$20-\$22.50 Suits, today... **\$17.35**

Men's Linen Dusters, \$1.00, \$1.50 and \$2.50 each.

Men's White Duck Trousers for \$1.00 and \$1.50 pair.

Men's Bath Robes, special values at \$2.50 to \$10.00.

New line of Men's Wash Vests just received by express.

Men's Bathing Suits in great assortment.

The Meier & Frank Store

Open Tonight Until 9:30

Sole Agents for "Vudor" Porch Shades—All Sizes

Artistic Picture Framing to Your Order—Lowest Prices

Sole Agents for "Peninsular" Steel Ranges—Basement

Saturday Neckwear Specials For Women

An unusually attractive bargain budget for women who want pretty neck pieces for very little money—Matchless values

New white Mull Ties, platinum finish, embroidered dots and fancy colored embroidery ends; light blue, brown, black, white, green, pink; \$1.25 values, for this low price... **89c**

Chemisettes of tucked Lawn, Valenciennes lace and insertion trimmed; assorted styles for wear with surplice waists; reg. 50c values, for... **34c**

New, sheer Swiss Collars with assorted embroidered designs—also Venise Lace Collars, cream, white and ecru... **35c**

China Silk Windsors, extra length, royal navy, black, white and red dots, 50c values, for... **29c**

Cuff and Turnover Sets, cut work and scalloped-edge embroidery; also dainty floral patterns; 50c values, at... **27c**

Hand-hemstitched Linen Lawn Cuff and Turnover Sets, very neat effects, also allow embroidery sets, 35c value... **20c**

Square-back Sailor Collars, of heavy Linen and Pique material; red silk stars embroidered on the corners; styles for Middy ties and Peter Thompson suits; 75c and \$1 values, for... **49c**

Children's Ready-to-Wear Apparel At Half Price

Phenomenal values in Children's Ready-to-Wear Apparel—Suits, coats, dresses, etc., are being cleaned up at one-half regular prices—Economic parents must be interested—Second Floor

Children's Reefer Coats in "Peter Thompson" styles; blue and brown Cheviots, tan Coverts, Tweeds, Homespuns, etc.; all new desirable styles; \$10.00 to \$12.50 values, at... **HALF PRICE**

Children's light Summer Coats, made in white Serge, Brilliantine and Pongees and blue, red and brown Silks; very pretty styles; ages 2 to 6 years; regular \$4.50 to \$7.50 values, for... **HALF PRICE**

Children's white Swiss Net and Organdy Dresses, made in fancy styles with flounces on the waist and skirt trimmed with rows of lace insertion and edging; drop-skirts trimmed in ruffle and lace edging; ages 6 to 14 years; \$6.50 to \$15.00 values, on sale for only... **HALF PRICE**

Children's white Pique hand-embroidered Dresses in Russian and fancy styles; ages 6 to 14 years; \$12.00 to \$25.00 values, on sale for... **HALF PRICE**

Children's Wash Dresses, in Chambrays and Gingham, Buster Brown and French styles, 1 to 4 years, \$1.75 val... **88c**



RIBBON SALE HANDKERCHIEFS

New line of print warp and Dresden Ribbons; three and four inches wide; also fine line of taffeta and satin taffeta ribbons, four and five inches wide; full assortment of colors, blue, pink, white, cream, mauve, navy, brown and black. Greatest of all ribbon bargains, at this low price.

18c THE YARD

Grand clean up of satin Mercerieux Ribbons; fancy printed warp taffeta; fine black and white, cream, shaded ribbons, purple, cardinal, navy, turquoise French Fille Ribbons, etc.; values up to 65c yard; on sale at low price of... **31c**

Women's fine colored bordered Handkerchiefs, mercerized novelties in grand variety; new 50c Handkerchiefs, each... **35c**

Fine Swiss hemstitched, embroidered and scalloped embroidered Handkerchiefs, double hemstitched, mercerized Handkerchiefs, 25c-30c values... **15c**

Fine chignon Neck Ruching, shell plait effects; all colors 25c value on sale for... **18c**

Six Walter Raleigh Neck Ruching, fine Swiss lace trimmed, box plaits with double edge bead heading; values to 35c; for sale... **53c**

Bargains in women's and children's Hosiery.

Great August Clearance Sale of Boys' Clothing.

Boys' Wash Kilts, entire stock at half price; styles the best; ages 2 to 5 years—

\$1.00 Kilts 50c ea. \$1.25 Kilts 63c ea

\$1.50 Kilts 75c ea. \$2.00 Kilts \$1 ea.

Boys' all-wool two-piece Suits, double-breasted and three-piece Suits; broken lines of \$5.00 and \$6.00 values; all ages; on sale at the very low price of... **\$3.30**

Boys' two-piece Suits, good, serviceable mixtures; broken lines of \$2.25 to \$3.00 values... **\$1.46**

Boys' all-wool two-piece Suits, neat gray and brown mixtures, age 9 to 16 yrs.; regular \$3 and \$3.50 values, for... **\$1.98**

Russian Blouse Sailor Suits with Knickerbocker trousers, very best styles and materials; prettily made and trimmed; grand values at—

\$1.00 Suits at, each... **80c** \$1.25 Suits at, each... **95c**

\$1.50 Suits at, each... **\$1.10** \$1.75 Suits at, each... **\$1.35**

\$2.25 Suits at, each... **\$1.85** \$2.50 Suits at, each... **\$1.98**

Boys' Blouses and Waists in light and dark Percales all sizes; great special values at, each... **19c**

Entire stock of Boys' Washable Suits, white and colored, on sale at greatly reduced prices.

All Russian Blouse and Sailor Suits at low prices.



DRUG AND STATIONERY SPECIALS

Wood back hand Scrub Brushes; pure bristles, sale price... **10c**

Plain hand Scrub and Vegetable Brushes, sale price... **10c**

Barand Castle Soap, 3-lb. bar, 25c value, sale price... **10c**

4-lb. bars White Castle Soap, largest bar, sale price... **25c**

Silk Toilet Sponges; extra fine quality; great value... **15c**

4-row imported pure Bristle Tooth Brushes, each, sale price... **12c**

Followed Japanese Wood Toothpicks, 10c values, box... **5c**

N. K. Shampoo, for washing the scalp; 35c value, box... **25c**

Violet de Parms Toilet Water, with sprinkle cork... **25c**

Eastman's Triple Extract Perfumes, all popular odors; 1-oz. glass... **25c**

stoppers; bottles, great value... **15c**

Hygienic Ice Cream; keeps ice one-third longer; 15c values... **9c**

Solex and Shars; guaranteed steel; all sizes, pair... **15c**

Carter's Photo Good, 4x Thomas' Fountain Pen Ink, Fox Starboard Indefinite Ink, 10c; Wirtz Photo Racks, Te Eaton-Hurlbert's fine linen Paper in shades, regular 50c value on sale for today at this low price... **35c**

LACE AND EMBROIDERY BARGAINS

1000 yards of Cambric Embroideries and Insertions, three inches to nine inches wide; good patterns; values up to 20c the yard, for, yard... **15c**

Fine Valenciennes Laces and Insertions, splendid patterns, values to 40c dozen yards, for, dozen yards... **20c**

Fine Valenciennes Laces and Insertions, values up to 40c dozen yards, on sale today at, dozen yards... **39c**

\$2.00 ELBOW GLOVES \$1.39 PAIR

Women's elbow-length Kid Gloves, in opera shades, sizes 5 1/2 to 8 1/2; our best \$2 values; on sale today... **\$1.39**