

FAILS TO AGREE ON FORD'S GUILT

Jury Discharged After Many Ballots.

EIGHT VOTE FOR ACQUITTAL

Accused Briber Must Have a Second Trial.

JURORS FEAR CRITICISM

Refuse to Name Those Who Favor Acquittal Lest Newspapers Attack Them—Disagreement Entirely on Questions of Fact.

SAN FRANCISCO, Oct. 5.—The jury which tried ex-Attorney-General T. J. Ford, general counsel for the United Railroads, on the felony charge of bribing Supervisor Thomas F. Loneragan in the sum of \$400 to vote for the trolley franchise in June, 1906, voted eight for acquittal and four for conviction and at 3 o'clock this afternoon was discharged by Judge Lawlor, after having been out 13 hours.

Judge Lawlor informed counsel that the regular trial jury box having been exhausted in the trial of Ford, he will organize a panel of several hundred takers to serve for all cases coming before his department of the court.

As Ford is under heavy bond on the other indictments returned against him, he was given his freedom and will not be required to furnish fresh bonds in the present case until Monday. To that day the case was continued to be set for retrial, which it was agreed shall be begun Monday, October 14.

A crowd of about 200 men was assembled in Judge Dunne's courtroom when the jury was brought in at 2:30 P. M. Judge Lawlor was late in arriving and for 15 minutes the defendant and his counsel sat scrutinizing minutely the impassive faces of the trial twelve. Ford appeared only slightly nervous. His face was flushed and he gazed piercingly at one after another of the men who held his liberty in their hands.

When Judge Lawlor ascended the bench he opened the proceedings briskly. Responding to the usual question by the clerk, Foreman Bender rose and said that the jury had not agreed upon a verdict. Judge Lawlor asked whether the disagreement was upon matters of fact or upon questions of law.

"Upon questions of fact entirely," was the reply. The court asked if the reading of any portions of the testimony would tend to solve the disputed matter. The foreman said he did not think so, that the jurors had not changed their ballots "practically at all" since the first was cast the night before. Judge Lawlor decided nevertheless to hold the jury and have each man answer the question he had put to the foreman. The question was repeated and each juror as his name was called answered clearly and distinctly: "No."

Both sides consented to the discharge of the jury, and an order to that effect was made after the judge had addressed to the jurors a few words congratulating them upon the patience they had evinced and the close attention they had displayed throughout the trial. Foreman Bender, replying, thanked the court for its constant courtesy shown in the jury's behalf.

The courtroom and corridors were ordered cleared so that the 12 might have free passage to the tally-ho that was waiting outside to convey them for

the last of many times to the Fairmount Hotel, thence to depart for their homes after securing their personal effects.

Judge Gilbert to Sit in San Francisco



of Appeals for the ninth circuit will convene next Monday morning in this city. Judge Gilbert, of Portland, Or., will preside and Judges Morrow and Ross will sit with him. The calendar is extensive and comprises several important cases.

ARREST WEBB IN ST. LOUIS

ST. LOUIS, Mo., Oct. 5.—A young man giving his name as Oscar B. Lavin, but whom the police believe to be George Webb, alias Webb McAllister, wanted at Heppner, Or., on a charge of murder, was arrested here today. A telegram was received today from Sheriff Taylor of Pendleton saying Webb would arrive here to-night. The prisoner admits having come from Pendleton, but disclaims that he is Webb.

MORE HONOR FOR TAFT

Mr. Taft expressed himself as being greatly pleased with his visit to Japan and with the press comments on his speech at Tokio.

BRYAN WILL TELL ABOUT CANDIDACY

Announce Decision at Omaha Banquet.

DEPENDS ON HEARST'S HELP

If It Is Refused He Will Propose Tom Johnson.

SHOW SOUTH BACKS HIM

Mayor Dahlman Will Gather Galaxy of Governors About Nebraska Leader—Bryan and Hearst May Unite on Tom Johnson.

JOHNSON NOT A CANDIDATE. ST. PAUL, Minn., Oct. 5.—Governor Johnson is out with a formal statement to the press of the Twin Cities that he is not and has not been a candidate for the nomination for President. He also states that he knows that William J. Bryan is and has been a candidate for the Presidency for the past three months.

OMAHA, Neb., Oct. 5.—(Special.)—William Jennings Bryan has given himself just two months to decide whether or not he will again be a candidate for President, and he will make his formal "bid" for support, either for himself or for his favorite candidate, at a big banquet which his friend, Mayor James C. Dahlman, of Omaha, has announced for December 7, at the Auditorium, in Omaha, when 1000 prominent Democrats from all portions of the country will be present. By that time Mr. Bryan expects to know positively whether he will ask for the nomination for himself or for another. If the trend of events between now and December 7 is such that he is led to believe that he can be elected, he will announce his candidacy and his platform at the big banquet. If he concludes there is not a first-class chance of his election, he will announce, at that time that he is not a candidate and does not want the nomination. At the same time he will make a plea for his personal choice.

While Eastern Democrats have been boldly declaring that the South is not for Mr. Bryan, he and his friends here quietly go about disproving this statement, not by words but by the actions of the Southern leaders. Among the leading Democrats who will take part in the great Bryan banquet are the following Governors of the Southern states: Comer of Alabama, Glenn of North Carolina, Campbell of Texas, Hoke Smith of Georgia, Broward of Florida and Folk of Missouri. Beckham of Kentucky and several others have been invited and are expected to accept, but have not yet done so. The sight of the Governors of so many Southern states taking part in a pro-Bryan banquet, and one at which Mr. Bryan is expected to make the most important political announcement of the year, is calculated by the Bryan people to show the country that with the real leaders and the actual voters of the Southern states, despite the circulated charge that such is not the case.

It is expected that Governor Johnson, of Minnesota, will also be a member of the galaxy of Democratic Governors which will surround Mr. Bryan on the night when he will either announce his candidacy or "sing his swan song." Mr. Johnson has not yet replied to the invitation, but from the answer given by him to an invitation to a banquet planned in Lincoln for the last week in September, it is believed he will accept, and will be with Mr. Bryan. Mr. Bryan decides to be a candidate. Now, here is some information which comes right from the very "inner

circles" of Bryanism, and may be taken as correct. Mr. Bryan and his most intimates and "insiders" concede that William Randolph Hearst really holds the whip-hand of Democracy, and that in the final analysis it rests with Mr. Hearst as to whether or not Mr. Bryan will be a candidate. After deciding that all other points are with him, Mr. Bryan will then reckon with Mr. Hearst before he makes his decision. If Mr. Hearst, through the Independence League, refuses to support Mr. Bryan, Mr. Bryan will not be a candidate for President.

And the doubt of Mr. Hearst's position comes from the ill-feeling which really exists between those two men, which on Mr. Hearst's part originated at the St. Louis convention, when Mr. Bryan refused to throw his support to Mr. Hearst, but instead asked his followers to support Senator Cockrell, of Missouri. Mr. Hearst has never forgotten Bryan for this, and Mr. Bryan is in the position of having to ask Mr. Hearst to give his support where a similar request from Mr. Hearst to Mr. Bryan was turned down. This ill-feeling, which is openly denied by each party, really exists, just the same, and unless Mr. Hearst agrees to throw the support of the Independence League to Mr. Bryan, Mr. Bryan will positively not be a candidate.

Tom Johnson Bryan's Choice. And when the banquet of the Dabham Democracy begins in Omaha on December 7, this point will have been definitely decided. If Mr. Hearst has, in the meantime, agreed to support Mr. Bryan, and Mr. Bryan has settled in his own mind that other conditions point to his own election, he will that night declare himself a candidate and will outline his platform, which will be practically the same as the Nebraska state platform for this Fall—which

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- The Weather. YESTERDAY'S—Maximum temperature, 70 degrees; minimum, 48; degree of humidity, 70. TODAY'S—Probably rain; westerly winds. Foreign. British war balloon proves great success. Section 1, page 2. Gossip of European capitals. Section 4, page 1. National. President Roosevelt arrives at hunting camp. Section 1, page 2. Government expert reports on waste of National resources. Section 2, page 4. Politics. Bryan to declare candidacy or endorse Tom Johnson at Omaha banquet. Section 1, page 1. Bryan scorns tainted money. Section 1, page 1. Massachusetts Democrats exploit and nominate rival tickets. Section 2, page 2. Investigating Boston municipal government. Section 1, page 2. Malheur seeks a sleeping daughter by wireless telegraph. Section 1, page 4. Hall collapses at Waterbury, Conn., under Republican convention. Section 1, page 4. General Booth predicts hard times. Section 1, page 4. President Ripley predicts calamity. Section 1, page 4. Pilot of steamer Hartweg loses license for six months for colliding with Roosevelt's steamer. Section 1, page 5. Sport. Detroit defeats St. Louis and finally wins pennant. Section 3, page 2. Beavers clear Oakland fourth time. Section 3, page 2. Ball season ends in East. Section 4, page 7. Washington or Pullman favorites in North. Section 4, page 6. Football season opens Saturday. Section 4, page 7. Fix now fairly at Butte. Section 4, page 7. Jury disagrees in Ford case. Section 1, page 1. Quarrel among detectives who hunt Brown's assassin. Section 1, page 1. Webb, wanted in Heppner on murder charge, is arrested in St. Louis. Section 1, page 1. Hoguham man, insane from jealousy, kills wife, then himself. Section 1, page 4. People at Baker City prefer wide-open town. Section 4, page 9. Statement of land holdings of Oregon & California road. Section 4, page 8. Commercial and Marine. Ten cents paid for Oregon hops. Section 4, page 11. Wheat strong and higher at Chicago. Section 4, page 11. Stocks are sluggish, but underdone in firm. Section 4, page 11. Export business record-breaker. Section 3, page 10. Portland and Vicinity. Rock Island's plan to build to Portland alarms Harriman and Gould; plan to block extension. Section 1, page 1. Klamath County invites Portland people to coming fair. Section 4, page 8. Roosevelt and "Fighting Bob" Evans invited to attend 1908 Rose Festival. Section 2, page 12. Irrigators of state plan to join forces with foresters. Section 1, page 10. Oregon Bank depositors meet Wednesday night. Section 1, page 10. Nine Hawaiian girls on visit to Portland. Section 1, page 8. Railroads make new tariff on oats for East. Section 3, page 12.

DETECTIVES JAR IN BROWN CASE

Idaho Officials Object to Swain's Work.

HE PAYS BACK WITH INTEREST

Search of Mrs. Kinnison's House Reveals Nothing.

LILLARD DEFENDS BROWN

Adams' Relative Persists in Effort to Show Federation Had No Motive for Crime—Drunk Federationist Is in Jail.

DEVELOPMENTS ON BROWN MURDER

BAKER CITY, Or., Oct. 5.—(Special.)—The search for the dynamite is hampered by the desperate over-fidelity of W. S. Swain, who is in charge of the detectives. Embarasses of the Idaho prosecution are in Baker City, seeking his removal. They allege he is in the service of the Federation of Miners. Mr. Swain denies the charge, saying his enemies in Idaho took the case out of his hands there without reason and used such poor judgment as to fail to convict Hayward. A drunken member of the Federation, Dan Allen, was arrested in Union for saying Brown got his dynamite, and was brought to Baker City and held as a suspect, but is not thought to be connected with the murder. Both Federationists and members of the Idaho prosecution say Brown supported their side. Out of this fact, a member of the Federation, J. W. Lillard says he can produce checks to show he paid Brown to go to Wallace and testify for Brown. Mrs. Charles Kinnison, suspected of aiding the murderer, refuses to talk. J. W. Lillard says he can produce checks to show he paid Brown to go to Wallace and testify for Brown. Adams, and believes Brown was in the service of the Federation when killed. One of the murderers was certainly clad in a woman's kimono. No arrests have been made other than that at Union, and dissatisfaction develops from the slow work of the detectives. The Kinnison house was ransacked Saturday afternoon by officers, who found nothing of importance.

BAKER CITY, Or., Oct. 5.—(Special.)—Events took an unexpected turn today, when C. E. Elmer, secretary to Governor Gooding of Idaho, and Sheriff Shad Hojgin, of Boise, undertook to unseat Captain W. S. Swain, of the Thiel detectives from the head of the search for the dynamite. They charged Mr. Swain with being allied with the Federation and said they could prove their charges in Idaho, where, they say Mr. Swain caused the loss of important evidence against Pettibone, chiefly Pettibone's letter to Orchard or Hogan, which, it is alleged, Mr. Swain induced Sheriff Nichols to give Orchard after the latter's arrest. Orchard destroyed the paper and the prosecution has only a copy of the original. Mr. Swain denies the accusation, saying that the Gooding methods made a fiasco in the Hayward case and, if allowed to invade Baker City, will do the same here. Mayor Johns and other officers here will not say what impression the two Idaho men have made. But affairs are not in good shape. Confidence in Mr. Swain has been shaken and the effects are bad on detective work. No results are yet visible from the detective quest and most of the discoveries appear to have been made by the officers and newspaper men, who have not, however, uncovered the tracks of the criminals.

Swain's Side of the Case. In justice to Mr. Swain it should be said that the case is difficult and he is short-handed. Mr. Swain came from Spokane without a summons, the same way as he went to Caldwell. He did

considerable work and has claimed a large part of the credit for the detection of Orchard, but he was put aside to make way for James McFarland, manager of the Western division of the Pinkertons. Mr. Swain's friends say he was unjustly treated. However that may be, the feud has invaded Baker City. The Pinkertons have no representative here. All detective work has been given to Mr. Swain by the city and county authorities. They say they have no funds to employ Pinkertons, even if they wanted them here. The money at their disposal is very limited. The reward money cannot be used for detective fees. The local forces are working hard, but inexperience stands in their way. None of the men has had much training in hunting criminals. Unless something unexpected



General William Booth, who makes gloomy predictions regarding decrease in wages and loss of interest in church matters.

shall happen, the bloodhounds will not be of further use.

No Proof Against Federation.

Swain is accused of shielding the Federation from the blame of the Brown murder. This he also denies, says he: "The indications are these of Federation dynamite, and I am inclined to believe them, but evidence that the Federation killed Brown is lacking and until I get it I shall not say they committed the deed. Do I look like a dynamiter? Why, I have been threatened with dynamite perhaps as much as anybody. We are getting the search in Baker City down to a system, but the invasion of those Gooding men will spoil it."

Federationist's Drunken Braggery.

Mr. Swain bears the marks of being true blue, but his situation is not pleasant. He declared himself a member of the Federation and proud of it. Allen was drunk in the Fawn saloon. After his arrest Federation cards were found on his person. He is of medium height, light complexion and red mustache. These features do not resemble those of the three men seen near Brown's house before the explosion. Mr. Rand says there is no evidence against Allen.

Mrs. Kinnison's House Searched.

The house of Mrs. Charles Kinnison was searched late this afternoon by the sheriff without revealing anything important. Her house is that to which the bloodhounds scented the trail from the scene of the explosion last Wednesday. Her husband, now dead, was an officer of the Federation. While he was confined in the bull pen in Colorado, she was supported by the Federation. Mrs. Steve Adams visited her while here. Mrs. Kinnison is known as a Federation sympathizer and partisan. She is about 35 years of age, light-haired, of medium size and has three children. Mr. Rand and Deputy McCord searched her house. She asked them what they wished to look for and they answered: "For everything," she replied. "You are perfectly welcome, gentlemen." Officers went through the house from top to bottom. Then she showed spots they overlooked. Earlier in the afternoon she refused to be interviewed for publication. She said she had two families in her house besides her own.

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HASTEN TO BLOCK THE ROCK ISLAND

Invasion Alarms Gould and Harriman.

SEND SURVEYORS INTO FIELD

Project Lines in Eastern Utah and Western Colorado.

TAP NEGLECTED EMPIRE

Same Tactics Pursued in Central Oregon by the Short Line—Plan to Barricade Gateways to the State.

That the Mount Hood Railway & Power Company's electric line is to be the western link in the Rock Island system, giving that road entrance to Portland and making the Rose City its western terminus, now seems probable. This is indicated by recent developments in Western Colorado and Eastern Utah, where Gould and Harriman are both working to tap that territory. For once they seem united in the purpose of blocking the Moffat road, which is the link between Denver and Salt Lake City in the Rock Island's transcontinental scheme.

Four Men Into Field.

Into Eastern Utah and Western Colorado surveyors have been literally poured during the past few weeks by the Denver & Rio Grande and the Union Pacific. This is taken to mean construction of lines into that territory by both these systems in the effort to retain the traffic now being secured in the two states by the rival system. Products of the country now find their way to either the Union Pacific tracks on the north or the Denver & Rio Grande to the south. The Denver, Northwestern & Pacific lies midway between the two roads.

Another Neglected Empire.

The territory is not unlike the Central Oregon country in that it is said to be one of the largest fertile sections of the country without railroads. Next to Central Oregon it is believed to be the largest fertile territory in the United States so neglected. The Moffat road follows a much straighter course between Salt Lake City and Denver than the two lines it will compete with. It has about half the mileage of the other roads between the same points.

Campaign in This State.

Of no less interest than the apparent determination of Harriman and Gould to protect themselves in Western Colorado and Eastern Utah is the recent despatching of surveying crews to Central Oregon by the Oregon Short Line. During the last few days at least three surveying crews have been sent away with the evident purpose of mapping out the probable routes into Southeastern Oregon of the Moffat line and of holding the passes, thus keeping the interlopers away. The Harriman roads have practiced such methods so long and so successfully that they are confident they can make them again succeed.

Build Occupation Lines.

By building short occupation lines, the progress of new competing roads into Central Oregon may be either stopped altogether or delayed for years. That Gould as well as Harriman realizes the danger to his preserves from the threatened invasion of the Moffat line to the Pacific Coast is now apparent, and the haste of both to head off the invader is the best proof of the imminent danger to both interests.

Few Gateways Not Closed.

Harriman has almost every other entrance to the interior of this state well bottled up. The passes along the Cascade Mountains are taken. Points of vantage from the Columbia River south are taken with the exception of the Deschutes Valley and the Harriman interests are now fighting for that. On the

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HARRY MURPHY PICTURES THE PRESIDENT IN HIS GREAT SPEECHMAKING JOURNEY DOWN THE MISSISSIPPI RIVER



"Shall We Continue the Waste and Destruction of Our Natural Resources, or Shall We Conserve Them?" "The Old Days of Happy-Go-Lucky Indifference by the Public to the Conduct of Corporations Have Passed." "The One Intolerable Position for a Self-Respecting Nation is to Blunt and Then Not Be Able to Make Good." "The Digging of the Panama Canal is the Greatest Engineering Feat Yet Attempted on This Globe." "In the Fundamental Questions Most Deeply Affecting the Life of the Nation, There Can Be No Proper Division on Party Lines." "The National Highways, the Waterways, Belong to All the People. River Regulation is Rate Regulation." "I Will Use My Utmost Endeavor to Stamp Out Murderous Anarchists. I Repeat All I Have Said as to Undesirable Citizens."