

BLAKESLEY JURY UNABLE TO AGREE

Five Would Acquit Former Court Bailiff on Charge of Blackmail.

THREAT PUZZLING POINT

Judge Eakin Discharges Talesman Who Concur on All Points of Case but One—Deliberations Continue for Night and Day.

ST. HELENS, Or., Oct. 23.—(Special.)—The jury in the Blakesley case was discharged at 3:30 o'clock this afternoon after being out a little more than 24 hours.

The jury stood seven for conviction and five for acquittal on the ground that the letter upon which the indictment was based did not contain a threat that would make a reasonably courageous man believe he was in danger of great bodily harm.

CASE TO BE TRIED AGAIN

District Attorney Tongue Announces He Will Begin Second Fight.

HILLSBORO, Or., Oct. 23.—(Special.)—District Attorney Tongue, upon being informed of the disagreement of the Blakesley jury today, announced that he would prepare to re-try the case immediately on the same indictment.

It is the intention of District Attorney Tongue to begin the second trial next week if the court docket will permit this procedure.

Stevenson and Haney Regard Disagreement as Complimentary. Attorneys John H. Stevenson and Bert E. Haney, who defended Blakesley, consider the disagreement of the jury as a victory for them as they did not call any witnesses, relying solely on cross-examination.

LAWYERS DEEM IT VICTORY

Stevenson and Haney Regard Disagreement as Complimentary.

The instruction given the jury by Judge Eakin and which was the immediate cause of the disagreement, was that the defendant was a "bogus man," a "figment of imagination."

CAPTAIN EDWARDS BLAMED

Macgen Is Exonerated by Inquiry Into Collision.

MARSHFIELD, Or., Oct. 23.—(Special.)—Inspectors Edwards and Fuller have finished their investigation of the sinking of the steamer Alert by the steamer Breakwater, which occurred in Coos Bay several weeks ago.

ROAD MAKES BITTER FIGHT

O. R. & N. Will Refuse to Meet Assessments in Union County.

LA GRANDE, Or., Oct. 23.—(Special.)—Declaring that \$275,075 was an unreasonable assessment upon the property of the company in Union County, and protesting against the assessment with threats of carrying the case into the courts if the Board of Equalization failed to give him redress, Tax and Site Agent J. W. Morrow, of the O. R. & N.,

opened fire upon Assessor T. A. Rinehart today. While the Board of Equalization has not ruled upon the case, it is understood upon reliable information that it is the intention of the board to sustain the Assessor. The assessment was based upon a valuation per mile on the main line of \$30.00 for the rolling stock and \$20.00 for the roadbed.

\$3.25 APPLES ON SHOW

Hood River to Display Fancy Fruit at Fair.

HOOD RIVER, Or., Oct. 23.—(Special.)—Apple-growers and business men at Hood River are busy preparing for the annual fruit fair, which will be held this year, October 28, 29 and 30.

The Apple Fair Association has on exhibition 23 handsome silver cups, which it is offering as prizes from Steinhardt & Kelly, the New York firm which this year bought the union apples at the highest price ever known in this section.

Already over 500 boxes of the fanciest fruit in the valley have been secured for the fair and it is expected that competition will be keener than ever before.

Church societies and hotels are preparing to entertain the big gathering of visitors expected, and the Woman's Club has selected one of the days as tag day, when everybody will be tagged to help along the fair.

BOY SWINGS ON LIVE WIRE

Walla Walla Youth Burned to Crisp by Electricity.

WALLA WALLA, Wash., Oct. 23.—(Special.)—Terribly burned, with no hope for his recovery, Fred Crews, a Walla Walla boy, lies at St. Mary's Hospital in a dying condition, as the result of falling upon live electric light wires shortly after noon today.

Young Crews was employed with the gang of bricklayers at work on the substitution and was assisting them by passing up bricks.

While coming down from work on a tin roof and in steadying himself by means of a wet rope, the lad swung against a live wire that immediately completed the circuit, throwing him onto the wires.

More than 2000 volts passed through his body.

PLOW TURNS UP PARAFFINE

Farmer Uncovers Big Cake of Wax Near Chinook.

ASTORIA, Or., Oct. 23.—(Special.)—While plowing in a field near Chinook a few days ago, a farmer unearthed a live wire that was in a hole, which while slightly lighter in color, closely resembles the so-called "beeswax" discovered years ago on the ocean beach near Nehalem bay.

The article is said to be oozerite, which is sometimes called mineral wax, or native paraffine, and is said to be a product arising from crude petroleum.

PIONEER OF WEST PASSES

James O. Lyle Dies at His Home in Klickitat County.

THE DALLES, Or., Oct. 23.—(Special.)—James O. Lyle, who died of heart failure after a lingering illness at his home, four miles north of Lyle, Klickitat County, Washington, Tuesday, October 19, was born in Pennsylvania in 1831.

FARMERS' AGENT GUILTY

W. I. Hennell Is Accused of Selling Grain He Didn't Have.

LEWISTON, Idaho, Oct. 23.—(Special.)—W. I. Hennell, former manager of the Farmers' Co-operative and Educational Union, was charged with having sold and shipped out grain for which he did not hold the warehouse receipts. He was held to the District Court on two counts.

STEAMER NEW ERA ASHORE

Little Ship Breaks Engines, Drifts on Reef in North.

VANCOUVER, B. C., Oct. 23.—(Special.)—The little steamer New Era of the Sechart Steamship Company's fleet, plying on the local coastal run, is hard ashore on Canoe Reef, off Cowichan Gap, and may prove a total loss.

JUROR TALKS; NEW TRIAL

Man Convicted of Holding Up Jewelry Store Gets Another Chance.

SALEM, Or., Oct. 23.—(Special.)—Because one of the jurors who tried A. B. Smith for holding up a jewelry store in this city last summer, is alleged to have expressed an opinion of the merits of the case before the jury, the court may grant a new trial. Smith was found guilty a couple of days ago and Judge George H. Burnett was to have pronounced sentence, but the trial was postponed until the affidavits filed by defendant's attorneys shall have been considered.

BACK TO NATURE

Nature supplies a remedy for most diseases, and when such a remedy is available it should be used. Oregon Herbs (a tea) is a combination of herbs prescribed by nature for kidney and bladder diseases, and should be used as nature intended her medicines to be used, namely as a tea.

NEW CHAIN TO POST

Log Chain No Bar to Family From Disputed House.

ALBANY, Or., Oct. 23.—(Special.)—Displaying unparalleled tenacity of purpose, Mr. and Mrs. Henry Zastrow of Lebanon, have disregarded court orders, deputy sheriffs, padlocks and log chains and have moved back into a house from which they were recently evicted by Sheriff Smith under orders of the State Circuit Court.

LEGALLY HE IS EJECTED

After Various Court Proceedings, Henry Zastrow Is Still in House From Which He Has Several Times Been Put Out.

ALBANY, Or., Oct. 23.—(Special.)—Displaying unparalleled tenacity of purpose, Mr. and Mrs. Henry Zastrow of Lebanon, have disregarded court orders, deputy sheriffs, padlocks and log chains and have moved back into a house from which they were recently evicted by Sheriff Smith under orders of the State Circuit Court.

The case forms one of the most peculiar strings of litigation which has ever gone through the local courts. According to the facts while the Zastrows were in the house, they were evicted by Sheriff Smith under orders of the State Circuit Court.

Before Zastrow secured the money to pay for the property and tendered the purchase price to Mrs. Zastrow, she received a higher offer for the property from H. G. Fleischhauer, representing the Willamette Valley Company, and sold the property to him.

Zastrow contested this case through all preliminary steps and then filed a suit in equity, asserting that he had an equitable but not a legal right to the property.

At there was no evidence to show a contract between Zastrow and Mrs. Usher, there being only a verbal agreement regarding the purchase of the property.

At the depot by a big crowd of local people and the Albany band. When the train will march down-town, through the business section of the city and then up to the Alce Club gymnasium, where the fair will be held.

Local officers of the Willamette Valley Company today received word from Lebanon that Zastrow had broken into the front door and had moved his furniture into the house over the locked log chain, swinging in the smashed-in door, and was again occupying the residence.

The Salem excursion will be met at the depot by a big crowd of local people and the Albany band. When the train will march down-town, through the business section of the city and then up to the Alce Club gymnasium, where the fair will be held.

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STYLISH RAINCOATS

Well dressed men and young men are putting these popular garments to many uses. They, of course, have a heap of practical features to recommend their use for nearly any occasion, and we know of numerous instances where men have worn them during the entire Winter.

(PRICES RANGE FROM \$20 TO \$40)

WE INVITE YOU TO STEP IN AND TRY ONE ON

BUFFUM & PENDLETON

311 Morrison, Opposite Postoffice

Hats—Best Obtainable

- Knox—Silks, Operas, Derbys and Soft Felts. \$5.00 to \$10.00
Henry Heath English Derbys and Soft Felts. \$5.00
Warburton Derbys \$5.00
Stetson Soft Felts and Derbys \$4.00 to \$15.00
Bristol Soft Felts and Derbys \$3.00

WELCOME TO BE NOISY

ALBANY APPLE FAIR MANAGEMENT HAS NOVEL YELL. Cities of Willamette Valley Will Send Big Delegation Thursday. Friday Albany Day.

ALBANY, Or., Oct. 23.—(Special.)—"Albany apples, Albany pie, apple dumplings, Oh! my, my!" This was adopted today as the official yell of the Albany Apple Fair, to be held next week.

Thursday, October 23, will be Willamette Valley day and the big day of the fair. A big excursion will be run from Salem on Thursday and other valley cities will also send delegations.

At the depot by a big crowd of local people and the Albany band. When the train will march down-town, through the business section of the city and then up to the Alce Club gymnasium, where the fair will be held.

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MAN SHOT FOR SKUNK

PARTNER SHOTS AT MOVING OBJECT IN DARKNESS. Body Filled With 84 Buckshot and Doctors Give No Hope of Victim's Recovery.

COQUILLE, Or., Oct. 23.—(Special.)—Mistaken in the darkness for a skunk, and fired upon by a comrade, Harvey Terrill, of this city, lies at the point of death tonight. Terrill and two others, fishing partners, at their camp on the lower river last night had mishap when a skunk over a log, and Terrill had been eating fish and otherwise deprecating the camp, and a shotgun loaded with buckshot was kept handy.

Terrill had left camp on an errand, when the camp dog was aroused and ran barking through the brush. Tobin, one of the partners, with the gun, followed the dog and, seeing what he supposed was a skunk over a log, fired. The shot was followed by a scream of agony, and he ran to the spot to find Terrill writhing on the ground.

The injured man was hurried to Bandon and it was found that he was shot through both forearms and the calf of one leg. Eighty-four buckshot were taken from the wound by the physician, and now lies in an unconscious condition with no hope of his recovery.

BRANT GUILTY, SAYS JURY

Convicted in Second Degree for Shooting Neighbor in Back.

LEWISTON, Idaho, Oct. 23.—(Special.)—Robert A. Brant was last night convicted of murder in the second degree, the jury reaching a verdict about midnight, after eight hours deliberation.

The crime was most cowardly, Stevens being engaged in the preparation of the evening meal when he was shot through the window. Suspicion pointed to Brant and he was placed under arrest the following day.

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CATHOLICS TO LAY STONE

St. Joseph's Hospital at Vancouver Will Cost \$125,000.

VANCOUVER, Wash., Oct. 23.—(Special.)—Laying of the cornerstone of the new \$125,000 St. Joseph's Hospital, a Catholic institution, being built at the corner of Thirteenth and Reserve streets, will be celebrated at 3 o'clock, Sunday, November 7.

The ceremonies will be in charge of Bishop O'Leary, of Seattle, and appropriate exercises will be held. Judge McCredie, who is expected will be elected Congressman from the Second Congressional District, on November 2, has accepted an invitation to deliver an address.

An eight-track swing bridge across the main channel of the Chicago drainage canal, near the first street, will be operated by electricity.

Constipation And Appendicitis

The Latter Usually Caused by the Former, Which, in Turn, Has Its Origin in Intestinal Indigestion.

Chronic constipation is a disease which is about as prevalent as dyspepsia and indigestion. Nearly every one suffers from it occasionally, but there are millions of people who endure it habitually, and who are accustomed to resort to the use of laxatives and cathartics daily.

Many people seemed to have developed a perfect mania for taking pills, and instead of trying to ascertain the cause of the disease, and removing it by appropriate treatment, they are content to continue the reckless use of laxatives, aperients, drastic cathartics, and other purgatives, until finally inflammation of the bowels occurs, which reaches the appendix, and the result is appendicitis.

In investigating the cause of the disease, it has been found that the causative factors of constipation and its frequent sequel, appendicitis, it has been pointed out by physicians that the most prolific cause of the disease, and accompanied by a long-standing gastro-intestinal indigestion.

The idea that appendicitis is brought on by foreign bodies, such as seeds, etc., becoming lodged in the appendix, is an exploded theory. It is now definitely known that constipation is the most prolific cause of the disease, and that while the constipation itself is previously induced by intestinal indigestion, or any form of dyspepsia—the inability to digest food properly, or the relation between cause and effect is readily seen and appreciated.

The absurdity of attempting to cure constipation by the use of purgatives should be apparent to every one. Laxative drugs and powerful purgatives will never cure a disease of this sort, and those who make frequent use of such drugs, will sooner or later, set up an inflammatory condition of the intestinal system.

A person with first-class digestion will never be annoyed with chronic constipation, and when this trouble does exist, instead of slugging the system with pills, liquid laxatives, candy cathartics, and other remedies which will cure the gastro-intestinal indigestion, and you will find that the constipation no longer bothers you, and with its removal, the risk of developing appendicitis will be reduced to a minimum.

STUART'S DYSPEPSIA TABLETS have been the means of curing many cases of constipation, by first curing the intestinal indigestion. They digest every kind of food, a single grain being capable of digesting a quantity of animal matter, and in addition to papain and other powerful digestives, they also contain diastase, which converts starch into sugar, and amylase, which digests starch and intestinal indigestion.

If you are suffering from dyspepsia, constipation, and, in fact, indigestion of any kind, don't run the risk of getting appendicitis, but strike at the root of the trouble—the original cause—by using Stuart's Dyspepsia Tablets, which will quickly and surely cure all functional disorders of the alimentary tract.

Secure a box of this digestive remedy from your druggist, or direct from the F. A. Stuart Co., 150 Stuart Bldg., Marshall, Mich., for a free sample package.

NONUNION MEN RUN MILL

Wilcox Shingle Plant Opens With Violence at Aberdeen.

ABERDEEN, Wash., Oct. 23.—(Special.)—A force of non-union weavers, the Wilcox Shingle Mill, in South Aberdeen, started yesterday, and is running without trouble today. In order to trace the assassin from the Potlatch section and was charged with the murder of his neighbor, Henry Steffens.

The crime was most cowardly, Stevens being engaged in the preparation of the evening meal when he was shot through the window. Suspicion pointed to Brant and he was placed under arrest the following day.

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