

14
KERSH JURY QUITS;
NEW TRIAL DEC. 8

Majority Favored Conviction
of Woman in Trunk Murder Case.

PRISONER GROWS NERVOUS

Mrs. Kersh Faints on Way to Court-
room, but is Revived and Taken
Before Bench Where She
Weeps Till Removed.

With the disagreement of the Kersh
murder trial jury yesterday morning
after being out nearly two whole days,
action followed quickly in Judge Mor-
row's court.

The twelve men were immediately dis-
charged and the court ordered a retrial
of the case on December 8.

Mrs. Carrie Kersh fainted while on her
way to court. She was taken into Judge
Morrow's chambers, and after being re-
vived, was taken into the courtroom, and
seated beside Matron Cameron. There
she bowed her head upon Mrs. Cameron's
shoulder and wept.

At 2:30 o'clock, after the jury had filed
in and Mrs. Kersh and her counsel were
seated, Judge Morrow asked the jury if
it had any communication to make to
the court.

E. J. Alcock, the foreman, arose, and
said the jury were unable to agree
upon a verdict. The court then asked
Mr. Alcock to give him an idea of how
they were divided, and the foreman re-
plied that they stood seven for convic-
tion and five for acquittal. He said they
had stood eight for conviction and four
for acquittal since three o'clock Sat-
urday afternoon, but that one more jur-
man had voted for acquittal when the
bell was rung Monday morning.

Attorney McCaskey, representing Mrs.
Kersh, then arose and said if the jury
wished any further instructions, or if
there was any possibility of their reach-
ing a verdict, he desired that they be
kept locked up. Several of the jurors
answered that there was no hope, and
Deputy District Attorney Fitzgerald told
the court he did not wish to insist upon
working further hardship upon the tal-
entless. They were accordingly discharged
by the court.

Mrs. Kersh, trembling from head to
foot on account of the nervous strain
she has been under, was taken back to
her cell.

AFFECTION SOUGHT BY WIFE

Mrs. Matthews Says Husband is Too
Cold, Asks Divorce.

Had L. Frank Matthews realized
when he went to work on the farm of
Monroe Purvine that it would some
time mean a separation between him-
self and his wife, he probably would
not have gone. Witnesses in the di-
vorce case brought by Mrs. Emma Mat-
thews testified yesterday they heard
her say she loved Purvine better than
she did her husband, because her hus-
band was cold and lacking in affection,
"and human nature is not made to
endure such a situation," Circuit Judge
Gantenbein tried the case, which was
conducted by the husband. The Matthews
formerly lived at St. Johns, and the
husband worked in one of the Portland
department stores.

One of Mrs. Matthews' complaints was
that her husband did not come home
until early in the morning. But an
employee of the grocery department of
the department store, where Matthews
formerly worked, said he was obliged
to work until late at night, so it was
impossible for him to get home sooner.
Mrs. Matthews said she was obliged
to live with her husband, while the three
were in the field with their child, Purvine,
carrying a loaded shotgun, she pulled
the trigger when the gun was pointed
in Matthews' direction. She afterwards
told him it was an accident, he said.
Matthews said also she asked Purvine
why he would marry her, and he said
they were married May 28, 1906. Judge
Gantenbein said he would give his decision
at 9 A. M. Wednesday.

ROMANTIC AUTO IN COURT

Machine Used by Eloper in Rose
Festival Basis of Suit.

The famous Italia automobile, used
by Frank J. Flanagan in eloping in the
Rose Festival, is again in court. The
Heater-Cushman Company filed suit yester-
day against Flanagan to obtain \$208
commission, alleging that the company
sold the car for him September 29 to
E. H. Fraley.

Half a dozen other claims are also
presented. The company demands \$95.53
for automobile supplies, \$3.49 for a bill
alleged to be owing A. A. Graham, of
the Graham Motor Car Company, and
\$24.81 for a bill said to be owing the
Bell, Mac Dougall Moore Company.
There is also a claim for \$72 said to be
owing the Auto Top Company, for 21
due the Portland Painting Company and
for \$25.50 said to be due F. C. Gibson,
of the Gibson Storage Battery Company.
These claims are taken up by the
Heater-Cushman Company for collection.

GRAND JURY IS SELECTED

Judge Cleland Will Charge Investi-
gators on Wednesday.

Of the 110 jurors drawn for the No-
vember term in the Circuit Court, only
59 will serve. Thirteen were excused
by Presiding Judge Cleland yesterday,
as they had good excuses, and 15 others
had been excused before, and 27 others
were not found by Sheriff Stevens' de-
puties, and were not served with
subpoenas. This makes 12. Of the
57 left, seven were drawn for
grand jury duty, leaving 50 for general
jury duty. The seven drawn as grand
jurors are:

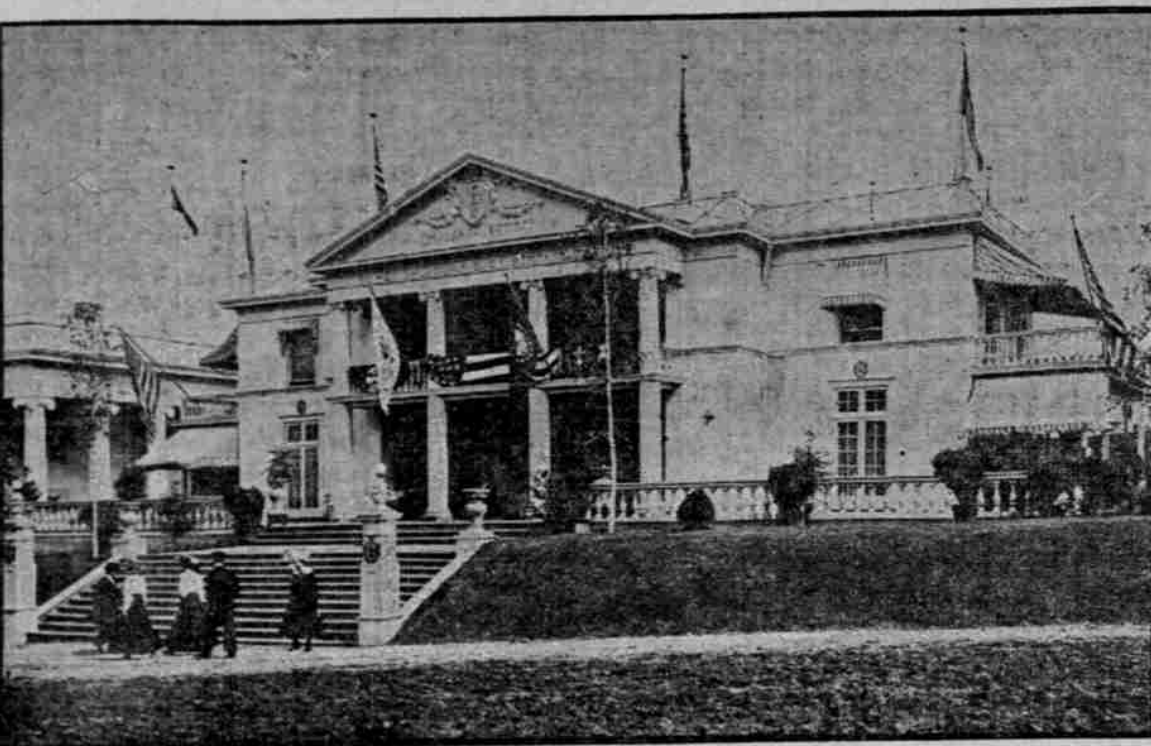
Thomas P. Thornton, real estate, 863
East Salmon street; D. S. Walton, con-
tractor, 1445 Exeter street; W. H.
Countryman, laborer, 511 North Twen-
ty-fourth street; S. L. Young, clerk,
1748 Haven street; H. A. Heppner, steel
and iron dealer, 378 East Tenth street
North; A. Ansorge, manager, 966 East
Gibson street; J. D. Wharton, president,
Kellogg Transportation Company, 121
East Eleventh street.

Judge Cleland will charge the grand
jury at 2 P. M. tomorrow. He has not
yet appointed the foreman.

Sues Wife's Relatives for \$25,000.

S. M. Burnett charges, in a damage
suit on file in the Circuit Court, that
his father-in-law and sister-in-law
conspired to deprive him of the
society of his wife, and enticed her

MASSACHUSETTS BUILDING AT LEWIS AND CLARK EXPOSITION TO BE CONVERTED INTO
RESIDENCE FOR STREET RAILWAY OFFICIAL.



FORMER CRYSTAL SPRINGS SANITARIUM, PURCHASED BY B. S. JOSSELYN FOR HOME.

By the purchase of the Massachusetts building and four and one-half acres of the former
Crystal Springs Sanitarium property, B. S. Josselyn, president of the Portland Railway, Light & Power Com-
pany, acquired yesterday what is considered one of the most scenic and attractive residence locations in the
city. The price paid for the property was \$35,000.

The grounds, located on the north slope of Mount Tabor, are now in a high state of development, with
arrangement of shrubbery, flower beds, palms and ornamental trees with which, for distinctive landscap-
ing, but very few private grounds can compare. An ever-flowing spring, in one corner of the grounds, is a
source of a little brook which adds to the natural beauties of the place. Greenhouses and sunken gardens
are other features. While a large amount of money has been already expended on the grounds, Mr. Josselyn
plans to make some changes that it is expected will add to their beauty.

The building is now in a splendid state of preservation, having been largely reconstructed after being
removed from the Lewis and Clark Exposition grounds. The foundation is built of reinforced concrete. The
building is constructed of considerable fireproof material, the walls being made of steel lath and concrete.

Although elaborately appointed, material alterations are to be made. Plans for the reconstruction of
the interior of the building, being prepared by Lewis I. Thompson, architect, will be completed in a few days.
Work on the proposed alterations will be started as soon as possible so that the property can be made ready
for occupancy by early Spring. It is estimated that about \$10,000 will be expended on the building and
grounds. With this additional outlay, the total cost of the property will reach \$45,000.

The sale of this property means more to Portland than if we had cut it up and sold it out in residence
lots," said E. L. Thompson, of Hartman & Thompson, from whom the grounds were purchased. "A repre-
sentative of Eastern capitalists who have millions of dollars invested in and near Portland, Mr. Josselyn is
giving a practical demonstration of his belief that Portland is the one substantial city of the Pacific
Coast. It will add to the confidence which his financial conferees have in him and Portland. When they visit
Portland they will have an opportunity to be the guests at one of the most typical gentlemen's homes in the
country. It is a step forward, of which all Portland will be proud."

U. F. STEVENS BACK

Head of Hill System Looks
Over Local Situation.

COUNCIL'S ACT DISPLEASES

If Cars of Interurban System Are
Forced to Stop at Every Street
Intersection, Fast Time Will
Be Out of Question.

After spending several weeks in con-
ference with Eastern officials of the Hill
lines at Chicago, John F. Stevens, presi-
dent of the North Bank road, returned
to the city yesterday morning prepared
to take up the campaign of development
which has been outlined in the North-
west.

"At present I am more than anything
else concerned in the removal of the
situation," said Mr. Stevens last night.
"It will be a day or more until I learn
just what the local situation is."

He was informed yesterday of the ac-
tion of the City Council in granting the
request of the petitioners to have the
cars of the Oregon Electric and the
United Railways stop at every street in-
tersection while running over the pro-
posed new loop defined by Front, Sal-
mon, Tenth and Flanders streets, and
reiterated the statements in opposition
to such action as already expressed by
officials of the road.

Tillamook Extension Awaited.

"We are here to do business in the
electric railway field," he declared, "and
are eager to provide the best possible
service, but we can't operate under con-
ditions that will practically invalidate
our franchise. I have heard of the
Council's action and don't think we can
operate successfully under those condi-
tions."

Mr. Stevens is expected to make an-
nouncement with reference to the ex-
tension of the United Electric line toward
Tillamook, which work has been in
progress for some time. It was for the
purpose of arranging to let the contracts
for some of this work that he went
East, it was stated at the time he left.

Other policies already undertaken by
the Hill system are also pending further
moves by the company, so it is with much
interest that the local railroad field
watches any possible street plan that may
be the result of the conference which Mr.
Stevens attended.

The action of the City Council in re-
quiring the cars on the loop to stop at
all street intersections developed dur-
ing Mr. Stevens' absence, and was
brought about, it is understood, by the
appeals of merchants and others who
thus desired to secure whatever patron-
age would accrue from having passen-
gers unloaded near their respective
stores. The traveling public, it is un-
derstood, was not a party to the petition.

Rapid Service Company's Aim.

The company has been planning the
loop service for some months and has
been granted the franchise for the oper-
ation of the cars over these streets.

The ultimate object, it is understood,
is to form a physical connection between
the Oregon Electric and the United Rail-
ways.

Officials of the company have declared
that the interurban aims principally to
provide rapid and easy connection be-
tween the several towns it serves, and
that if they are required to stop their
cars at every street corner this object
will be defeated in the time it takes up.

OFFICIAL REFUSES PROMOTION

Railroad Man Prefers to Remain in
Portland at Less Pay.

Because he prefers his position in
Portland to a promotion with offices in
an Eastern city, Frank R. Johnson will
continue as the passenger agent for the
Canadian Pacific Railway here.

At the recent meeting of officials Mr.
Johnson was offered the agency of the
road in one of the large offices of the
East with a substantial increase in sal-
ary as an inducement for him to make
the change, but he declined to move, ex-
pressing his partiality to Portland and

his congenial associations here as the
cause.

Mr. Johnson returned yesterday from
a trip to Seattle, Vancouver and other
cities on the Sound and announced his
determination to remain here.

"I think Portland presents a better
opportunity for the future than any other
open on the Coast," he said. "Even
with the knowledge that I may be re-
quired to stay here the rest of my life,
I prefer it to any other place in the
country."

BOX CARS FOR AUTOS READY
Great Northern Puts Especially-
Built Freighters in Service.

In response to demands of the local
automobile trade the Great Northern re-
cently installed 1900 especially-con-
structed freight cars for use out of
reach their destination is to start the
engines, run the machine out on the
gantry and ride away.

Some of the cars are constructed with
open ends, the machines may be run
out on their own wheels. Others have
double side doors and also permit the
autos to be moved without trucking.

In many instances the automobiles to
be set up complete at the factory, backed
into the cars and prepared for immediate
service. All that is necessary when they
reach their destination is to start the
engines, run the machine out on the
gantry and ride away.



A
Royal Baking
Powder hot-
biscuit is the
luxury of eat-
ing, the acme of
healthful food

ROYAL
Baking
Powder
Absolutely
Pure
The absolute
protection of
our bread, bis-
cuit and cake
from alum is
in the use of
ROYAL Baking
Powder only.
The only baking
powder made
from Royal Grape
Cream of Tartar.

been used to give light for the theft
was found near the safe. The thief
took out the light wooden partitions
of the safe and carried away the metal
cash boxes containing the money, mak-
ing his exit as he had entered.

The safe stands close to the bar, and
the police believe that some person
with good eyes and a deliberate in-
tent to rob the safe, stood at the bar
at some time when Bus was opening
it and noted the combination.

Two saloons were broken into Sun-
day night by persons apparently more
moved by thirst than avarice, as in
both cases nothing but liquors and
cigars was taken. The saloons are at
254 Gibson street and 414 East Morris-
son street.

The grocery store of T. H. Cawley,
649 Williams avenue, was broken into,
probably by boys. Nothing was missed
but a small quantity of candy and the
pictures of baseball players from 49
packages of cigarettes.

A prowler made an attempt upon the
home of Mrs. Emma M. Lindon, 381
Hollay street, but was frightened
away.

IMPERSONATOR DUE SOON

Montaville Flowers to Appear Thurs-
day for Alumnae Association.

Portland will be given opportunity
next Thursday evening to hear and
see Montaville Flowers, who is widely
known as a character impersonator.

Mr. Flowers will open the Collegiate
Alumnae lecture and entertainment
course at Masonic Temple. He will
appear in one of his greatest successes,
Dickens' "A Christmas Carol."

A Richmond, Indiana, paper in
speaking of "A Christmas Carol," said:
"Mr. Flowers demonstrated beyond
the shadow of a doubt that he is the
great artist he is reputed to be, and
is able to master his audience with

humor, pathos and tragedy, all in one
breath."

As has been announced, this enter-
tainment course is expected to add
materially to the scholarship fund for
girls, in which the Alumnae Associa-
tions are interested. Course tickets for
the eight attractions may be had un-
til Thursday. Single tickets for each
attraction will also be sold.

Scotland Yard has more than 100,000
finger prints of convicted criminals, and
so perfect is the system that the finger
print of any convict who is passed through
the department can be identified within
minutes.

SAFE ROBBED OF \$1000

BURGLAR SEEMS TO HAVE
KNOWN COMBINATION.

Saloonkeeper Finds Himself Impov-
erished by Opening Safe Under
Customers' Eyes.

A burglary, in which there is an un-
usual degree of mystery, was reported
to the police yesterday morning by
Charles Rua, proprietor of a saloon and
chophouse at 91 North First street.

Rua says he put in the safe \$500 in
gold, \$150 in silver and \$250 in paper
currency about 8 o'clock Saturday
evening. When he opened the safe
yesterday morning the money was
gone. Search of the premises showed
that someone had entered the place by
using a pass-key, and evidently worked
the combination of the safe, as neither
door nor fastening about the place
was disturbed. A candle which had

Some
Facts
About
Alcohol

Is alcohol a tonic? No!
Does it make the blood pure? No!
Does it make the blood rich? No!
Does it strengthen the nerves? No!

Ask your doctor if this is not true.

Is Ayer's Sarsaparilla a tonic? Yes!
Does it make the blood pure? Yes!
Does it make the blood rich? Yes!
Does it strengthen the nerves? Yes!
Entirely free from alcohol? Yes!

Alcohol, or no alcohol! Let your
doctor decide. He knows. Trust him.

J. C. AYER COMPANY, Lowell, Mass.

FREE
OUR ANNUAL POPULARITY CONTEST
Prizes to be Awarded as Follows:
1st—This large cabinet grand upright piano in beautiful San Domingo mahogany or magnolia burl walnut case.
2d—Fine mahogany chest of silverware containing 32 pieces.
3d—Mahogany or oak chest of silverware, 26 pieces.
4th—One case 12-piece silverware.
5th—One three-piece silver toilet set.
6th—Three-piece carving set.
7th—One gold-plated clock.
8th—One violin.
9th—One guitar.
10th—One mandolin.
SEE OUR WINDOW DISPLAY OF THESE VALUABLE PRIZES.
And to each and every one sending in a correct answer will be given a NICE MUSIC SOUVENIR ABSOLUTELY FREE, also a piano manufacturers' check for \$50 upwards, according to merit, to apply on the purchase price of any new piano.



Graves Music Co.

LEADING MUSIC DEALERS
111 Fourth Street Portland, Oregon

There Are Six Faces in This Picture—Can You Find Four of Them?

DIRECTIONS—Trace out the lines of each face on this or a separate sheet of paper, and mark them, 1, 2, 3, etc.

The 10 nearest correct answers will be given the awards above mentioned in the order named. Each contestant to abide by the rules. The decision of the Judges to be final. In case of a tie, prizes of similar value to be given to each contestant. Professional artists and music trade employes barred. All answers must be mailed or brought in to us by Wednesday, November 16, 1910, at 6 P. M.

Be sure your name and address is plainly written on your answer, and send to CONTEST DEPT., Desk O.

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J. C. AYER COMPANY, Lowell, Mass.

HOTEL DEL MONTE
125 MILES FROM SAN FRANCISCO
The Paradise of the Pacific
WHERE IT IS ALWAYS SUMMERTIME
OFFERS MORE TO DO AND MORE TO SEE
EVERY DAY IN THE YEAR
THAN ANY OTHER RESORT IN THE WORLD
Mild and healthful climate. Winter temperatures 45 to 65 degrees
only. Unexcelled for golf on the finest 18-hole all grass golf course in
America, within three minutes' walk of the hotel. Motoring over 40
miles of magnificent scenic boulevards over mountains, through pine forests
and beside the sea. Bathing, sailing, deep sea fishing, tennis, horseback
riding, and all other outdoor sports. Perfect service—unequaled table.
Address H. R. WARNER, Manager.
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