MRS. EATON WAIVES INSANITY DEFENSE

Prosecutor Reverses Usual Procedure by Asking Verdict and Commitment.

CASE IS GIVEN TO JURY

Counsel for Defense Paint Admiral as Villain Leading Double Life. State Says Woman Married Him for His Money.

PLYMOUTH, Mass., Oct. 30.—Mrs. Eaton was acquitted by verdict of the jury rendered at 5:10 o'clock this morning.

PLYMOUTH, Mass., Oct. 29.—The case of Jennie May Eaton, charged with the murder of her husband, Rear-Admiral Joseph G. Eaton, was given to the jury shortly after 6 o'clock tonight.

Various exhibits, including bottles of arsenic and letters written by Mrs. Eaton, were taken to the jury room to be considered by the jury, in accordance with the instructions of Chief Justice Aiken.

Almost the entire day was taken up with the argument of counsel, the charge of Judge Aiken occupying only half an hour at the end.

William A. Morse, counsel for Mrs. Eaton, spoke for four hours, drawing a picture of the defendant as a loving, self-sacrificing wife, entirely justified in her beliefs about her husband. She was a "martyr" and her only fault was that she "loved too much," her attorney declared, while he portrayed the Admiral as a man of double personality, one in whom corruption was concealed under the mask of gentlemanly bearing. He asserted that the prosecution had not proved a single count in its murder charge against Mrs. Eaton.

Defendant Demands Verdict.

"The accused woman," he said, "does not avail herself of any claim of insanity to avoid a condemnation, but bravely demands a verdict on the facts."

Mr. Morse argued that the evidence showed the death of the Admiral could not have been caused by an insane person.

District Attorney Barker, after outlining the evidence against the accused woman, asked that if the jury believed the defendant was irresponsible she be found "not guilty by reason of insanity."

"She is more dangerous that a rattlesnake, and there is no telling whom she may bite next if she is allowed her freedom," he added.

The District Attorney's argument occupied three hours.

After Judge Aiken had delivered his charge he gave the case into the jury's hands, announcing, however, that the jury might go to supper before beginning the deliberations. In his charge Judge Aiken said there were four verdicts possible—not guilty, not guilty by reason of insanity, guilty of murder in the first degree, guilty of murder in the second degree.

Insanity Means Commitment.

Judge Aiken explained that a verdict of "not guilty by reason of insanity" carried with it an order from the court committing the prisoner for life to an insane asylum.

In connection with a verdict of "murder in the first degree," the Judge said the jury must be satisfied that there was deliberate premeditation.

Judge Aiken commented on the fact that the Eaton case was unique in that the Government is the party contending that the defendant is of unsound mind. He said it usually was the defense that claimed insanity.

"Malicious intent must be proved, but a motive is not necessary," added the court.

The charge to the jury followed a bitter denunciation of the testimony of the defense by District Attorney Barker. After saying Mrs. Eaton was the only person who had opportunity to administer fatal arsenic doses, the District Attorney exclaimed: "Poison is a woman's weapon!" He continued: "Mrs. Eaton divorced her husband and married Admiral Eaton for his money and when that money was lost playing the stock market she reached a turning point which led the Admiral to his grave."

At 12:30 A. M. the jury was still out. Justice Aiken went to bed shortly before that hour. A small crowd remained in the courtroom.

SHOOT IS NOVEMBER 10

Bankers' Trophy Will Be Contested by National Guard Companies.

The annual competition for the trophy to be presented by the bankers of the state to the best company in marksmanship of the Oregon National Guard, as shown in a series of shooting matches has been arranged for the week commencing November 10, in general orders issued yesterday by Adjutant-General Finzer.

The trophy will be awarded to the company getting the highest percentage on a basis of 33 1-3 of the paper strength of the company at the date of the last muster. The winning company will retain the trophy for one year or until won by another organization in the annual competition. The ranges will be 200 and 500 yards, slow fire, 10 shots for each man at each range.

INSANE MAN OWN COUNSEL

Vancouver Contractor Loses Battle Before Jury.

VANCOUVER, Wash., Oct. 29.—(Special.)—L. J. Mintener, a prominent contractor and property owner of this city, was declared insane tonight, after conducting his own defense in the first insanity case ever heard by a jury in Clarke County. He frequently took exception during the proceedings and declared the Sheriff had illegally entered his home to place him under arrest on the insanity charge. Throughout the trial he referred to himself as "Mr. Mintener."

TRIBUTE PAID TO PENN

Anniversary Celebrated by ex-Residents of Keystone State.

Pennsylvanian throughout was the dinner served at the University Club last night to the men of the Pennsylvania Society of Portland, who celebrated the 231st anniversary of the landing of William Penn at Chester, Pa. Scrapple was the "piece de resistance," though that isn't exactly what they called it. There were the pepper pot "und pretzels mit dunkles," schmier kase, the apple butter, the fried tomato and chicken, Philadelphia ice cream and chocolate buds, and villainous strong stogies.

James F. Ewing and John F. Carroll were the principal speakers of the evening. Mr. Ewing declared that William Penn was the most progressive of the early settlers in America, and was centuries, almost, in advance of his contemporaries in religious tolerance, democracy and efforts at universal peace. The toastmaster, City Commissioner Dieck, called upon many other members of the society for impromptu speeches. Among these were: Wallace McCamant, W. L. Brewster, George Hazen, J. A. Currey, C. J. Schnabel, Edgar Sensenich, Frank Rigler, M. J. Malley and E. Hippely.

Officers of the society are: R. G. Dieck, president; J. A. Currey, first vice-president; G. A. Getz, second vice-president; C. R. Maloney, secretary; E. H. Sensenich, treasurer; W. J. Henderson and Wallace McCamant, committeemen. Those present were:

D. E. Bomgardner, W. H. Boyce, W. L. Brewster, Ed Brugger, C. E. Harteau, E. T. Carswell, J. A. Currey, J. F. Carroll, W. H. Crawford, E. B. Clark, Harry Dickson, Robert G. Dieck, William W. Dugan, A. D. Delcamp, James F. Ewing, W. L. Fulmer, Charles A. Fry, Charles F. Fisher, Rev. P. N. H. Fredricks, P. A. Getz, E. L. Getz, W. H. Galvani, George W. Hazen, William J. Henderson, Norman A. Hoose, J. Howard Haak, E. C. Haak, George H. Himes, J. L. Hartman, C. E. Henneberger, E. Clark Hall, James C. Hellig, Harry W. Heller, E. Hippley, A. W. Hinger, J. H. Joyce, G. G. Joyce, D. T. Kerr, William H. Kline, Frank Kerr, Samuel C. Kerr, Thomas W. Kerr, N. Levenson, O. E. Lutz, Alex M. Lupfer, Wallace McCamant, C. R. Meloney, R. C. Mish, M. J. Malley, William A. Markert, S. B. Martin, E. J. Mauta, R. S. Ovelman, B. S. Pague, W. P. Patterson, F. S. Post, C. A. Pague, W. H. Roney, W. D. Richards, A. C. Ruby, Frank Rigler, R. R. Rudolph, Thomas J. Swivil, T. W. Sharpe, E. H. Sensenich, L. J. Schrubb, Charles J. Schnabel, F. E. Taylor, F. S. Taylor, Calvin S. White, Charles L. Weidler, Alanzo D. Warren, Walter B. Warren, H. Dudley Young.

RIGHT-OF-WAY PLAT FILED

J. D. FARRELL RECORDS SURVEY FOR WEST COAST ROAD.

Vice-President O'Brien, of O.-W. R. & N., Says Action Does Not Mean Any Immediate New Work.

OLYMPIA, Wash., Oct. 29.—(Special.)—Right of way for a new railroad, the West Coast, across the state, cutting through the Cascades at Naches Pass, is snown in plats filed with the registrar of the Olympia Land office. J. D. Farrell filed the plats, leading to the belief that the proposed new line is an O.-W. R. & N. enterprise.

The right of way shown from Naches Pass westward follows the White River toward Seattle, providing a line closely paralleling the Northern Pacific and Milwaukee lines, but far enough to the south to allow a considerable shorter mileage on cross state-business.

"The filing of the plats is merely a matter of record," said J. P. O'Brien, vice-president and general manager of the O.-W. R. & N., last night when shown the dispatch from Olympia relative to the rumor of the construction of a proposed new road to be known as the West Coast.

"Our engineers have been at work on the old survey of the North Coast from North Yakima westward and the action at Olympia does not mean that a new road is to be built."

"Do you think the road will be extended?" was asked.

"No, it would be an expensive undertaking and one which is not contemplated at the present time I am sure," said Mr. O'Brien.

It is estimated that such a road constructed through Naches Pass would cost close to $20,000,000.

When asked what the terminal of such a road, if built, would be, Mr. O'Brien said:

"Seattle ultimately, for we have running rights over the Milwaukee. No, the road would not run parallel to the Milwaukee across the state, but would come into the Milwaukee at Auburn, Wash."

It is asserted that by recording this plat the O.-W. R. & N. is able to "bottle up" the old North Coast survey so that in time, when money is easier and construction is outlined, the Farrell road would have first and only right to such construction.

I.W.W. FORCE DWINDLES

THREE WOMEN ARRESTED AT STREET MEETING.

Crowd Expected to See Clash Only Witness Quiet Clearing of Streets by Police.

With several of their leaders in jail, a small delegation of women attempted to speak from a movable platform at Sixth and Alder streets last night. A large crowd assembled with the expectation of witnessing a brush between the police and I. W. W. adhherents, witnessed the arrest of Agnes Bean, Mrs. George Sanford and Lizzie Trente on charges of violating a traffic ordinance. The police handled the crowd quietly and soon had the street open to traffic.

The table to which castors had been attached was taken by the police to headquarters. After the customary "advertising" at Sixth and Alder streets an effort was made to deflect the crowd to Sixth and Ankeny streets, outside the restricted area.

The 15 agitators arrested Tuesday night during the near-riot at Sixth and Alder streets were taken into the Municipal Court yesterday and their bail fixed at $50 each. Henry Cullen, Leo Simmons and Nathan Beynon, arrested for taking a flashlight photograph of the crowd at Sixth and Ankeny, were released, Cullen on his own recognizance, while Simmons and Beynon produced the bond.

A. E. Anton, arrested for assaulting an officer, was fined $10, the light sentence due to the fact that he had a wife and four children, who would suffer if he went to jail. L. J. Vondres was fined $20 for the same offense.

Mary Schwab, Jean Bennett, Mrs. James Cloud, Mrs. I. Whittenberg, Selma Engstrom, Margaret Rice, Mary Hammer and Irene George were sent back to their cells in default of bail.

Mary Schwab's case will be called tomorrow and the rest will follow as fast as they can be handled. All the women demanded a separate trial.

WARDEN'S GUN EXPLODES

Game Protector in Lewis County Is Badly Hurt While Hunting.

CHEHALIS, Wash., Oct. 29.—(Special.)—Norton Wynn, chief game warden of Lewis County, was dangerously wounded while hunting today on the Hartman place, three miles east of Chehalis. Wynn had killed some quail and was in the act of firing again when the gun barrel burst, the charge of shot tearing a frightful wound into his left wrist and hand.

It is impossible to determine yet whether amputation may be necessary. The wounded man walked over a mile before securing passage to town in an automobile and was almost exhausted from loss of blood.

ALL TREATED ALIKE

Busch Will Equalize Advances Made to Heirs.

HOMES WILL GO TO WIDOW

Largest Charitable Bequest Is One of $50,000 to Home for Aged in St. Louis—Stenographer and Companion Get $10,000.

ST. LOUIS, Oct. 29.—The will of Adolphus Busch, filed here today, makes charitable bequests aggregating $170,000 to several St. Louis institutions, and places the bulk of the estate in trust, naming Mrs. Lilly Busch, Charles Nagel and August A. Busch as trustees.

The largest single charitable bequest was left to Altenheim, a local home for the aged. Twelve local charitable institutions, distinct from those mentioned in the memorandum to the family, received $10,000 each. All household property and effects, including paintings, statuary and jewelry, were left to Mrs. Lilly Busch, who also received the German estate.

A. A. Busch Controls Stock.

The trustees are instructed to vote all shares in the Anheuser-Busch Brewing Association as August A. Busch may direct.

The executors of the estate are authorized to make such donations from the estate to persons or causes as they may deem a direct or incidental benefit to the estate. The trustees have similar power.

In one section of the will Mr. Busch referred to the advances of money he had made to his children or for their account.

"It has been my desire to treat them with equal liberality," reads the will, "and solely that any inequalities that may now exist or may hereafter arise through the fact that advances made to one or the other may exceed the average account advanced, I have charged upon my private books such accounts as in my judgment should fairly be treated as advancements to be deducted upon distribution of my estate for the purpose of equalizing advances made during my lifetime."

The Busch homes in Pasadena, Cal., and Cooperstown, N. Y., are among the most costly residences in the United States. These are bequeathed to the widow. She also receives the mansion in St. Louis.

Alvina Clementine Berg, who received $10,000, was Mr. Busch's stenographer, and Mrs. Anna Schumann, the companion of Mrs. Adolphus Busch, received a like amount.

Private Charities Considered.

In addition to charitable bequests set forth in the will, Mr. Busch left a private memorandum requesting members of his family to make certain other donations, most of which are private in their nature. The attorneys, however, made public the names of eight St. Louis institutions which are to receive, under this memorandum, a total of $40,000.

The trust created by the will is to be disposed of as follows: One-eighth to the widow, Mrs. Lilly Busch; two-eighths to August A. Busch, the son and for several years active head of the Busch interests; one-eighth to be retained by the trustees for each of the daughters, Mrs. Nellie Loeb, of Chicago; Mrs. Edmee Reisinger of New York; Mrs. Anna Louise Faust, of St. Louis, Mrs. Clara von Gontard, of Berlin, and Mrs. Weihimine Scharer, wife of Lieutenant Edward Scharer, of the German army.

LIBRARY ASKS $153,598

Sum Contrasts With $452,455 Requested for Last Year.

Only $153,598.31 is asked this year for the public library, as compared to $452,455.18 last year, according to an itemized budget statement submitted to the County Commissioners yesterday by Miss Mary Frances Isom, librarian. The request will be referred to the advisory committee on the 1914 budget, which will meet Monday night to begin work on the county budget and the determination of the 1914 assessment.

This amount, Miss Isom says, was arrived at after a study of the monthly financial statements made to the Commissioners last year, with sufficient allowance for the growth and management of the library. This estimate includes all the expenses of the central library building, the branches, subbranches, deposit stations, new books, binding old books and all incidentals.

BROADWAY IS FAVORED

Judge Munly Denies That He Favors Name: "Seventh Street."

Judge M. G. Munly last night made a statement denying that he was in favor of changing the name of Broadway back to Seventh street on the West Side.

"I was one of the men who urged the City Council to change the name of Seventh street to Broadway," he said. "I believe the latter name should be retained. I will be present at the hearing of the Commisison to oppose changing the name back to Seventh street."

THREE HOLD UP LONE MAN

Sixty-Three Dollars Taken From Victim at Point of Revolver.

Gust Kirspolm, living at 6 Revere street, reported to the detectives last night that he had been held up at the point of a gun on Mississippi avenue near Russell street, and robbed of $63. He says three men stopped him, one thrusting a revolver in his face and warning him not to raise his voice.

Kirspolm says the men were Americans and fled in the direction of the railroad yards. He was unable to give descriptions of the trio.

Albert Schaefer Weds Miss Gram.

Albert Luther Schaefer and Miss Maybelle Gram were married at St. James English Lutheran Church last night. The ceremony was performed by Rev. J. Allen Leas, pastor of the church. Misses Myrtle and Alice Gram, sisters of the bride, were bridesmaids. Harry Swart, law partner of the bridegroom, was best man. Four-year-old Ronald Rudd, a nephew of the best man, dressed in white satin, acted as page. The ushers were Fred and Arthur Gram, brothers of the bride. After the wedding supper was served at the residence of the bride's parents, 362 Larrabee street, to the relatives. The young couple will travel for two months, after which they will make their home in this city.

Portland People in Chicago.

CHICAGO, Oct. 29.—(Special.)—The following from Portland, Or., are registered at Chicago hotels: Congress, G. D. Riley; Great Northern, F. B. Gillman.

Cabaret Beauties

Here you see

Fifteen of our twenty-five clever entertainers who, every evening

FROM 7:30 TO 12,

make life worth while at the

Cabaret Grill

Hear them in the latest songs and specialties, with first-class orchestra music.

COME

and see the crowd of all nations, enjoying itself in a quiet way; a sight of more than ordinary interest and long to be remembered. You'll enjoy the crawfish and other good things to eat and drink. Bring the ladies once, and they'll want to come again.

Cabaret Grill

Second *and* Burnside

MERCHANTS LUNCH 35c
With Entertainment from 11 to 2 o'Clock

TORTURE IS THEORY

Kiev Witness Says Murdered Boy Suffered Intensely.

TWO PERSONS INVOLVED

One Physician Supports Idea of Blood-Getting; Another Opposes It — Clew Against Woman Not Followed Up.

KIEV, Russia, Oct. 29.—The expert testimony of physicians occupied much of the day at the "ritual murder" trial of Mendel Beiliss, charged with having killed the boy, Yushinsky. The experts agreed that at least two persons were implicated in the actual killing of the boy, but were divided as to whether the prime object of the murder was the obtaining of as much blood as possible, and the infliction of torture.

The imperial court surgeon, Dr. Pavloff, combatted the theory of blood-getting, but admitted that the experts had little on which to base their theories, because of the incompetent manner in which the two post-mortem examinations had been made and the incomplete reports submited.

Dr. Tutanoff, of Kiev University, testified that at least two-thirds of the boy's blood had been drawn off. There were several lively tilts between Dr. Palvoff and M. Zamislovsky, counsel for the Black Hundred. The latter intimated on one occasion that the court surgeon was superannuated, but was crushed by the reply that the court surgeon now performs 400 operations annually.

Professor Kosorotoff, who supported the blood-getting and torture theory, was of the opinion that all the wounds except the stab through the heart were inflicted before death supervened. He had no reason to believe, he said, that Yushinsky had lost consciousness in the 15 minutes which probably elapsed between the infliction of the first wound and the completion of the crime. He must have suffered agonies and lost more than half of his blood, Kosorotoff declared. He added that the wounds did not appear to have been made with the four blunt awls found at the brick works where Beiliss was employed.

WELFARE MEET IS HELD

Restaurant Hours Are Not Broached as Yet.

Members of the Industrial Welfare Commission at a session yesterday took steps to make it clear that the impression that any attempt has been made by the Commission to include restaurant employes in its ruling prohibiting women in mercantile establishments in Portland from working after 6 o'clock P. M. is erroneous.

It was asserted emphatically that the Commission had not considered the case of restaurant employes, but had left that for a future conference to decide. Rev. E. V. O'Hara, chairman of the Commission, said that to require restaurant workers to stop work at 6 o'clock not only would be folly, but would be an impossible ruling in any event, because of the fact that no preliminary conference could be got together that would make such a recommendation. The Commission can base its rulings only on the recommendation of such conferences composed of employers, employes and representatives of the public.

In regard to night work in stores of Portland, the Commission also took action expressing its willingness to consider any reasonable plan that will bring about early closing gradually, instead of putting it into effect all at once.

A delegation of Salem merchants, headed by J. L. Stockton, president of the Oregon Retail Merchants' Association, attended the meeting. They expressed themselves as very cordial toward th entire work of the Commission and approved of all its rulings.

WIFE SLAYER HAAS DIES

WOUND INFLICTED ON SELF RESULTS FATALLY.

Last Days Are Passed in Straight Jacket to Prevent Attempts to Commit Suicide.

Charles Haas, slayer of his wife, Christina Haas, died at 11:35 last night at St. Vincent's Hospital from a bullet wound which he inflicted on himself on Wednesday, October 22, while in hiding from the police after fatally shooting his wife and slightly wounding William Heil, a friend of the family with whom the woman was seated at dinner at 490 East Emerson street on October 18.

Haas has been in a straightjacket for several days past. At the hospital he repeatedly made attempts to die by tearing away the bandages from his wound.

The police had kept him constantly under guard at the hospital. Tuesday night he showed symptoms of a relapse. Yesterday he called for an attorney, presumably to make his will, but was too weak to make any statements.

Haas was 43 years old and was a meatcutter. His wife had left him a few days before the shooting because of threats he made against her.

Woodmere Wants New Department.

Woodmere Parent-Teachers' Association has asked for a domestic department for the Woodmere school. The meeting which was to have been held Wednesday night in the Woodmere schoolhouse to urge adding this department was postponed because the directors could not attend. Public notice will be given when the meeting will be held.

Election Topics Discussed.

A large and enthusiastic meeting was held last night under the auspices of the Oregon Citizens' Educational League at the North Portland Branch Library. Miss Alice Nugent presided, and introduced Mrs. Abigail Scott Duniway, who told of the value of the university and urged the women of the state to support the university by voting yes on No. 300 and 302. B. F. Irvine, regent of Oregon Agricultural College, said that the continued use of the referendum against the university appropriations would keep desirable people from coming to Oregon. J. H. Nolta and M. A. Miller spoke for the bridge. The University Quartet responded to several encores.

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WHEN the events of Hallowe'en "are on" and the festive crowds go merry-making, the sideboard is never quite complete unless there's present a little mellow, old

Golden Wedding
Bottled in Bond WHISKEY

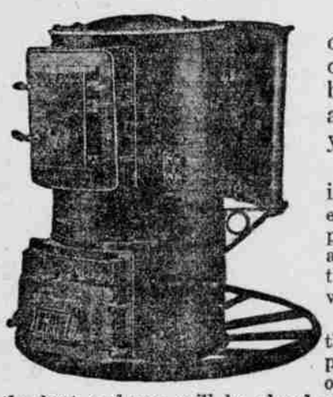
This choice, sun-ripened, wonderfully-flavored whiskey, distilled under strict government supervision, and made according to a special formula, is not only welcome to-day in millions of homes, but is gaining new friends at a rate impossible to a product not distinguished for exceptional merit.

Full Quart

You prefer Golden Wedding because there's something captivating in the taste and effect which you don't get in other whiskies. It is

"Made Differently."

It's False Economy



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Big Reductions in Art Dept.

All Baskets, Dresden, Antique Gold and Sweet Grass—½ Off

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Splendid opportunity to select your Xmas gifts now at big savings.—Second Floor.

ELY'S CREAM BALM OPENS CLOGGED NOSTRILS AND HEAD—CATARRH GOES

Instantly Clears Air Passages; You Breathe Freely, Nasty Discharge Stops, Head Colds and Dull Headache Vanish.

Get a small bottle, anyway; just to try it. Apply a little in the nostrils and instantly your clogged nose and stopped-up air passages of the head will open; you will breathe freely; dullness and headache disappear. By morning the catarrh, cold-in-head or catarrhal sore throat will be gone.

End such misery now! Get the small bottle of "Ely's Cream Balm" at any drug store. This sweet, fragrant balm dissolves by the heat of the nostrils; penetrates and heals the inflamed, swollen membrane which lines the nose, head and throat; clears the air passages; stops nasty discharge and a feeling of cleansing, soothing relief comes immediately.

Don't lay awake tonight struggling for breath, with head stuffed; nostrils closed, hawking and blowing. Catarrh or a cold, with its running nose, foul mucus dropping into the throat, and raw dryness is distressing, but truly needless.

Put your faith—just once—in "Ely's Cream Balm" and your cold or catarrh will surely disappear.—Adv.