JURY CLEARS AGED SAMUEL C. CUSTIS

Veteran Acquitted of Murder Charge After Six and Half Hours' Deliberation.

EIGHT BALLOTS ARE TAKEN

Last Juror Won Over on Eighth Ballot, Though on First Three Are

for Conviction - Record Time Is Made.

Samuel C. Custis was acquitted at 4:30 P. M. yesterday of the murder of Albert Wilson in the Central rooming house, Second and Burnside streets, November 24. The jury was out six and a half hours, retiring at 10 o'clock yesterday morning for deliberation. The trial was held in Judge Cleland's department of the Circuit Court, but little more than a day being consumed for the entire trial, which is record time in a murder case.

The acquitting jury took eight ballets, standing nine for acquittal and three for conviction on the first, and 11 for acquittal on the seventh. The one juror was wen over on the eighth ballot.

After the verdict had been read, Curtis' attorneys gathered about him and extended congratulations with hearty handshakes. The aged veteran of the Civil War thanked each of the jurymen as he filed from the box.

box.

Custis had been robbed by two men, one of whom he believed was Wilson. He endeavored to secure the return of a certificate of deposit in a Eugene bank, when Wilson grabbed up a wine bottle, and started for him. He instinctively reached in his overcoat pocket, drew out an old. woodenhandled pistol, and fired. Custis said he had placed the pistol in his pocket, intending to pawn it.

The old soldler was defended by John Manning, William M. Davis and M. O. Wilkins, while Deputy District Attorneys Fitzgerald and Vreeland represented the state.

WATSON MUST COME FOR BAIL

Money to Be Forfeited Unless Defendant Appears in Person.

dant Appears in Person.

Frank Watson may have his \$100 cash ball—if he will come after it. That was the decision of Presiding Circuit Judge Bronaugh yesterday morning when Attorney H. C. King argued his motion for the release of the ball. The decision was the result of a conference between Judges Bronaugh and Gatens. It is thought not likely that Watson will appear personally to demand the coin.

When Attorney King went before Judge Bronaugh several days ago with a motion to release the ball, he was referred to Judge Gatens, then back to Judge Bronaugh, and the second time to Judge Gatens. The latter judge said he had washed his hands of the Watson affair and refused to have anything more to do with it. The motion had been mindederally, so Attorney King prepared a written motion and placed it on file, thus compelling action on the part of the presiding judge.

The ball in this case is that which Watson't attorneys put up for his appearance on the vagrancy appeal from the Munici-

son't atterneys put up for his appearance on the vagrancy appeal from the Municiral Court. He has forfeited the \$500 cash ball put up on the larceny charge, for which an indictment was returned by the grand jury.

LINNTON FARE DECISION TODAY

Circuit Judge Morrow Will Close

Case by Decree. Circuit Judge Morrow will decide the Linnton fare case this morning. Suit against the United Railways Company was commenced by residents of Linnton last August to compel the corporation to reduce its fare between Portland and Linnton from 10 cents to 5 cents.

company's franchise for the use of the county roads calls for a fare of not more than 5 cents, but the corporation contends that this clause means 5 cents, between the city-limits of the two places, and that another 5 cents may be charged from the Portland city limits to Third' and Stark streets. and Stark streets.

MORRIS PLEADS NOT GUILTY

Moore to Be Tried First if All De-

mand Separation. W. Cooper Morris, one of the quintet indicted for wrecking the Oregon Trust & Savings Bank, pleaded not guilty before Presiding Judge Bronaugh in the Circuit Court yesterday morning. He said he arrived from Seattle too late to enter his plea on Thursday afternoon.

Leo Friede has not yet pleaded. He will do so Monday. District Attorney Cameron said yesterday that he would try Walter H. Moore, former president of the bank, first, if the defendants demand separate trials. The dates of the trials will be fixed Monday.

HAND CRUSHED, LABORER SUES

Damages Asked for Inquiry Caused When Plank Slipped.

Joseph Dietsch is suing the Portland Railway, Light & Power Company be-fore a jury in Judge Cleinnd's department of the Circuit Court for \$1500 damages. of the Circuit Court for \$1500 damages. He was screening gravel April 27, on Clinton street near Twenty-first, when a gravel wagon belonging to Stevens Bros., for whom he was working, became wedged into the grooved rails of the streetcar track. He was asked to hold a six-foot plank between the wagon and a streetcar, which attempted by ramming the wagon to dislodge it from the track. The plank slipped and Dietsch's hand was crushed.

DAUGHTER CONVICTS FATHER

Restaurant Proprietor Fined \$100; Appeals and Is Fined \$150.

Henry Hoffman, proprietor of a rooming-house and restaurant on East Clay street, has been fined \$150 by Judge Bronaugh in the Circuit Court, for selling liquor without a license.

Ils place was raided September 12 Judge Bennett fined the man \$100, and an appeal was taken. Hoffman's daughter testified before Judge Bronaugh that she sometimes served beer with meals to pairons of the place. patrons of the place.

Man Buried Under Sacks Loses.

Although buried under a tier of sacks filled with flour when they fell upon him last January, Orville O. Cone can recover no damages from the Pacific Coast

Elevator Company. A verdict for the de-fendant was returned in Judge Morrow's department of the Circuit Court yesterday afternoon. The jury was out four bours. Cone sued for \$2.820. The accident re-sulted in a compound fracture of his-applie.

Frank Kreitzer Held, However, as Witness Against Another.

onerated yesterday before United States
Commissioner Cannon of the charge of
opening mail addressed to another at
that postoffice. He will be held as a
witness against John Parr, who was
bound over to the grand jury.
Parr is accused of representing himself to be Frank Watson and obtaining
letters addressed to the latter. Both
boys were arrested by Sheriff Brown,
of Eugene. They are held in default
of ball of \$100. Frank Kreitzer, of Marcola, was ex

STATION BURGLAR CONVICTED

Frank Blake to Be Prosecuted Again When Set Free.

Frank J. Blake was vesterday convicted in the United States Court of the burglary of the Postoffice at Irving. The penalty which may be inflicted by the court is a sentence of from one to ten

Para in prison.

Blake, who admitted that his correct name was Mills and that he came from a good Pennsylvania family, was captured by Town Marshal Snodgrams while hiding behind a boxear at Cottage Grove. He made a desperate resistance and at-tempted to use a large Army revolver which stuck in its holster, allowing the to gain the advantage in the

On his person were found articles which On his person were found articles which have been identified as part of the loot obtained in the burglary of railway stations along the line of the Southern Pacific, and Blake appeared in court in a suit of clothes belonging to Henry Green, of Jefferson. They were taken from the railroad express office and were identified by the tags attached to the inner pockets by the washers as well as he semples. by the makers, as well as by samples of the goods in the possession of Green. Railway officers will prosecute the prisoner on other charges after his release, as he is regarded as dangerous when at large. He is a deserter from the regular Army.

Bankrupt's Assets Team and Hack Frank Dinges, engaged in the livery business at Junction City for the past year, yesterday filed a petition in bank-ruptcy with the Federal Court. He states poor notes caused fortune's loss. His available assets consist of a team of horses and a hack with which he expects to support his wife and chil-dren. He asks for their exemption, to-

Amusements

What the Press Agente Say.

Ezra Kendall-Matinee and Night.
There will be two performances at the Bungalow Theater, Twelfth and Morrison streets, today. A special matinee at 2:15 o'clock and the last time tonight at 8:15. The attraction will be the favorite and famous American comedian, Ezra Kondall, in the delightful comedy success. "The Vinegar Buyer." This will afford your last two opportunities of seeing one of the season's best offerings.

Only four more performances of the great bill at the Orpheum this week. Don't miss this opportunity of seeing Alice Lioyd, England's greatest singing comedian. This dainty little lady has completely captivated Portlanders with her charming songs and winning manner. Ask your neighbor about her. Matinee every day at the Orpheum.

Baker Matinee and Tonight. The children so delight in "The Land of Nod." the great musical extravaganza which has been playing at the Baker all week, they should all be permitted to see it either this afterneon at the popular price matines or tonight, which is the last performance. Besides the gorgeous scenery and music, there is a world of ludicrous comedy and fantastic characters.

Biff and Bang at Pantages.

Biff and Bang at rantegon at its merriest at Pantages this week where Biff and Bang, the internationally famous clowns, are raising laughs by the million. Without a doubt, they are the cleverest pair to appear in vaudeville in a similar act.

son. All the acts are hig and in the head-line class. Whitehead and Grierson are as-massins of sorrow and Delmore and Lee-with their sensational aerial act, provide the thrills.

Children's Matinee at Lyric. Today's matines will be for children and every child attending the Lyric Theater this afternoon will receive a present as a forerunner to Christmas and tonight "Mr. Potter of Texas" will be repeated for the last time

COMING ATTRACTIONS.

Geo. M. Calcan Tomorrow Night.

Franklyn Underwood Next Week.

Coming to the Orpheum next week, are two great favorites with Portland andiences, Franklyn Underwood and Frances Slosson, presenting "Dobb's Dilemms," a commedgem of the first water. Mr. Underwood and Miss Slosson have supported some of the most popular stars, and their success in vaudeville has been remarkable.

At the Baker Next Week.

At the Baker Next Week.

Abother one of those LaSalle Theater musical consedies than are so popular with Pertiand theater-goers will be the attraction at the Baker for week commencing tomorrow matines. The offering is "A Girl at the Helm," said to be just a little out of the ordinary in musical plays. Its chorus of big, little and pretty girls has been carefully selected.

From Africa's Jungle.

Most feroclous of all wild animals, seven absolutely untamable African Hons and two vicious British Columbia bears will be presented by Princess Irene next week at Pantages, commencing with Monday's matinee. This will positively be the most sensational act ever offered in local vaudeville.

Who Found the Pole? If you want to know who found the North Pole, ask any one of the 12 polar hears which Herr Alber will have on exhibition as the headline act at the Grand next week. There is no other animal act like this as the hears are rare and are hard to teach. Among the most dangerous or wild animals, the polar hears have been taught by kind-ness.

FREE OF FEDERAL CHARGE Mrs. Elliott Gets Divorce From Murderous Husband.

Attacked by her husband with outcher knife with which he had been cutting raw meat-this was the experi ence that Mrs. Mary D. Elliott related to Circuit Judge Bronaugh yesterday morning in securing a divorce from Moses C. Elliott, whom she married at Heppner. January 4, 1903. They were cooking in a logging camp, she said. Her husband brought in a large quantity of meat. She demurred, saying he had bought too nuch. He informed her it was none of her business, she testified, and started for her with the knife in his hand.

Mrs. Elliott said her husband became torose and sullen soon after the wedding, there being no apparent reason for it. He was curt and insulting, she said, on several occasions leaving her for pariods of from four days to two weeks, and at last going away for good. Judge Bronaugh heard corroborating evidence yesterday afternoon and granted the de-

Five divorces were granted yesterday, four in addition to that of Mrs. Elliott. Mrs. Bessie Schnei said Sam Schnai swung a heavy chair at her last June, threatening to brain her. She thinks he would have made good his threat except for the interference of neighbors. She married him in January, 1907. She was given a decree. given a decree.

Desertion was urged in three cases, as follows: Mary E. Thomas secured a divorce from C. H. B. Thomas, married at Molalia, January 22, 189e; Ella Mc-Millan from Archibald McMillan, married

Millan from Archibald McMillan, married at Duluth, Minn., June 29, 1892; Nathaniel Dixon from Nellie Dixon, married December 15, 1906.

With the thoughts of her pending divorce preying upon her mind, Mrs. Eva L. Pucket swooned yesterday morning and was unable to appear in court, according to her attorney. So Judge Bronaugh continued the case. She married T. O. Puckett, July 4, 1907. She says.her husband once attacked her with a drawn dagger, holding the point to her breast, and clapping his left hand over her mouth to prevent an outcry. A noise in the house led him to believe, she alleges, that someone had been secreted to spy upon him, and dissuaded him from what she believes to have been murderous intent.

Compelled for seven years, says Mrs.

Compelled for seven years, says Mrs. Lillian A. Oberer, to endure the mistreatment of a husband addicted to the use of liquor, she has been compelled to seek relief in the divorce court. She married Fred J. Oberer at Corvailis, October 7, 1897. They have three children.

She bore with him until March, 1907, when they were living in the timber at a sawmill near Black Rock, Polk County, she avers. Then he left her and the children without food or money, and falled for two months to work. In desperation she sent the children to her mother, Mrs. B. Williams, of Hillsboro, and sought out her husband at Falls City, moving the furniture. But she found her husband, she says, "unfit for her or anybody else," and escaping secretly went to Salem. He had circulated false reports as to her character, she alleges.

had circulated false reports as to her character, she alleges.

She started a divorce suit at Salem, but he apologized, and offered to do better, so she withdrew it. But one night, when she persuaded him to go to a social dance, he drank to excess, and left her to go home alone, while he went to a saloon for more liquor. At another time, when she went to a dance with a neighboring family, he locked her out of doors, she alleges. In seven months he gave her only \$1. She demands \$300 alimony pending the trial of the suit, \$250 attorney's fees and suit money, \$50 a month alimony when the suit is tried, a month alimony when the suit is tried, and the custody of the children.

ANNUAL PET STOCK SHOW WILL OPEN MONDAY.

Hall Above Washington Market Has Been Fitted Up to Receive Poultry and Feline Entries.

Next Monday morning the 15th annual show of the Oregon Poultry & Pet Stock Association will open in the large hall above the Washington-street public market, at the corner of First street. This will be conveniently arranged for the royal blooded pets of the hundreds of fanciers who will compete for the coveted blue ribbons.

fanciers who will compete for the coveted blue ribbons.

The opening days will be devoted exclusively to poultry and birds. Individual birds and pens have been entered by breeders from all the Pacific Coast States and the tetal passed the 1000 mark last night. All the fancy breeds, as well as ordinary chickens of the regular poultry farmers will be judged in competition for the prizes subscribed by members of the association. Exhibits are now being placed under the direction of C. D. Minton, who will superintend the show.

Thursday morning the exhibit will be augmented by the addition of fancy-breeded cats owned in Oregon and other portions of the West. One entry for this section comprises a family of it cats and kittens owned by a well-known Tacoma breeder. Some of the best-breed cats in the world are owned in Portland and choice specimens are promised for the show. This feature is attracting unusual interest this year and it is expected the cages will contain the most interesting collection of fellnes ever shown in Oregon. Backyard "Toms" will stand alongside beautiful Angoras and haughty Persians, so the public may have a chance to compare and study the various bryeds.

Among the prizes hung up in the two divisions of the exhibit are several silver cups. The most valuable award has been donated for a sweepstake competition in

There is no other animal act like this as the bears are rare and are hard to teach. Among the most dangerous or wild animais, the polar bears have been taught by kindness.

"Buchelor's Honeymoon" Next.

Opening at the Larie on next Sunday matinee, one of the most popular comedies that has ever been presented on the American stage will be shown to Fortland audiences by the Athon Stock Company, when "The Bachelor's Honeymoon" will be presented.

Manicuring sets, special sale, 20 per cent reduction, headquarters for domestic and imported perfumes. Stipe Taylor Drug Co., 289 Morrison st.

Ladies' handbags and leather novelties, special sale, 20 per cent reduction, Stipe Taylor Drug Co., 289 Morrison st.

Ladies' handbags and leather novelties, special sale, 20 per cent reduction. Stipe Taylor Drug Co., 289 Morrison st.

Winner of Every Glidden Tour

COVEY MOTOR CAR CO. Seventh and Couch Sts. PIERCE

of room for the crowds which are ex-pected to visit the aristocrats of the poultry and cat world next week.

ADVANCE OF 40 PER CENT CA-BLED FROM LONDON.

Surplus of Bachelors and Extinction of Isolated Herds Limits Supply.

Owing to the wholesale destruction of eals in the waters of the North Pacific and Arctic Oceans, it is becoming appar-ent that the catch for this season is one of the smallest for many years and as a result those furs which are now avail-able for use of the manufacturers of the East are commanding high prices. A ca-ble measage received last night by H. Liebes & Co., Portland furriers, an-nounced that the London market has ad-vanced fully 25 per cent on the common qualities of sealskins, while the best which can be obtained have gone up 40 per cent.

qualities of scalakins, while the beat which can be obtained have gone up 40 per cent.

Another element which is having a strong effect on prices is found in the reports from the Government stations along the North Coast and from the commission which has attempted recently to gather data as to the seal population. On many of the islands which have been the homes of the animals for many years the herds have become entirely or almost extinct. On others where the Government has been able to furnish a degree of protection it has been ascertained that the herds were not increasing in number as rapidly as should be counted on under normal conditions, and the reason was found to be that a large proportion of the members of the herds were bachelors. Efforts will be made to import a supply of female seals.

Portland has stood at the head of ports of entry for sealskins for many years and has distributed furs through the markets of the world. It is probable that importers will be in no haste to ship their bales of skins as they are received during the present season, indications as to prices warranting them in holding.

SHOPPING RUSH EXPECTED

More Clerks Employed in Anticipation of Work Today.

An unprecedented rush of Ghristmas shoppers is expected today by shopkeepers and many additional clerks were being put to work yesterday to handle the increase. Night trading is expected to be particularly heavy, for many persons make a practice, from year to year, of completing their holiday shopping the Saturday preceding Christmas, so dealers Saturday preceding Christmas, so dealers have found.

Yesterday's trading, while brisk, did not oreak any previous records, at least among the larger houses. Women again among the larger houses. Women again predominated in the shopping crowds and fow male shoppers were about, which seems to make a certainty of the lith-hour rush which those of humanitarian impulses have been striving to offset by urging early shopping. While most of the stores are now carrying heavy increases in their sales forces, further additions will be needed for next week, it is believed. Several of the larger stores and some of the smaller ones took up the work of placing their final window displays for the holiday trade last night, and window the holiday trade last night, and window dressers were at work well into the night. Superb creations have been evolved by window artists and all the windows are attractive. Business men generally pre-dict the biggest Christmas trade in the history of Portland.

BODY OF UNKNOWN FOUND

Waves Wash Ashore Remains of Man Near Arch Cape.

An

Xmas

Present

For The

Family

who was drowned while rescuing passengers from the wrecked steamer Argo.

It is now considered doubtful if the ledy is Wickman's and it is believed to be Martin Anderson, the Argo's fireman, who was swept overboard.

The body is badiy mutilisted, the head having disappeared. The only means of identification are some tattoo figures on the arms and Wickman's brother says he had no such marks. Another brother at Empire City is being communicated with but he cannot be heard from till tomorrow.

IBODY MAY BE LIFESAVER'S

Corpse Washed Ashore Near Arch DO THE SAME FOR YOUR FOODS

ASTORIA, Or., Dec. 17 .- (Special.) -- A telephone message was received here late last night that the body of a man had been washed ashore near Arch Cape, eight miles below Elk Creek. The clothing had been worn off by the action of the waves and the body had been so badly mutilated by shell fish as to be unrec ly mutilated by shell fish as to be unrec-ognizable, but it is believed to be that of Fred Wickman, the member of the lifesaving crew who was drowned by the smashing of the lifeboat while attempting to rescue passengers from the wrecked steamer Argo off Tillamook Bay. The jacket worth by Wickman when he was drowned was found on the beach year drowned was found on the beach near Elk Creek a few days ago.

WHITE MAN STEALS CHICKS

Tom Maloney Pleads Guilty to Theft, Circle to Selling Fowls.

THE DALLES, Or., Dec. 17.—(Special.)

Tom Maloney pleaded guilty before Justice Douthit today to the charge of steal-ASTORIA. Or., Dec. 17.—(Special.)—
Coroner Gilbaugh arrived tonight with the body of a man found on the coean beach below Arch Cape. The body is supposed to be that of Henry Wickman, the member of the Garibaidi lifesaving crew the Chickens Both men are in jail.

Pianos

and

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CASH OR **EASY PAYMENTS**

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Open Evenings.

Player-Pianos We have a large line of pianos that anyone can play—A. B. Chase "Artistano," Cecilian, Inner-Player, Euphona, Cadillac, Kurtzmann, Ludwig and

Store open evenings until Christmas

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Visit Sherman, Clay & Co.'s Victor Parlors.

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Good Low-Priced Pianos

prefer a good used piano, for little money, will find our Exchange Dep't a veritable Christmas feast. Steinways, Fischers, Gramers, Kingsburys, Kim-

balls and other less well-known makes; all in first-class condition. Easy terms

may be arranged. Remember our guarantee goes with every sale, and for

nearly forty years it has been known all over the Pacific Coast as the "Guarantee that holds the buyer absolutely safe." Old pianos taken in exchange at

especially so. A stroll through our salesrooms is a liberal education in piano

values, for spread before you is the result of nearly forty years' experience in conducting the greatest piano business in the West. Every instrument is marked in plain figures at the only price that will buy it.

Visitors are always welcome in our warerooms, but at this season they are

Come early in the day as convenient. Investigate thoroughly-that's what we like. Ask questions freely. SPECIAL DELIVERY—Pianos bought now can be delivered Christmas eve without fail.

No one who wishes a piano need go without one this Christmas. Those who

A galaxy of beautiful pianos

this season which for number

and value far surpasses all pre-

vious displays. Our special holi-

day stock of Steinway, Everett,

A. B. Chase, Conover, Ludwig,

Packard, Kurtzmann and other

pianos combine to make our

salesrooms a paradise for lovers

of the beautiful in pianos. Many

styles of architecture are shown

and an amazing number of fancy

woods.

a fair valuation.

other Player Pianos.

Free concerts every hour.

The Value of a Reputation When you want a house built you go to

whose ability is proven by the structures he has erected.

a contractor with a reputation-one

Buy the products of a company whose name means something-means purity, skill and honesty, and whose reputation is sustained by what it has accomplished in the past. We have built on such products as these:

Columbia Ham Columbia Lard Columbia Bacon Columbia Pork Sausage

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ASK FOR THEM BY NAME

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Commencing Monday We Will Sell At 1/2 PRICE---All Wines



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Los Angeles, Cal., Dec. 16, 1909.

Spring Valley Wine Co., 244 Yambill St., near 2d, Portland—

Owing to overstock herewith instruct you to sell all California wines at half price effective December twentieth until further notice. SPRING VALLEY WINE CO.

> Whiskeys, Brandies, Etc., at Greatly Reduced Prices

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