# **GADSBY JURY GOES** TO BED FOR NIGHT

Retiring at 4 o'Clock, Members Can't Agree and Are Again Instructed by Judge.

ORATORY IS CUT SHORT

Counsel for Defense Springs Surprise, and Court Is Adjourned While His Honor Prepares Instructions-Jurors Stubborn.

#### MAKE-UP OF GADSBY JURY.

All the jurors to whom the aliena-tion suit of Mrs. Beatrice Gadsby against Captain and Mrs. William Gadsby, the parents of her husband, are married men. They include five merchants, two insurance men, a farmer, a fruit tree salesman, a delver, a machinist and an organizer of fraternal societies. They are as A. McCalman, 715 East Burnside,

T. H. McAllis, 648 Lovejoy, insur-

C. D. Ott, 435 Sixth, merchant. Charles Savage, 178 East 17th,

J. A. Olson, 1675 East Washing-F. Schlewe, 374 First street, mer-

J. E. Shears, Arieta, district deputy. Modern Woodmen of America. John Schlet, 1387 Front, driver. C. P. Fisher 680 Tillamook, mer-

A. S. Kincaid, Troutdale farmer, A. J. McIntire, Arieta, insurance. Edward Knight, Arieta, tree sales-

With little apparent prospect for an early agreement, the jury, to which had been committed the suit of Mrs. Beatrice Hill Gadsby against the parents of her husband, Captain and Mrs. William Gadsby, for \$200,000 for the alleged allena-tion of her husband's affections, retired to its narrow quarters in the Courthouse attle last night for the second time.

That it would not agree soon was the belief of those who heard the questions asked by the talesmen when at their re-quest Judge Morrow convened court at 9 o'clock last evening to re-read the in-There were differences of opinion—that was plain. And that they were held by men who would not yield lightly was interred from the question of a juror, who said to Judge Morrow:

"When two or three members have made up their minds and are pretty steadfast about it, how long is it neces-sary for us to labor to change their minds?"

"And we contend that it must be about it, bow long is it necessary for us to labor to change their minds."

Argument Is Cut Short.

Judge Morrow endeavored to smooth over the difficulty. "No man," he said, "should be unreasonable about the acturacy of his own judgement. None of us is infallible."

The case went to the jury at 4 o'clock in the afternoon after only a one-sided argument. When court copied, Judge Morrow ruled on the motion made on Monday by the defense for an instructed verdict, the court holding that the case should be submitted to the jury on its limiting that the case should be submitted to the jury on its merits first, the points raised in the motion being taken up again afterward on motion for a new trial. Then C. M. Idle man, ex-Attorney-General, opened the argument for the young wife. It had been planned by the counsel for the plaintiff that ex-United States Senator Fulton should make the closing address, but that gun was spiked when, after a but that gun was spiked when, after a spit of conference. James Glesson, one of the feel of conference, James Glesson, one of the less than the and the county.

"An attorney representing Schureman said the would see that \$15 a month was pald. Ti Judge Morrow ruled that the alleination might have taken place at any time prior used the fulling of the count. To did the count. The first intended the bonds were depend upon your conting the count of the count in this case. It's a serious man the first the points raised in the motion being taken up again afterward on motion for a new trial. Then C. M. Idle the payment to the full the county is a serious man the count is the full that the case should be submitted to the jury on its serious continuent to set on a jury. Do the best you can to sit on a jury. Do the best you can to sit on a jury. Do the best you can to sit on a jury. Do the best you can to sit on a jury to sit of the jury on the right of the jury on its serious continuents of the jury on the leaves a family of helplass children were made regularly but that gun was spiked when, after brief conference, James Gleason, one of the counsel for the defendant mother an father, announced that his side would

rest without argument.

Taken by surprise, the court adjourned the session until 2 o'clock to give himself an opportunity to prepare the instructions

### Directed Verdict Denied.

Judge Motrow's opinion declining to grant the motion made by Isham N. Smith on Monday to instruct the jury for a verdict was brief. He said that at one time in his deliberations he had nearly decided to grant the motion "as to one of the defendants," but that after read-ing the case of Scarles vs. Searles he had concluded that the case should be left to the jury first, the points involved coming before the court again on a motion

coming before the court again on a motion for a new trial. Judge Morrow did not indicate which of the defendants he had come near to excepting from the verdict. Ex-Attorney-General idleman went over the evidence in the opening address. He said that every possible effort had been made by Beatrice Gadeby and her parents, the George H. Hills, to reconcile the young husband and his wife. The young wife, he said, had left the house of the Gadebys the evening of September 15, hysterical, and had been put to bed in a precarious condition, continually calling for her husband. The day following and for several days afterward she thas strong efforts to get in communication with her husband. The Hills were willing and anxious to aid in a reconciliation. According to the testimony of Captain According to the testimenty of Captain and Mrs. Gadsby, said Mr. Idleman, Waiter was so perturbed and so anxious to raturn to bis wife that it became necessary to send him out of town for a rest, on account of his nervous condition.

### Parents Are Blamed.

"Now, if Beatrice and her family were anxious for Walter to return and Walter was anxious to return," Mr. Idleman continued, "how in the name of logical reasoning can it be inferred that any one was keeping them apart other than Captain Gadsby and his wife?"

Captain Gadsby had testified, Mr. Idleman went on, that one reason it became necessary to get Walter out of town was that the telephone in the store was kept ringing constantly with inquiries for Walter, and that Beatrice was the inquirer. The lawyer declared that the inquirer. The lawyer dechared that the girl fresh from college ease began Mrs. Gadsby's action in writing to her son that his wife was a "d——little fool." because she wanted to be provided with a nurse during her approaching confinement, was a circumstance "pointing to the desire of the elder Mrs. Gadsby to the wolf from the door?

Was nother output from the door? We make the public and incidentally, keep the wolf from the door?

Mr. Idleman said, "spoke louder than words" in favor of the contentions of the plaintiff in the suit.

#### Poor Memory Assailed.

Mr. Idleman assailed Mrs. Gadsby's lack of memory with reference to incidents that he indicated to the jury she should have remembered. He drew the fire of Attorney James Gleason by commenting upon the failure of Walter to take the witness stand.

fire of Attorney James Gleason by commenting upon the fallure of Walter to take the witness stand. "I believe," said Mr. Idleman, "that if Walter had taken the stand he would have told the truth."

"Then," Interrupted Gleason, "why didn't you make him your own witness?" Judge Morrow at that point put an end to the wrangle of the lawyers.

"What you believe as to Walter's testimony," he said, "has nothing to do with the case. The jury is instructed to disregard all that has been said by counsel as to his belief."

At the conclusion of Mr. Idleman's address Mr. Gleason announced that the defense would submit the case without argument. The opposing counsel and the court looked about equally surprised and Judge Morrow ordered an adjournment until 3 o'clock to give him opportunity to prepare his instructions to the jury.

Judge Charges Jury.

#### Judge Charges Jury.

Judge Morrow began his charge to the jury by reviewing the general rules of evidence. He said that to warrant a verdict for the plaintiff it would be necessary to establish that the defend-ants "maliciously" interfered between Walter and his wife. "You may infer-and find malice from the defendant's acts," he added. "It is not claimed that either Captain Gadsby or his wife of-fered any direct advice to Walter to leave his wife and so you will not con-

by and if such information led to the separation without the interference of Captain and Mrs. Gadsby, then you must find for the defendant."

#### Time of Alienation Puzzles.

The jurors retired at 4 o'clock in charge of a bailiff. At 7:30, having returned from dinner, they hinted through the court official that they would like to hear the instructions read again. Judge Morrow was there, but the lawyers were scattered, and when Mr. Gleason and Isham N. Smith, of defendants' counsel, and J. V. Beach, representing the plaintiff, were summoned there was another hunt for a stenog-rapher and for the copy of the testimony. At 3 o'clock the jury came in.

At 9 o'clock the jury came in.

"One question that came up," said Juror Knight, who acted as foreman, "was whether the alienation must have occurred prior to September 1s, or could it have occurred any time prior to the filing of the complain"

"At any time before the beginning of the suit," Mr. Beach said his side contended

"The work of the said his the charges against them be withdrawn."

Justice Olspn said: "I don't think the amount is large enough. It ought to be amount is large enough. It ought to be

"And we contend that it must have sen before September 16," interposed

BRISTOL Wash., Nov. 5.—The Bristol Development Club at its meeting last night made a clean sweep of its old officers and resolved in favor of county division. Instructing its secretary to sound commercial and other organizations in Western Klickitat County on the subject. Enough work and funds were pledged to complete the Bristol cutoff, a short cut to the Columbia River, 4% miles long, winding down and around three hills with an altitude of 1500 to 1800 feet, before February I.

# TEXAN'S AFFINITY

A. J. Schureman and Schoolteacher Soulmate Are Grilled by Court.

WIFE WINS LONG FIGHT

Woman Banished From Oregon Runaway Husband Must Pay \$75 Monthly for Children's Support - Confess Elopement.

Arthur J. Schureman and his affinity, Miss Grace Vivian Groves, were ar-raigned before Justice Olson yesterday afternoon on a statutory charge, and in the presence of Mrs. Arthur J. Schure-man and her eldest son, Arthur Leigh Schureman, the runaway husband and his soulmate were given such a tongu

ferred any direct advice to Waiter to lenve his wife, and so you will not consider whether such advice was offered, but whether such advice was offered, but whether their conduct had the effect of alienating him. You will determine first whether Beatrice has lost Waiter's affections. If she has not, then the case ends. If she has not, then the case ends. If she has not, then the case ends. If she has not, then the case ends are responsible for the fact, and whether they have acted mallelously.

"You must remember that they are the parents of Waiter Gadsby and have a right to extend the hospitality of their home to him. Their home is the refuge of their children, and their children and their children have a right to go there. The fact that Waiter did or did not go to the home of his parents is not to be considered.

"It is not for you to determine the guilt or innocence of George Hill in the aileged misconduct. It is sufficient if information was given to Waiter Gadsby and if such information led to the separation without the interference of Captain and Mrs. Gadaby, then you perhaps the best ends of justice will be served by making him do what a parent should do fer his children. I will leave the decision on this part—of the case to the court. If you think it is justice to the children. I will prosecute. If you think it best that he be kept out of prison and allowed to work for the children I will not oppose the motion to have the case dismissed.

"It has been with great reluctanve that I have been persuaded to give up the prosecution of this fine pair. The man is the lowest of mankind, and the woman is in the same class with him. We are

is in the same class with him. We are not condoning the acts of these people. It is only on behalf of the little children, who need education and other advantages which their mother cannot possibly provide for them. An arrangement has been made the proposition coming from

Justice Oison said: "I don't think the amount is large enough. It ought to be \$75 a month. Besides, what assurance have we that this money will be paid?" An attorney representing Schureman said he would see that \$75 a month was paid. Justice Oison replied that under those circumstances he would dismiss the case entirely, but would hold it over their heads. He exonerated the bondsmen and placed Schureman on his own bond on the condition that the payments to his children were made regularly and on the condition that he behaved himself in the future.

# Talented College Girl, Left in Poverty, Shows Her Pluck

Miss Edythe Stanley Goes From Vassar to Vaudeville Stage, Winning Public With Her Original 'Pianologues.'

OLLEGE girls, as a rule, do not | look toward the stage for a livelilook toward the stage to hood, but when Miss Edythe Stanley was nearing her last year at Vassar, word came that her father's fortune was shattered, her father dead from the shock, and she and her mother penniless. What to do to win the necessities of life, was the problem that con-fronted the 29-year-old girl. Miss Stanley had shown marked musical talent while at Vassar, particularly as a trick planist, and she was always in great demand at the many amateur entertainments given by the seminary girls.

When the beautiful Boston home was closed, the furniture sold, and Miss Stanley and her mother had moved to a tiny cottage on the outskirls of the city, the only thing which remained of all their goods was a piano, an heirloom which had been in the family for many years. The days following the gay life at college were dull ones for Miss Stanley and much of her idle time was spent strumming melodies on the lust reminder of bygone prosperity. The little money saved was soon gone and then

keep her son and his wife apart."

Mr. Idleman said an effort had been made to drag into the case "an incident implicating the father of Beatrice." Mrs. Gadsby had testified that Walter, after hearing of the alleged occurrence luvolving Mr. Hill and the little girl, had been silting in his room crying and trying to find a weapon with which is kill himself. On cross-examination she had testified that while Walter was in that condition, she herself had sent the same little girl to the house of Mr. Hill at 3 o'clock at night, to ask Mr. Hill to come over and help pacify Walter. The circumstance,



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actively preparing her divorce suit against Schureman. Before she would consent to having the charges dismissed

she insisted that Miss Groves leave the

sne insisted that alles though the same of Oregon. This was agreed by private arrangement through Miss Groves attorney. She will leave Portland as soon as she can arrange her affairs. In addition to this Mrs. Schurefairs.

affinities. They had denied their guilt, but she made her husband eat his own words over his own eignature. He gave a written statement, as follows:

a written statement, as follows:

To whom it may concern.—I. Arthur J. schureman, do hereby vofuntarily state that I left the state of Texas during the month of January. 1998, in company with Vivian Groves, and that my leaving there was not caused through any fault or mis-conduct of my wife, catherine D. Schureman.

In an interview Miss Groves had said that Mrs. Schureman had lied and made other remarks reflecting upon Mrs. Schureman. A retraction of this was made in writing by Miss Groves. It is as follows:

This will certify that I, Vivian Groves to hereby voluntarily and soleminly retract my and all statements made by me derugacy to the character or conduct of Mrs. atherine D. Schureman, and especially a tatement attributed.

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