VERDICT REACHED IN ETTOR TRIAL

Jury Agrees One Hour After Judge Goes Home—He Refuses to Return.

FINDINGS REMAIN SECRET

Court's Instructions Are Ettor and Giovannitti Can Only Be Convicted in Second Degree or Acquitted—Caruso Case Different.

SALEM, Mass., Nov. 25.—The fate of Joseph Ettor, Arturo Giovannitti and Joseph Caruso, charged with responsibility for the murder of Anna Lopizzo in a strike riot at Lawrence last Winter, was reported tonight to have been determined by the jury which tried them, but the verdict will not be known until tomorrow.

Less than an hour after Judge Quinn had left the courthouse at 6 o'clock tonight, with the announcement that he would not receive a verdict until tomorrow, the jurors filed from their room and went to their hotel for supper. After supper they retired to their rooms and the report spread quickly that a verdict had been reached. Judge Quinn, it was declared, had been informed of the report, but he did not alter his decision not to accept the findings of the jury tonight. When the jury left the courthouse it had been deliberating five hours.

Hopes of Verdict Futile.

Officers of the court, attorneys interested in the case and friends of the accused remained about the courthouse until a late hour, but hopes of a verdict were unrewarded.

Late tonight it was rumored that Judge Quinn might open court at an early hour to receive the report of the jury.

The case was given to the jury after Judge Quinn had delivered a long charge, in which he gave the instruction that neither Ettor nor Giovannitti could be found guilty of murder in the first degree.

"The evidence relating to these two defendants," said the court, "does not warrant conviction for murder in the first degree, because it is not contended that either premeditated the death of anyone."

For Caruso the instructions did not preclude the electric chair. Should the jury find him guilty of participation in the fatal riot, the court charged, it might find him guilty of murder in the first or second degree.

Hope Held for Caruso.

A hopeful instruction for this prisoner, however, was that the jury in order to adjudge him guilty of first degree murder must be satisfied that he or his confederates acting with him premeditated taking a human life.

The instructions also eliminated the possibility of a verdict of manslaughter against any of the defendants. The very nature of the indictments precluded such a verdict, the court asserted. Ettor and Giovannitti must be found guilty of murder in the second degree or acquitted.

Hundreds of friends and sympathizers of the defendants were in Salem today, walking the streets near the courthouse until long after dark. One man, who refused to move from the courthouse entrance when ordered away by the police was locked up on the charge of obstructing the sidewalk. His arrest did not appear to anger the crowd and there was no demonstration when the prisoner was taken away.

Police Held in Reserve.

Throughout the day and night the streets near the courthouse were patrolled and a reserve force was held on duty.

The prisoners were taken from the courthouse to the jail as soon as the jury retired. Giovannitti, just before he left, received a cablegram from his mother in Italy, a message of cheer and a mother's blessing. When he had read it he showed it to Ettor and then to their attorneys.

PLOT THEORY IS ASSAILED

(Continued From First Page.)

ing was blown up, when you and James B. were hunting in the woods in Wisconsin, you say he admitted to you that he deliberately killed the 21 persons, that he was a printer and that he knew he would kill some one when he put the bomb in the Times building, and yet you continued to associate with him?

"Yes, I did."

McManigal had said that when J. J. McNamara, secretary of the union, planned "wholesale explosions," including the blowing up of the Los Angeles City, he was afraid the executive board would cut off his allowance.

"Now, you say McNamara, in order to get more money, proposed to steal $150,000 by killing the treasurer of the automobile races at the speedway in Indianapolis, and yet you still kept company with these men who planned the murder?"

"Yes, I did."

McManigal Tells of Payment.

McManigal told in detail how much he was paid for each job.

"When you caused the explosion of the Llewellyn Iron Works in Los Angeles on December 25, 1910, how much did you charge for it?"

"I got $525, which included my expenses."

Other witnesses interrupted McManigal's examination.

Mrs. Sadie Maguire testified she was a neighbor in Chicago of the McManigal family. She said in November, 1910, the month after the Los Angeles Times explosion, at the request of Mrs. McManigal, she arranged with her uncle, Marion Sharp, of Kenosha, Wis., for McManigal to go on a hunting trip. When the hunters returned to Chicago, in January she said she went to a theater party, one of the members of the party being a man who answered J. B. McNamara's description.

She accompanied Mrs. McManigal and the latter's children to California after McManigal was taken there and on return to Chicago, she said, she placed the McManigal children in the care of Ed. Nockels, a labor union official.

Money Paid Mrs. McManigal.

Later she said she collected from R. H. Houlihan, financial secretary of the Chicago Ironworkers' Union, $25 a week to be paid to Mrs. McManigal, hearing Houlihan on one occasion say to Mrs. McManigal, "I'll give you $25 while this is going on."

Marion Sharp told of the hunting trip near Conover, Wis., saying McNamara was one of the party.

George W. Caldwell, member of a firm of contractors, had explosions on his works at Columbus, Ind., and Omaha, Neb. Hockin visited him at a hotel under construction at Tulsa, Oklahoma.

"I told Hockin I had enough of him and McNamara at Omaha and I would not unionize the job," said Caldwell. "He replied that they would get even with me. The work later was unionized.

"Frank K. Paynter, business agent at Omaha, had told us we would have to unionize the job at Omaha, but we did not, and the work was dynamited."

David J. Manning, a police official at Springfield, Mass., said that when dynamite was exploded in the tower of the Municipal building, there was one of the prisoners in a nearby station injured.

Plot to Blow Up Locks Told.

Witnesses testified concerning wholesale explosions which the McNamaras were alleged to have contemplated, but which were prevented by the arrest of the dynamiters at Detroit and Indianapolis in April, 1911. The explosions contemplated, as told by witnesses, were:

To blow up the locks of the Panama Canal.

To blow up a building in Pittsburg occupied by officials of iron and steel contractors who employed nonunion men, and also to blow up offices in other Eastern cities.

To blow up the aqueduct and waterworks at Los Angeles.

To blow up a sleeping-car to get rid of a stenographer formerly employed by the Iron Workers Union, because she knew too much.

Los Angeles Threatened.

"I'll blow the whole town off the map; the people will think there has been another earthquake similar to San Francisco," said J. B. McNamara, discussing the campaign he expected to make at Los Angeles, according to Ortie McManigal.

An assertion by McManigal that he was urged to go to Panama by J. J. McNamara as a dynamiter previously had been referred to by District Attorney Miller as one of the revelations to be made at the trial.

No action was taken by the court on the Government motion to increase the bonds of six more of the defendants.

"Tell what, if anything, you and the McNamaras said about blowing up work on the Panama Canal," said District Attorney Miller.

Plan Is to Steal Dynamite.

"In April, 1911, in Indianapolis," said McManigal, "J. J. said the McClintic-Marshall Construction Company, a nonunion concern, had two years' work on the Panama Canal and he wanted to go there. He said I should go to Panama and enlist as a soldier, as I already had served in the Spanish-American war. I asked him if he expected me to take nitro-glycerine to Panama. He said, 'No, the McClintic-Marshall people have great stores of dynamite down there. You can watch your chance to steal it. Put a wagon load in each lock.'

"I didn't take much to the Panama idea, and told J. J. so, but he insisted he would take it up later. J. B. said at that time he had more work on the Pacific Coast.

"He said he was going back there with an arrangement to set off bombs by touching an electrical current miles away. He said, 'I'll go out to Los Angeles and undermine the acqueduct and the waterworks. Then put bombs at various parts of the city and blow the whole town off the map. The people will think there has been another earthquake, similar to the one at San Francisco.'"

LEWISTON 4 RELEASED

THREATENING LETTERS MADE PUBLIC BY SHERIFF.

Davis Brothers, of Spokane, Have Failed to Make Appearance, Due, It Is Believed, to Death Threat.

LEWISTON, Idaho, Nov. 25.—(Special.)—As a result of alleged threats on the lives of Frank and Charles Davis, of Spokane, recently appointed by Sheriff Click, of this county, to assist in the prosecution and arrest of parties alleged to have been dealing illicitly in the traffic of liquor in Lewiston, a Prohibition district, the cases preferred against Grace Freeman, J. B. Rice, A. M. Miller and Frank Eastman, charged with disposing of liquor in a Prohibition district have been dismissed in the District Court.

The Davis brothers, who some months ago were secured by the Sheriff's office to investigate the alleged conditions, have failed to make their appearance in the court, and it is believed by the Sheriff that it is due to threats which are alleged to have been made by Lewiston parties in anonymous letters and communications to them.

Letters have been received from Frank Davis by Sheriff Click, but until today were not made public. They contain statements that Davis has received from Lewiston letters which state that if he attempted to leave Spokane that he would be "picked" before he arrived here and that he never would be able to testify in these liquor cases, and if necessary there would be an occurrence which would duplicate the Hillsboro case in Virginia by entering the courtroom to "get the Davis brothers."

Not only were these men threatened, says the letter, but also the life and character of Judge T. C. Steele, who would sit in these cases.

PORTLAND MAN IS WINNER

Carl Waldman to Be Second Lieutenant in Artillery Corps.

OREGONIAN NEWS BUREAU, Washington, Nov. 25.—Carl A. Waldman, of Portland, has passed the examination for Second Lieutenant in the Coast Artillery Corps.

He will be commissioned in that branch of the service in a few days.

WRECK CAUSES EXPLOSION

(Continued From First Page.)

and the powder explosion followed.

William Doyle, a rancher, had been on the train, but jumped off for some reason just before the disaster. He sent word to Bandon and the Seeley-Anderson Logging Company and rescuers started out. The accident was back from the river where the road terminates, and the scene of the accident was reached with difficulty.

The victims were pinioned under the wreckage of the train and logs. The injured were taken to the hospital at Bandon. The bodies of the fireman and engineer have not yet been recovered.

The explosion of the powder could be heard for miles. Brakeman Anderson was a brother of Nonda Anderson, who, it was at first reported, had been injured. He some time ago bought out Seeley's interest in the company and was managing the contract for getting out the logs under the firm name of Seeley-Anderson Logging Company.

McDowell, who was killed, came from the East, and was well known in the county, having worked for other firms here. Rose belongs to a well-known Myrtle Point family.

Change of entertainment at the Louvre. Philip Pelz and Russian Court Symphonic Orchestra; Mrs. Philip Pelz and Helen Horn, singers. Nightly, 6 to 8 and 10 to 12.

FISHER LISTENS TO RESERVOIR DISPUTE

San Francisco's Right to Use Hetch-Hetchy Valley Up at Washington.

RESIDENTS ARE DIVIDED

Hearing Based on Order of Ballinger Three Years Ago Directing City to Show Why Permit Should Not Be Revoked.

WASHINGTON, Nov. 25.—Representatives of the leading National organizations for the preservation of National parks and scenic beauties were represented today at the opening of the hearing before Secretary Fisher involving San Francisco's right to use the Hetch-Hetchy Valley in Yosemite National Park as a reservoir for its water supply system.

The hearing, in which the advisory board of Army engineers sat with Secretary Fisher was based upon Secretary Ballinger's order of nearly three years ago, directing San Francisco officials to show cause why Secretary Garfield's permit of 1908 should not be revoked. The Garfield permit was based upon stipulations to be agreed to, but the city stipulated that it would first develop the Lake Eleanor water supply, before beginning in the Hetch-Hetchy Valley.

Prominent Persons Present.

At the hearing today were Mayor Rolph, ex-Mayor Phelan, City Attorney Long and other representatives of San Francisco; President J. Horace McFarland and Secretary D. B. Watrous, of the American Civic Association; E. A. Whitman, of Boston; Dr. William F. Bade, of Berkeley, and Miss Cora Fay, of Boston, representing the Society for the preservation of National Parks; Alden Sampson, of New York, and J. W. Morse, Boston; Sierra Club, Robert Underwood Johnson, editor of Century Magazine; Representative Needham, of California, representing San Joaquin Valley interests; E. J. McCutcheon, representing the Spring Valley Water Company, which holds the present city water contract; S. T. Mather, representing the Chicago Geographic Society, and other interested parties from various cities.

To the question of scenic preservation of the park, raised almost at the beginning of the hearing by President McFarland, of the American Civic Association, Secretary Fisher replied that there was a "very natural feeling that the camel ought not to be allowed to put his head in the tent."

Secretary Fisher defined the points at issue as follows:

Whether San Francisco had another practicable source of water supply and whether through giving the use of the Hetch-Hetchy Valley, the Government would ultimately be compelled to give up other portions of the Yosemite National Park to protect the water supply from contamination.

Beauty to Be Unmarred.

City Attorney Long, of San Francisco, declared the project would not interfere with the scenic value of the park, nor with tourist privileges. Mayor Rolph and others said the project would furnish the water for all the communities on both sides of San Francisco Bay without spoiling the beauty of the National Park.

Robert Underwood Johnson caused a flurry of interest by attacking Secretary Fisher's authority to issue a permit. Mr. Fisher responded that the authority of the department was ample.

G. C. Whipple, of New York, who has made analysis of water supply from the Sacramento to the Penobscot, contending that virtually there was no danger to the city from contamination of sewage disposal in the Hetch-Hetchy, declared protracted stories of water, as in the impounding proposed the Hetch-Hetchy basin was practically as efficient as filtration. He admitted, however, that some time between now and and the year 2000 the Hetch-Hetchy water would have to be filtered.

Regulations Are Discussed.

"I believe," said he, "that eventually all sources of city water supply will be filtered."

Much of the discussion during the afternoon was regarding the regulations that might be necessary for sanitary protection of the watershed. Secretary Fisher asked Mayor Rolph if, in view of Mr. Whipple's statements, the City of San Francisco would feel satisfied to have no regulations to the sewage and bathing at the fount of the metropolitan water project. The Mayor said the city would be satisfied with whatever regulations the Secretary of the Interior deemed best to issue.

Mayor Rolph read a number of messages showing the co-operation of the City of Alameda and other smaller communities in the water supply plant.

The hearing will be resumed tomorrow.

ESTACADA PAVILION BURNS

Park Building Owned by Railway Company to Be Replaced.

ESTACADA, Or., Nov. 25.—(Special.)—Fire of mysterious origin totally destroyed the Estacada Pavilion, the property of the Portland Railway, Light & Power Company, which owns the city park. The loss was about $2000, covered by insurance.

Flames were discovered in the rear of the building about 8 o'clock this morning. The fire department might have saved the structure, had not the hose broke. It was necessary to lay 1200 feet to the nearest hydrant. A piano was moved out before the roof fell. Residents across the river say they saw two men running away from the building about the time the alarm was given.

The pavilion was built by the Portland Railway, Light & Power Company about six years ago, and was one of the attractions of the park. The company, it is understood, will rebuild at once.

To root out deep-seated COUGHS COLDS and BRONCHITIS TAKE SCOTT'S EMULSION It increases human strength and resistance.

A Gift of Lasting Usefulness and Unequaled Beauty.

The wise gift-seekers who seek articles of unusual merit—yet who buy shrewdly—who want better than usual values—will attend our

Sale of 1000 Oriental Rugs

For here in plentiful profusion of choice are the rarest specimens of the most useful art that has to do with home beautifying.

Our usual guarantee is back of every rug—it is **not** withdrawn on account of the low sale prices.

Atiyeh Bros.
10th and ALDER STREETS

BRESNAHAN NOW OUT

ST. LOUIS' OWNER SAYS HE DID NOT TRY HARD.

Mrs. Helen R. Britton Also Asserts That Team Did Not Make as Much Money as in 1911.

ST. LOUIS, Nov. 25.—Roger Bresnahan was unconditionally released as manager of the St. Louis National League baseball team by Mrs. Helen R. Britton, principal owner of the team, who did not think he tried hard during the year and because the team lost money, according to a letter Bresnahan's attorney prepared today to submit to the directors of the National League.

The letter gives Bresnahan's side of the final conference and quotes Mrs. Britton as follows:

"I have decided to make a change in managers and will not need your services any more. I feel that you have not tried hard during the past year. The club has not made nearly as much money as it did in 1911. You do not seem to take much interest in the club."

The letter also gives President Jones of the club authority for the statement that the club earned $15,000 this year. Jones offered Bresnahan $2500 for his contract, which calls for $10,000 annually and 10 per cent of the profits. Jones, however, the letter continues, refused to pay Bresnahan his percentage of this year's profits unless he would surrender his contract, which has four years to run.

"HUMAN BOMB" IS HELD

Bond of Los Angeles Prisoner Is Placed at $20,000.

LOS ANGELES, Nov. 25.—Carl Riedelbach, alias Carl Warr, the "human bomb," was bound over to the grand jury today by Police Judge Williams, and a few moments later the grand jury was investigating the case. Riedelbach's bond was fixed at $20,000.

Riedelbach was not represented by counsel. However, he appeared to take a deep interest in the hearing, and frequently interrogated the witness. At the request of Chief Sebastian, Riedelbach made an accurate drawing of the infernal machine with which he caused a panic at the central police station last Tuesday. He declared several times that he had no intention of exploding the machine, but that he was "bluffing."

An indictment against Reidelbach is expected tomorrow.

Sheep Thieves Kill Deputies.

ALBUQUERQUE, N. M., Nov. 25.—In a pitched battle with a band of sheep thieves Saturday night at San Isidro, 45 miles from Albuquerque, Pablito Pucero and Manuel Urchuleta, Deputy Sheriffs, were instantly killed, and Moses Abousleman, a wealthy sheep raiser, was seriously injured.

Schwartz Awarded $3000.

CHEHALIS, Wash., Nov. 25.—(Special.)—George L. Schwartz, a teamster, was awarded a verdict of $3000 damages in the Superior Court against the Northern Pacific Railway Company for a collision with his dray wagon at Prindle-street crossing some months ago.

The coal consumption of the world has just about doubled every ten years for the last century.

Thanksgiving Marketing

THE HOUSEWIFE who markets by telephone realizes the height of comfort and satisfaction. Crowded shops and other inconveniences are avoided by its use.

The up-to-the-minute store gives the same careful attention to telephone orders as is shown a customer at the counter.

Every merchant knows that this is the age of telephone buying—that telephone trade may be secured only by giving the best selections at the best prices and by delivering his goods with promptness and providing a clear track to all incoming calls with adequate telephone equipment.

SHOP BY TELEPHONE

The Pacific Telephone and Telegraph Company

A New Novel

The Net

By REX BEACH

A story so full of dramatic fire that it fairly snaps and crackles.

Tender love, scintillating humor, and the violence of unbridled passion, course neck and neck through every turbulent page.

Yet, when the tumult and the shouting die, one remembers only the story of a love so strong and pure and tender that it warms the very cockles of the heart.

Illustrated. Post 8vo, $1.30 net.

Harper & Brothers

TAKE ADVANTAGE TODAY
of our first
ANNIVERSARY SALE
of Fine Wines, Liquors, Etc.

FREE SOUVENIRS
Tuesday and Wednesday

Phone Your Orders—Free Delivery—Main 6737, A 7775

17-19 North First, Corner Burnside

ROSE CITY IMPORTING COMPANY

Thanksgiving Round Trips

VIA

OREGON ELECTRIC RY.

TICKETS ON SALE NOVEMBER 27 AND 28
RETURN LIMIT DECEMBER 2

Eugene	$4.50	Forest Grove	$1.00
Albany	3.10	Cornelius	.95
Salem	2.00	Hillsboro	.80
Woodburn	1.50	Beaverton	.50

Proportional Fares to Other Points

Observation Parlor Cars on Limited Trains.

Sleeping Car to Albany and Eugene on "The Owl."

First-class Coaches on all trains.

Schedules, rail, parlor and sleeping car tickets at CITY TICKET OFFICE, FIFTH AND STARK STREETS; NORTH BANK STATION, ELEVENTH AND HOYT STREETS; JEFFERSON-STREET STATION, FRONT AND JEFFERSON.

you can kick a football but you can't kick about your hat if you buy it from the knox agent

m. Sichel
331 washington street
imperial hotel bldg.