

LA ROSE JURY IS NOT YET AGREED

Locked Up for Night Without Returning Verdict in Murder Trial.

RETIRES IN THE MORNING

Transcript of Testimony, Gaspipe and Other Exhibits in Case Are Taken to Jury-Room for Consideration.

LA ROSE JURY STILL OUT.

At a late hour last night the jury in the La Rose murder case was still out. The work having come to an end at 11 o'clock, the jury was taken to the jury room for consideration. The jury which has listened patiently for two weeks to the testimony in the La Rose murder case retired for deliberation at 10 o'clock yesterday morning. It was stipulated by Jay H. Upton and Lester W. Humphreys, the attorneys for the defense, that the jury might take with them into the jury-room the transcript of the testimony as transcribed by the stenographer.

The jurors also took with them the section of pipe with which the murder was committed, and the bloodstained coat which was found at the scene of the crime. The latter is apparently the end of a broken for a freight wagon, and was wrapped in a handkerchief and then in a paper. The two watches, and a magnifying glass for their inspection, were sent in with the jury, as well as Neuman's book, in which he kept a record of his purchases of second-hand goods. The court's instructions, which had been typewritten, were also placed in the hands of the jury.

Judge Gives His Instructions.

At 5:05 o'clock yesterday morning Judge Morrow, who has been directing the trial of the case, started to give his instructions to the jury. He read the instructions in the judge's words, as did the prisoner.

Judge Morrow pointed out that witnesses have or appear to have spoken the truth as they believe it to be. When this cannot be done, you may consider the manner in which they have testified, the character of the evidence that they have given, how far they are corroborated or contradicted, the interest, if any, they have or appear to have in the case, their relation to the parties and such other facts as will, in your judgment, aid you in determining where the truth is. You may also, in considering whom you will or will not believe, take into consideration your own experience in affairs and with people, and what you saw when you visited the homicide at the opening of the trial.

The court then instructed the jury as to the nature of a reasonable doubt, and the burden of proof is on the prosecution and that the jury may find any one of four verdicts: first, guilty murder, second, guilty manslaughter, acquittal, acquittal.

Facts Must Be Conclusive.

He then said, regarding circumstantial evidence, that "if a criminal charge is sought to be proved by circumstantial evidence the proof must be not only consistent with the defendant's guilt, but inconsistent with every other rational conclusion. It is not sufficient that the circumstances proved coincide with, account for, and, therefore, render probable the hypothesis sought to be established by the prosecution, but they must exclude to a moral certainty every other hypothesis but the single one of guilt. All the facts relied upon in support of a verdict must be consistent with each other, and with the main fact sought to be proved. Therefore, if any one fact necessary to your conclusion is wholly inconsistent with the hypothesis of the guilt of the accused, it breaks the chain of circumstantial evidence upon which the inference depends, and however plausible or apparently conclusive the other evidence may be, the charge must fail.

"If a party in whose possession goods are found, makes any explanation as to the nature and extent of his possession and how he came by it, and if the explanation, when testified to before the jury, seems to them reasonable, and is not shown by the prosecution to be false, the jury is not justified in finding that he stole the property, and without further evidence against him, I instruct you, gentlemen of the jury, that in this case the mere fact that the defendant had in his possession, shortly after the attack was made upon Neuman, a watch or watches which it is claimed were taken from Neuman's shop at the time of the attack, does not raise the presumption that the defendant was in possession of them unlawfully, provided he has given a reasonable explanation of how he obtained them, which explanation the jury has not rebutted."

DIVORCE GRANTED IN ABSENCE

Thomas Hamilton Returns From Alaska and Has Decree Set Aside.

Thomas Hamilton returned to Portland from Alaska to protest against a divorce granted his wife during his absence. John C. Logan appeared as his attorney. The divorce granted to Mrs. Lena Hamilton by Judge O'Day, July 21, was set aside by Judge Gantenbein. It is believed that the woman persuaded herself when she said that her husband had deserted and failed to support her. Hamilton said yesterday that his wife has either married a second time, or is about to do so.

Hamilton left his wife, he says, with her consent, in Portland, May 28, 1897, to accept a position as engineer of the tugboat of the Northwestern Navigation & Transportation Company, at St. Michael, Alaska. He arrived there June 11, and received \$100 a month wages. On July 1 he sent his wife \$20. He has made affidavit that he sent her \$600 in the seven months prior to the time the divorce was granted.

It is not being present to contest it. The final knowledge he had of divorce proceedings was when, on June 3, he received a wireless dispatch at the rate of \$2.50 for 10 words, which read: "Signal Corps, U. S. Army, T. B. Hamilton, St. Michael. Divorce granted, leave here the 8. Lena." Hamilton says it was not until July 15 that he received the complaint which had been mailed to him, and that the first steamer left on July 24, too late to reach Portland for the trial. He could find no substitute to take his job until October 15, when he left and arrived in Portland October 25.

Notwithstanding that Mrs. Hamilton was in constant communication with her husband, she made affidavit June 3 that she had consulted with Mrs. Rachel Shatto, of Portsmouth, and Carl Anderson, of Killingsworth avenue, and learned from them that her husband had married at Wadsworth, O., September 7, 1903.

CHESTER C. HOLLOWAY ON TRIAL FOR SHOOTING WIFE.

Chester C. Holloway is on trial before a jury in Judge Bronaugh's department of the Circuit Court. He is charged with having shot his wife, Mattie Agnes Holloway, June 27, with intent to kill her. As a defense his attorney will urge emotional insanity.

It is said that Holloway reached this state of mind after hearing that his wife was living with a man named Duddy, and afterward with a man named Miller, at Oregon City. Holloway said he had attempted suicide after he came from Los Angeles, where he had been working, to Portland, and found that his wife had sold all the household furniture and would not return to live with him. He was taken to the hospital, and accused his wife of taking what little money he had, and leaving him unconscious and penniless. It was when he again besought his wife to return to him, he says, that she twisted his wounded arm, severing the ligaments, and that he shot at her. She was taken to the hospital, and for a time her life was despaired of.

DRAWN UP ANOTHER VERDICT

Jury in Jackson Held Case Did Not Intend Murder Finding.

The six jurors who recently returned a verdict in the juvenile court to the effect that Jackson C. Held, a delinquent child, as set forth in the petition of Deputy District Attorney Thad W. Vreeland, drew up a new document yesterday afternoon which made the boy delinquent, but makes no reference to the petition. When it was explained to the talemans that they had, by their verdict, practically found the lad guilty of murder in the first degree, they said that they did not intend that as their verdict, but merely wished to place the child in the custody of the courts as a delinquent. The police are looking for Conley yesterday. At Woodburn every stopping place in town was searched. Believing it possible that the old man had taken an early morning train back to Portland, the local police were also hard at work all day, but he failed to materialize.

COURT GRANTS TWO DIVORCES

Decrees Obtained by Rosina Covelli and Elizabeth S. Bailey.

Judge Gantenbein granted two divorces in the Circuit Court yesterday. Rosina Covelli said through an interpreter that Frank Covelli came home one night in a drunken condition, and she was with an umbrella because two of her cousins were visiting with her. She said he then called in two policemen, who searched the house, and when they found her, she was beaten, choked and kicked, and her husband then left and has not returned. They were married in Portland, February 12, 1907.

Elizabeth S. Bailey obtained a divorce from John T. Bailey on the ground of desertion. The wife said her husband left her in 1907. They were married in Jackson County, in November, 1882.

The divorce case of Bertha L. Beckett against Charles A. Beckett, wherein she accuses her husband of leaving her in February, 1905, was tried, but the court has not yet granted the decree. The couple married November 29, 1894. They have one child.

Notes of Probate Court.

The will of Martha A. Hoyt, disposing of an estate valued at \$50,000, was admitted to probate in the County Court yesterday. With the exception of \$200, Mrs. Hoyt left all the property to her daughter, who bears the same name. Of this \$100 goes to George W. Hoyt, a son, and \$100 to Frances Hoyt, another daughter. George W. and Martha A. Hoyt are appointed executor and executrix.

The estate of Caroline Vantine has been appraised at \$72,990. Half of lots 2, 3 and 4, block 210, Portland, is valued at \$18,000. Lots 2, 3 and 4, block 151, Portland, at the southeast corner of Seventh and Taylor streets, is valued at \$18,000. Lots 2, 3 and 4, block 151, Portland, at the southeast corner of Seventh and Taylor streets, is valued at \$18,000. Lots 2, 3 and 4, block 151, Portland, at the southeast corner of Seventh and Taylor streets, is valued at \$18,000.

Does Not Get Damages.

Judge Cleland, in the Circuit Court, granted a motion for a non-suit yesterday in the case of E. J. Hollowell against the Portland Railway, Light & Power Company, in which the plaintiff, who is a grocer of Kern Park, sought to recover from the railway company \$1000 on account of an accident which occurred February 11. Hollowell said he was walking along a platform at Kern Park when a Mount Seatt car struck him from the rear. Witnesses testified that he stepped directly in front of the car, and that the motorman had no chance to stop it. He was reading a newspaper at the time.

Do Not Prosecute Boy.

Norman Baldwin, of St. John, found 22 boom chains along the river bank and put them in a neighbor's yard, where they lay for two months. The Williams-Pulp & Paper Company took the matter into the juvenile court with the allegation that the lad stole them. He was discharged by Judge Gantenbein yesterday because his accusers did not appear.

The lad's father endeavored to find an owner for the chains, even writing to La Cunas about them. At last they were sold to a junk dealer for \$3.95.

ELOPES WITH PLAT LEAVES CAR AT WOODBURN

Police Search in Vain for A. B. Conley, Who Brought Girl to Portland.

LEAVES CAR AT WOODBURN

Warrant for La Grande Millionaire Is Sworn Out After Gertrude Williams Tells Her Story to Authorities.

A. B. Conley, aged and wealthy Grand Ronde banker and wheat king, who was interrupted in his elopement to Los Angeles with pretty 15-year-old Gertrude Williams, a La Grande waitress, is the object of earnest search by the police of half a dozen cities.

WARRANT FOR LA GRANDE MILLIONAIRE

When the girl was taken from his company Thursday night at the Union Depot because her tender years and peculiar conduct towards Conley had aroused the suspicions of Depot Matron Fields, Conley was allowed to continue on his way. He had just bought two tickets to Los Angeles, and had reserved lower berth No. 11 in tourist car No. 2. When the girl admitted she was not related to the old man and was detained from going on the train with him, she was given over to the charge of Patrolman Hirsch, who took her to the police station and turned her over to Matron Simmons.

STORY TOLD BY GIRL.

It is now known that Conley brought the Williams girl here from La Grande and that he had been supporting her there for several months. He met her in a restaurant where she was employed as a waitress, and when she lost her place told her he would see that she was taken care of. This statement is made by the girl, but she insists that his interest was of a fatherly nature at La Grande. When he invited her to go to California with him on a trip, she consented.

LANDLADY ALSO IN TROUBLE.

As a result of this confession on the landlady's part, she is to be made the subject of a complaint on the grounds that she had knowledge of what was going on and failed to communicate this information to the police.

GOOD THINGS IN PORTLAND MARKETS

SEVERAL housekeepers have met me recently with the remark, "I wish you'd tell me what to have for breakfast while eggs are so high in price." It is not a very easily solved problem in families where something more than the "reform breakfast" of "fruit, cereal, toast and coffee" is desired, and where heavy meat dishes are wisely avoided. Portland housekeepers, however, should have no difficulty in this matter, considering the fine variety of "sea-food" in the markets. Fish—fresh or smoked, salted or pickled, offers a large choice of good breakfast foods, although the early-morning imagination of some cooks often seems bound by "pickled-up" codfish in some form, fried sole or its equivalent, and occasional imported herring. Dutch, Jewish and German methods of pickling fish are worth studying; the Norwegian cook can teach you delicious and economical dishes, and English pickled meats and fish will all help occasionally with the breakfast or luncheon menu.

THANKSGIVING DAY

In the meantime, consider the following list of fresh fish—to say nothing of the store of canned and cured varieties offered by every delicatessen. To begin with, the cheaper though not the least useful kind: Herring, smelt, flounder and perch are all 10 cents; salmon, halibut, California sole, California smelt, tom-cod and black cod, 12 1/2 cents; wharf fish and croquettes, 15 cents; strurgeon and shrimp, 20 cents; striped bass, 25 cents; lobster and black bass, 30 cents a pound.

THANKSGIVING DAY

Should made its first appearance of the season during the past week. Black bass is decidedly scarce just now. Shrimps are rather higher in price, but very good.



These two styles are pronounced and they are pronounced a success by men who ought to know.

This month our overcoat display covers the whole field.

The variety in shape, in style, in patterns and in length, is complete.

Come in before the novelties are picked out. \$10 to \$30.

THE LION CLOTHIERS 166-170 Third Street.

Prog legs are 35 to 50 cents a dozen, and crabs 20 cents each. Mussels and the large New York clams are to be had, as well as the usual razor and hardshell clams and oysters.

Imported Malaga grapes are 20 to 25 cents a pound. The new black Morocco grapes are 60 cents a box, and the other kinds—Tokay, Sweetwater and Cori-chona, range from 45 to 60 cents a box.

Leave Your Orders for Thanksgiving Turkeys



Chickens, lb., 16c-17c
Fresh Eggs, dozen, 35c
Eastern Eggs, dozen, 25c and 30c
Creamery Butter, roll, 60c, 65c and 70c
Full Cream Cheese, lb., 17c

BEST EASTERN HAMS 15c Lb.

LaGrande Creamery

264 Yamhill.

BEST BUTTER

70c and 75c Roll

Ranch Eggs, Dozen 30c

Chickens, 17c Pound

SALMON, LB. 10c
OREGON HONEY 15c

Columbia Fish Co.

Phones: Main 535, A. 5566.
THIRD AND ANKENY STREETS.

Thanksgiving Day

Is close at hand. Don't forget that

G. Covach & Co.

Will have a fine supply of all kinds of Poultry, Oysters and Fish. Don't fail to call on them.

Phones—Main 535, A. 3535.
275 First Street, Portland, Oregon.

Nature intended man to be happy and to be able to give

A Smile All the While

Look at healthy children—look at the healthy man or woman—and you see the pleasures that come from perfect health—the protection that wards off the excesses of life to-day

Ghirardelli's Cocoa

the perfect food drink—braces up the system—strengthens the body and enthuses the brain into perfect activity—besides it pleases the palate, too.

30 cups of a delicious drink 25c

Mostly prices are about the same and turkeys still threaten to be 25 to 30 cents a pound at Thanksgiving. Goose—"the arch-angelic bird" is very good just now, at 25 cents a pound; and the necessary apple sauce can, of course, be had in perfection at this season. Squabs and broilers are rising in price, the former being \$1 a pair, the latter 50 to 60 cents each. The weather lately has been too warm for many wild game or fowl to be shown.

As for the fruit, apples are naturally established in the first place, and the prices run from 25 cents to 35 cents a bushel. The Little Japanese and Tangerine oranges appeared this week at 25 and 30 cents a dozen. The new sweet navel oranges are 45 to 60 cents a dozen. Grapefruit are 12 1/2 to 20 cents each, and limes 25 cents a dozen.

Imported Malaga grapes are 20 to 25 cents a pound. The new black Morocco grapes are 60 cents a box, and the other kinds—Tokay, Sweetwater and Cori-chona, range from 45 to 60 cents a box. Strawberries are 25 to 30 cents a box; huckleberries 20 cents a pound and cranberries 10 to 20 cents a quart.

The new Creola figs, Fard dates and any dried prunes are all to the fore in a restaurant where she was employed as a waitress, and when she lost her place told her he would see that she was taken care of. This statement is made by the girl, but she insists that his interest was of a fatherly nature at La Grande. When he invited her to go to California with him on a trip, she consented.

They arrived in Portland November 7, the girl says, and went to the New Rosamond, Third and Pine streets. It was from her story of their stay in Portland that serious charges against the old man were made. Her story was supported by the landlady, Mrs. Bjornlund. And it is admitted that Conley has been in the habit of taking young girls to the place.

As a result of this confession on the landlady's part, she is to be made the subject of a complaint on the grounds that she had knowledge of what was going on and failed to communicate this information to the police.

The complaint against Conley was issued by District Attorney Cameron and was signed by Mrs. Lola G. Baldwin, of the Traveler's Aid Society. It charges a statutory offense, and Miss Williams is named as the complaining witness. In the event of Conley's arrest the girl will be called upon to testify against him.

The girl in the case comes from Springbrook, Or., where her parents reside, so she says. Conley is widely known in the Grand Ronde Valley and is reputed to be the wealthiest man in Union County. He has a wife and a family of grown children. Those knowing him at La Grande say he was about the last man to be suspected of eloping with an elopement, as he was essentially of the pioneer type and always shunned society. He was very careful of his money, even on this ill-starred trip, and bought second-class transportation for California Thursday night.

to be higher at about 20 cents a pound. Artichokes are about 1 1/2 cents each; peppers and egg-plant 30 cents a pound and tomatoes 35 cents. There are also the usual root vegetables, including excellent oyster plant; and last, though not least powerful, the new season's garlic at 25 cents a pound.

Webfoot Oil Blacking keeps feet dry. Makes shoes last. All dealers.

Attractive Prices On Meats

If you have traded with us we know you are still doing so. If you haven't traded with us, it is worth your while to give us your order. We carry nothing but the best Meats obtainable, and on account of the magnitude of our business we can give you the lowest prices.

Ham, lb.	15 1/2c	Round Steak, lb. . . .	10c
Bacon, lb.	18c	Shoulder of Pork, lb.	10c
Boiling Beef, lb.	5c	Loin of Pork, lb. . .	12 1/2c
Pork Chops, lb. 10. to 12 1/2c			

All Pot Roasts of Beef, 6 to 8c Per Pound

The Boston Packing Company

Corner Third and Ankeny Sts. Branch Market: First and Burnside Sts.

Soda Crackers with crack to them
Soda Crackers with snap to them
Soda Crackers with taste to them

Uneeda Biscuit

Oven-fresh—Oven-crisp—Oven-clean—
5c In dust right, moisture proof packages. Never sold in bulk.

NATIONAL BISCUIT COMPANY