

McNARY LOOKS TIED WITH BENSON

Harney County Takes 9 Votes From Klamath Man and Gives Salem Man 1.

LEAD OF 10 IS WIPED OUT

Three or Four Precincts Show Signs of Error, Manager Declares—Settlement of Question by Lot Seriously Considered.

And now another complication has gone and twisted up, worse than ever, the already tangled recount contest between Judge Henry L. Benson, of Klamath Falls, and Judge Charles L. McNary, of Salem, opponents for one of the four Republican nominations for Justice of the Supreme Court.

Returns from two recounted precincts in Harney County last night made the vote for each exactly a tie. As these were the two last precincts of the batch of doubtful precincts through the state in which the vote was checked over, a tie it seems likely to remain, unless it develops that the checked figures also are in error. It would not be the first instance in this recount in which recounted figures have, in turn, been recounted and revised.

This message was received by The Oregonian last night from Burns, county seat of Harney County:

"Result of recount in two precincts in Harney County finished here today was a gain of 10 votes for McNary in Lawton precinct, from which none was returned for his tally sheet. The recount found him entitled to nine votes, and, in North Burns, where Benson had been credited with 31 votes, Benson was found entitled to only 22."

Benson Loses 9, McNary Gains 1.

The official figures on the recount up to that time, not including the Harney County recount results, published in The Oregonian on Tuesday, showed Judge Benson to be in the lead by 10 votes. His loss of one vote in Harney and Judge McNary's gain of nine, makes the latter's net gain 10 votes, thus bringing the tally square.

Arthur C. Emmons, who is representing Judge Benson in the recount, had considered the possibility that Judge McNary would be awarded the nine contested votes in Harney, which would have given Judge Benson a majority of one vote in the state, but the loss of the additional Benson vote was a surprise.

In any event, Attorney Emmons said last night, the contest will not be decided until after August 1. The stipulation signed by Judge Benson and McNary, he explained, provided that, if either one of them wants to have other doubtful tally sheets checked in the county seat of any county and compared with the official count, up to August 1, either one may do so.

Three or More Precincts Doubtful.

Mr. Emmons said that there were at least three or four more precincts in different parts of the state where there were strong indications that the official returns had been in error. Now that the vote appeared to be a tie, he added, they probably would be checked over with the duplicate tally sheets.

Should the vote for the two contestants remain a tie, as it now appears to be, the result would have to be settled by drawing lots. Secretary of State Olcott explained the procedure over the long-distance telephone last night.

Law Provisions Drawing Lots.

"Such a contingency is covered by chapter 294 of the session laws of 1913, on page 292," said Mr. Olcott. "The law provides that, at a date set by the Secretary of State, the contestants in the election shall appear before the Secretary and draw lots for the nomination. This procedure was followed recently in the cases of several candidates for the Legislature whose names had been written in on the Progressive or Democratic ballots for the nomination. I do not recall any instance, however, where the contestants were important an office as Justice of the Supreme Court has had to be settled in this manner."

So far as any official knows, there never has been a contest for an important state office that parallels the one between Judges Benson and McNary. When the contestants in the election were compiled, first one and then the other was shown to be in the lead. The complete unofficial figures gave Judge Benson a majority.

This was reversed by the first official count, which gave Judge McNary a majority of 13. There was so much doubt as to the correctness of the returns in many precincts, however, due apparently to the carelessness of election officials in compiling the results, that the two jurists who have remained the best of friends through the nerve-racking affair, made their stipulation for rechecking the results in such precincts.

Even this rechecking proved in error in some cases and the check itself had to be rechecked. Finally, Judge Benson appeared to have a majority of 10 votes. Now this has been cut down to a tie and the end is not yet.

Still another complication is possible, though Secretary Olcott said last night that he did not believe it would occur, it seems that, because of the mechanical difficulties involved in the printing of the ballots, candidates who were officially all the counties, except Multnomah, ignored the law providing for rotation of names on the ballots whenever five or more candidates were seeking nomination to the same office. There were eight contestants for the four Republican nominations for Justice of the Supreme Court.

As Judge Benson's name, beginning with "B," thus appeared before that of Judge McNary in alphabetical order on the ballot, it is contended that he thus was favored to some extent in the vote, and that Judge McNary might have grounds to contest the election in court, should he be defeated.

Secretary Olcott said that the County Clerk of Marion County had asked the Attorney-General for an opinion on this section and the Attorney-General has said that names should be rotated, but that the question of the legality of this law was still unsettled and he did not think speaking offhand that it would become one of the factors in the contest.

Judge Benson and Judge McNary are among the best known jurists in the state. Judge Benson is Circuit Judge of the Thirteenth Judicial District, comprising Klamath and Lake counties, and is now on the bench at Klamath Falls. Judge McNary is a member of the Supreme Court, having been a candidate for re-nomination.

The term "recount" in connection with the contest is, in a way, a misnomer. No ballots have been actually recounted. What has been done is to check over certain of the official tabulations for errors and in some cases to compare the original tally sheets with duplicates kept by the election judges.

ATLANTA WOMAN WHO WROTE MOTHER SHE INTENDED TO KILL BROTHER AND BROTHER SHE MENTIONED.



ABOVE—MRS. ELOIS DENNIS, FOR WHOM COUNTRY-WIDE SEARCH IS BEING MADE. BELOW—MARSHALL NELMS.

WOMEN ARE ELUSIVE

Two Observed at Gulfport, Miss., but They Escape.

SAN ANTONIO HAS CLEW

Search for Mrs. Dennis and Her Sister, Mrs. Nelms, Productive of Conflicting Results—Baby Treated in Texas.

ATLANTA, Ga., July 15.—Developments in the search for Mrs. Elois Nelms Dennis and Miss Beatrice Nelms, formerly of Atlanta, as reported to the police here today from various places, were conflicting.

At one point, Gulfport, Miss., two women were under surveillance by the police for a time, but finally eluded observation. It was said they left in a launch. Officers and others who observed the two women along the Gulf Coast the last few days said they bore strong resemblance to photographs of the missing women.

Child Treated in Texas.

From San Antonio, Tex., word came that the child of a woman who gave her name as Mrs. Dennis was treated at a hospital. The police continued to maintain that the missing women were here in June, and are searching for two women said to answer their description who registered at a local hotel as from New York, under other names. The name of Mrs. Dennis does not appear on the hotel register where the physician says he visited a sick child.

A letter Mrs. Dennis wrote to an Atlanta real estate firm before she left here early in June for New Orleans and the West, made public today, said: "I shall leave Atlanta in a few weeks—going to India this time, and I am anxious to sell all my holdings."

Hindu Typewriter Figures Again. Detectives are trying to connect this with a report from San Antonio that a typewriter with Hindu characters was sent from there by express June 25 addressed to "Victor Innes, San Francisco." Dispatches from San Francisco said Victor E. Innes, former Assistant District Attorney in Nevada, who was Mrs. Dennis' attorney in a divorce suit at Reno, Nev., a year and a half ago had bought the typewriter and that it was being returned to the firm in San Francisco that sold it.

San Francisco authorities were asked today to investigate passenger lists of vessels sailing for the Orient since July 2.

RIOT BRIEF, BLOODLESS

BAKER AND PENDLETON PLAYERS CLASH IN GAME.

So Broken Up Are Kubs That They Are Unstrung and Let Pendleton Win 18 to 3 Game.

BAKER, Or., July 15.—(Special.)—Baker and Pendleton ballplayers engaged in a brief and bloodless riot on the baseball field here this afternoon when Second Baseman French, of the Baker Club, assailed Pitcher Schroeder, of the Pendleton club, with a bat after Schroeder had hit him in the neck

BAKER CROP IS LARGER

YIELD ESTIMATED FOR YEAR AT 920,000 BUSHELS OF GRAIN.

Rains Round Out Stands, While Last Season Was Too Dry for Heavy Production of Cereals.

BAKER, Or., July 15.—(Special.)—Baker's grain crop of 1914 will be 920,000 bushels, according to conservative estimates based on reliable figures gathered by the Baker Herald through the O.-W. R. & N. Co., the Baker Commercial Club, large ranchers, Herald special correspondents and other sources.

This crop is for three grains, oats, barley and wheat. The yield for the same three crops last year was 750,000 bushels, the estimated increase being 17 per cent. The increase is not only for wheat, but also for oats and barley, although the increase in the wheat yield is more than for the other two crops. A greater wheat acreage than ever has been planted this year.

Oats and barley, as well as wheat, are also promising a much greater yield per acre than they did last year, as in 1913 the season was far dryer and none of the grains filled out as they now promise to do. The frequent rains have had a beneficial effect.

Following is a table of the yield for last year and the estimated yield for this year for the three leading grain crops in Baker County.

Table with 3 columns: Crop, 1913, 1914. Rows: Oats, Barley, Wheat, Total grains.

The corn and rye crops are not large enough to be considered.

Vancouver Man Shot for Deer.

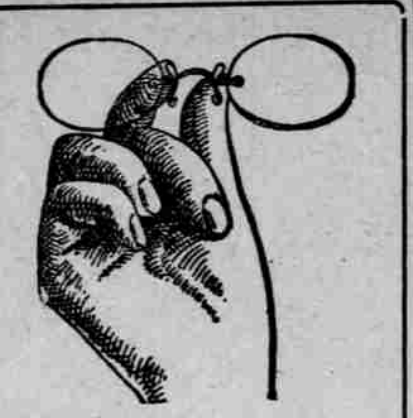
VANCOUVER, Wash., July 15.—(Special.)—Arthur Tain, of San Francisco, who was mistaken for a deer and shot by Elmer Cox, Jr., Sunday, is a native of Vancouver. He was at one time a member of the City Council. Lloyd DuBois, president of the Washington Exchange Bank, and James P. Clancy, proprietor of the Pioneer Printing Company, were his schoolmates.

Grazing Land Is Leased.

OLYMPIA, Wash., July 15.—(Special.)—Clark V. Savidge, Commissioner of Public Lands has issued leases for grazing purposes on 3630 acres of school land in Klickitat County. The land heretofore has been used as public range without paying any revenue to the state. The new leases will bring in \$3500.

Olympia Purchase Delayed.

OLYMPIA, Wash., July 15.—(Special.)



Doing One Thing Well Making Good Glasses

THOMPSON OPTICAL INSTITUTE 209-10-11 Corbett Bldg., 5th and Morrison. Portland's Oldest and Largest Exclusive Optical House.

The State Supreme Court has granted a writ of review to pass upon the decision of the Thurston County Superior Court, giving the city of Olympia permission to condemn and purchase the city waterworks plant, operated by the Washington Public Service Company. Acquisition of the plant was approved at a special election held March 2. The company asserts the city has exceeded its legal indebtedness limit of 5 per cent of the total assessed valuation.

STATE DRUGGISTS BUSY

DELEGATES USE TIME BETWEEN BUSINESS AND PLEASURE.

Newport Sees That Few Leisure Hours Are Left and Games, Clambake and Beach Outing Are Arranged.

NEWPORT, Or., July 15.—(Special.)—Delegates to the Oregon State Pharmaceutical Association Convention passed a busy day, commencing with a business session at which committees were appointed. In the afternoon there were sports on the beach and at night there was a ball. Fifty applicants for pharmacy licenses were examined in the morning. Delegates passed their spare time bathing and sightseeing.

Tomorrow a baseball game between the druggists and the traveling salesman will be played in the morning, an executive business meeting held in the afternoon and a clambake in the evening. Siletz Indians will dance at the clambake and a parade will form at dusk on Front street. The United States life savers will also give an exhibition drill. A display of 150 preparations made by Oregon Agricultural College students has attracted attention.

Sidelights on Druggists.

James G. McDonald, leader of the radical druggists, made a hit on Front street tonight with a company called the "starvation army."

"Have you seen Dr. Withycombe?" asked a delegate. "Have you met Mr. Withycombe?" asked another. "Professor Withycombe is here," said a third. "Governor Withycombe made a good speech," remarked another.

"Withycombe is O. K.," said a fifth. "Here comes Jim," added another, as Dr. James Withycombe, candidate for Governor and late State Veterinarian and O. A. C. professor, approached.

H. J. Frank, of Portland, will be much in the limelight if he eats the bushel and one-half of clams in Purola which he ordered for a meal by wire. C. W. Stinger, ticket agent of the Southern Pacific Railroad Company, Portland, was to have come on the special, but he will not arrive until Saturday noon, as there is no Pullman car before then. He has the drawing-room engaged for the trip. He has boosted Newport and its transportation facilities for 25 years, but this is his first visit.

Out-of-Town Guests

find an ideal home in Portland's largest and most perfectly appointed hotel. Commercial men of the Northwest, mindful of our large sample rooms and attractive entertainment, book their week-end for the

Hotel Multnomah

H. C. Rogers, Mgr. L. R. Reynolds, Asst. Mgr.

ARCADIAN GARDEN ENTERTAINMENT.

MYRTLE HOWARD, Chicago's greatest dancer; International Trio, dancers and entertainers; John Lynch, Irish tenor; Heller's Orchestra.

The Portland Service

When comparisons are made, the Portland always is taken as the standard; for a quarter of a century it has held to its ideals of service to a clientele at once appreciative and discriminating.

The Portland was never better prepared to cater to your wants or to surround you with an environment of comfort and refinement.

The Portland Hotel

G. J. Kaufmann, Manager

PORTLAND WOMAN WAS NERVOUS, LANGUID, AND UNABLE TO SLEEP

Mrs. Nettie Edgerton Ends Stomach Trouble and Recovers Health by Using Akoz.

Mrs. Nettie Edgerton, of 427 Webster street, Portland, has surprised her friends by her rapid recovery from a severe case of stomach trouble with which she was afflicted for three years. She gives the credit for her cure to Akoz, the new California medicinal mineral.

Ben Selling's Sale Every Man's and Young Man's Spring Suit in the store goes now at the reductions printed below. This is the only store where you can buy Stein-Bloch and Atterbury System Clothes for Men and L System Clothes for Young Men. \$35 Suits Now Only \$28.50 \$30 Suits Now Only \$24.50 \$25 Suits Now Only \$19.85 \$20 Suits Now Only \$14.85 \$18 Suits Now Only \$13.85 \$15 Suits Now Only \$12.85 The above are genuine reductions from the normal, established prices. This store never makes reductions from "values." MEN, MAIN FLOOR YOUNG MEN, SECOND FLOOR BEN SELLING LEADING CLOTHIER Morrison Street at Fourth

Special Terms Sale \$1 Gets This Then Pay 50c a Week

The Greatest Entertainer in the World Edison's Latest Diamond Point Hornless Amberola No needles to bother with. Records cost from 15c to 75c each. Outfit is compact and weighs about 25 pounds. Put one in your trunk and take it to the beach or the mountains on your vacation. Plays all the latest tangos, one-steps, hesitation waltzes, etc., in perfect dance time. We have only a few outfits left for sale on these terms.

Graves Music Co. Pioneer Music Dealers—Established 1895. 151 Fourth street, between Morrison and Alder Sts.

Great Northern Railway SUMMER EXCURSIONS TO THE EAST AND RETURN TICKETS ON SALE DAILY June 1st to September 30th

Table with 2 columns: City, Rate. Rows: New York, Philadelphia, Buffalo, Detroit, St. Louis, Boston, Washington, D. C., Pittsburgh, Chicago, Denver.

Corresponding Reductions to Other Points Final return limit Oct. 21st. Stopovers allowed going and returning and tickets good going one road, returning another. Ride on the ORIENTAL LIMITED

See America First! GREAT NORTHERN RAILWAY Glacier National Park VISIT GLACIER NATIONAL PARK THIS SUMMER Season June 15th to Sept. 30th. Write or ask for Booklets.