

JURY DISAGREES IN DR. HEGELE'S CASE

Five for Conviction and One for Acquittal Is Vote on Seventh Ballot.

"FRAME-UP" CHARGE MADE

Physician Insists He Was Courteous to All Patients and Girls in His Office; New Trial to Be Set This Afternoon.

With five jurors favoring conviction and one acquittal, after seven ballots had been taken, the jury in the Dr. Herbert W. Hegele case, in which the physician was charged with improper conduct toward girls seeking positions in his office, was discharged by Municipal Judge Stevenson yesterday afternoon. Time for a new trial will be set this afternoon.

The jury's deliberations took 45 minutes. The case attracted more attention from the public than had any other in the Municipal Court and in the three days in which it was tried, the courtroom was crowded. Division of opinion among the jurors was so strong that occasional arguments all but called for rebukes from the court.

Alleged Plot Not Bared.
Mrs. Lola G. Baldwin, superintendent of the Bureau of Public Safety for Women, did not take the witness stand and some of the promised sensations did not develop. Allegations of conspiracy were again made, as was a "frame-up" by Loyal H. McCarthy, attorney for Dr. Hegele, in his charge to the jury, but no evidence bearing on the "conspiracy" charge was introduced yesterday.

The case opened yesterday with Dr. Hegele again on the stand. He denied that he had made any reference to the figure of Miss Hazel Sluyter while he was treating her. The physician asserted with emphasis that he never adopted anything but a calm, courteous and professional attitude toward all his patients and the girls who came to his office seeking work.

Ordinance Is Read.
Ordinance No. 1925, passed in Portland in 1909, section 5 of which forbids the giving of massage to one of another sex with exceptions, including licensed physician or trained nurse to the sick, was read to the defendant, and Dr. Hegele was asked if he knew of the provisions of that ordinance. He asserted that he did.

"Was Hazel Sluyter, or any of the applicants you massaged?" Mr. Deich asked.

The defendant admitted they were not.
Mrs. Mary D. Neserve, sister of Miss Alpha Dimick, and in whose house Miss Sluyter was employed for three years and a half, testified to the girl's good character. Katherine W. Burns, of the Calvary Presbyterian Church, told of the girl's good conduct in that institution. Mrs. Frances Crozier, matron of the Portland Women's Union, was called to the stand, but gave no material testimony.

On his charge to the jury, Mr. Deich summed up the evidence in the case.

"Frame-up" Charge Made.
"If women of Mrs. Baldwin's position are at liberty to get a woman not above reproach whom she can use to tear down a character, if she can get away with it, which one of you men are not subject to a 'frame-up'?" charged Attorney McCarthy to the jury.

"Dr. Hegele is not prosecuted, but persecuted," he continued, "and has been for a period of three years. This case is a 'frame-up.' No one of responsible character dares to sign a complaint against this poor, unfortunate man who has already suffered thousands of dollars of damage to his reputation."

Judge Earl C. Bronaugh addressed the jury briefly, saying that it was the first time in 25 years' practice that he had stood before a jury in a criminal case, and that he did this time because of a sense of outrage at the attack on his personal friend, Dr. Hegele.

COURT WARNS SPEEDERS

JURIST THREATENS TO ENFORCE DOLLAR-A-MILE RULE.

Judge Stevenson, Noting Increasing Number of Accidents and Arrests, Promises Heavier Fines.

With four deaths attributed to automobile accidents since Thursday, 38 speeders in Municipal Court Monday, 22 traffic violators before the Municipal magistrate yesterday, the patience of Municipal Judge Stevenson has reached the limit.

"I've been fining speeders \$10 and \$15 recently, but these fines are too small," he said yesterday. "They are no deterrent. There were nearly as many speeders before me today as there were Monday. Accidents are increasing all the while and if heavy fines will stop this recklessness, they will be levied."

"I have about decided that in the future the old 'dollar-a-mile' rule shall be enforced. That is, a speeder going 25 miles will be fined \$25, one going 35 miles, \$35, and one going 40 miles or over will be jailed."

Speeders fined by Judge Stevenson yesterday were the following: S. R. Lamb, \$10; G. G. Honk, \$10; James A. Bramford, \$10; D. W. Mahoney, \$10; Tony Hanna, \$10; Robert S. Roper, \$10; George W. Willlett, \$10; Charles Brown, \$10; Royce, \$10; S. Oda, \$10; Frank Erickson, \$5; I. Swish, \$10; Samuel Rosenbloom, \$10; Russell Litcoe, \$10; Russell, \$10; and \$10.

For traffic violations the following were fined: Thomas Smith, \$3; H. Tallance, \$5; A. Kowalski, \$5; Patrick O'Mara, \$2; James Chico, \$10; and Ralph Jacobsen, \$5.

MR. GATENS ANSWERS JURY

Advised Fraser Home Changes Were Asked Long Ago Is View.

Frederick H. Strong, foreman of the February grand jury, and R. H. Strong, member of last year's advisory budget committee, differed widely in their views as to the necessity of the Fraser Detention Home, according to Juvenile Judge Gatens. The grand jury's final report described the condition of the home as "one of neglect," and recommended changes.

"Just what I told them last year" was Circuit Judge Gatens' comment when he read the grand jury's report and recommendations on the Fraser Home. "I told them that dependent and delinquent children should not be kept in the same home. Now Mr.

Strong's brother, Frederick H. Strong, as foreman of the grand jury, has declared that the changes are imperative. I hope now we shall be able to get the improvements we have asked."

A. W. RIDER IS ON VISIT

Missions Secretary Is Enthusiastic Over Baptist Convention.

A. W. Rider, joint secretary for home and foreign missions for the Pacific Coast and chairman of the publicity committee for the Northern Baptist convention, arrived in the city yesterday. Mr. Rider was enthusiastic over the programme arranged for the convention to be held in Los Angeles May 18 to 26.

Such notable men as Professor Walter Hausenbich, author of "Christianity and the Social Crisis," who is perhaps the greatest leader in the modern movement for Christian Socialism; Dean Shaler Matthews, of Chicago University, president of the Federated Council of the Churches of Christ in America, will speak. Mr. Matthews has just returned from Japan, where he went as official delegate of that body, to express greetings and a friendly attitude to the people of Japan.

PIONEER OF 1846 AT REST

Services for Calvin N. Stewart Are Held in Church Near Home.

ALBANY, Or., May 4.—(Special.)—The funeral of Calvin N. Stewart, Oregon pioneer of 1846 and one of Benton County's earliest residents, who died Sunday at his home about seven miles north of Albany, took place today at the Palestine Church, near his home. He was 72 years old.

Born in Missouri February 5, 1842, he crossed the plains to Oregon with his parents when he was only 3 years old. His family settled in Benton County, and Mr. Stewart has resided continuously in that vicinity for 49 years.

Mr. Stewart is survived by five children: Mrs. Marcus Hodges, of Philomath; Joseph M. Stewart and Elza C. Stewart, both of Seaside; and Norman Stewart and John Stewart, both residing at the family home.

WHITE SLAVERY ALLEGED

Man Arrested at Marshfield on Accusations Made by Woman.

MARSHFIELD, Or., May 4.—(Special.)—J. G. Campbell, who came here from San Francisco three weeks ago, was arrested on a warrant sworn to by Benjamin Fisher, Federal officer for the white slave traffic on Coos Bay. Milla Doyce, his accuser, told of finding Campbell paid her fare from California here and she had lived with him since.

Campbell will have a hearing tomorrow morning at 10 o'clock. The woman asserted that Campbell insisted on her following a life of shame and she objected to the plan.

FILIPINO WEDS WHITE GIRL

Miss Hilda Lund, of Portland, Is Bride at Vancouver.

VANCOUVER, Wash., May 4.—(Special.)—Miss Hilda Lund, of Portland, giving her age as 26, was married today to N. R. Ystura, a Filipino, 26 years old. Both gave their occupation as cook. The Filipino was well dressed, spoke English fluently and gave his place of residence as Corbett, Or.

The witnesses were Mrs. May Sutton, of Portland, and A. R. Morgan, of Corbett.

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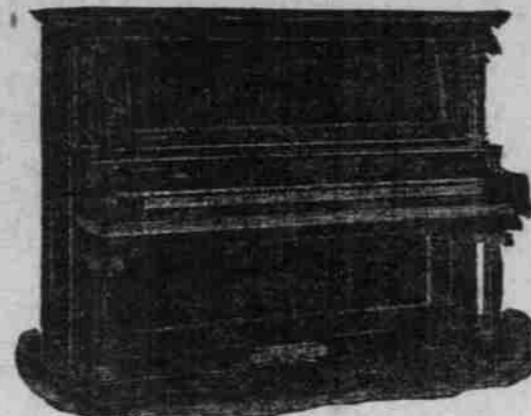
Here's Our Proposition We have announced in previous advertisements during the past six weeks the many great advantages of our "500 PIANO CLUB" proposition—an opportunity so unusual that during the past few days scores and scores of shrewd piano buyers have been quick to take advantage of it—to BUY AT WHOLESALE.

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But—the time is limited. Many more than HALF of the memberships have been secured, and you must join now to get the benefit of this opportunity.

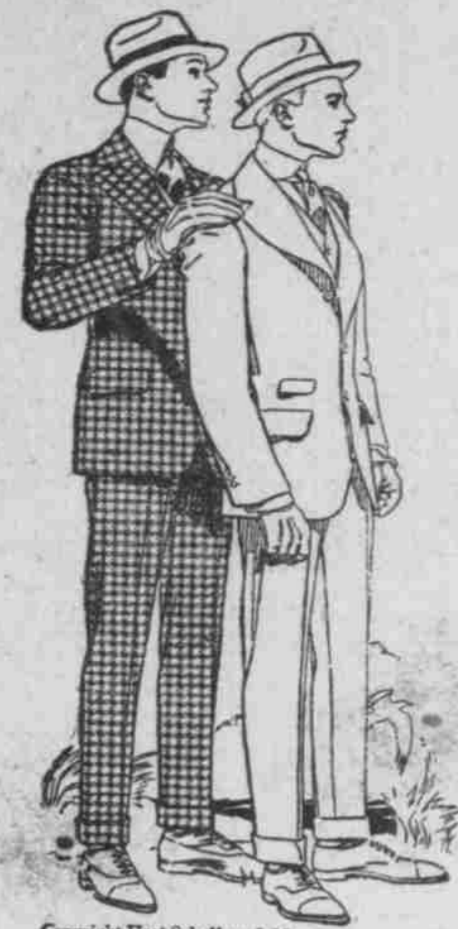


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JITNEY ACTION ADVISED

MAYOR URGES COUNCIL TO EVADE DELAY BY REFERENDUM.

Repeal of Present Ordinance and Resubmission in June Under Initiative Declared One Method.

Just what procedure will be followed by the City Council to put the question of jitney regulation before the voters at the city election on June 7 will be decided by the Council at its regular weekly meeting today. City

Attorney La Roche will give the legal side of the question as requested by Commissioner Daly.

As the jitney proposition stands, the ordinance as passed by the Council, April 2, has been held up for two years by the invocation of the referendum. The Council proposes to get the measures before the voters at the coming election instead of permitting it to remain over for two years before being submitted. At an informal meeting of the Council yesterday it was decided that the question should be submitted at the June election.

Mayor Albee says the referendum can be evaded by repealing the ordinance and passing another to submit to the voters under the initiative. The Council can do this at any time before May 22.

ney interests by invoking the referendum legally have suspended regulation under the provisions of this measure for two years, still they can have no reasonable objection to the question being settled at the June election instead of being delayed for two years.

BISHOP OPENS CONFERENCE

Free Methodist Churches of State to Have Sessions Today.

Bishop William Pearce, of Titusville, Pa., arrived yesterday and will open the session of the Oregon conference of the Free Methodist churches of Oregon at the First Church, East Ninth and East Mill streets, today at 2

o'clock. The bishop will greet the ministers and lay delegates, after which the conference officers will be elected and committees appointed. A public meeting later will be held in the tabernacle tent at the corner of East Tenth and East Market streets.

The Women's Foreign Missionary Society will meet Friday afternoon with Mrs. M. F. Coffee presiding. One can learn to like garlic, it is said, but there is such a thing as placing the tuition too high.



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