

JURY EXONERATES JOSEPH BOWLSBY

Coroner's Jury In Jennings Murder Case Says He Was Justified In Killing Jennings

RECOMMENDS RELEASE

Sheriff, However, Is Still Detaining Slayer In County Jail—Additional Testimony.

(Special to the Times.)

Astoria, June 19.—The coroner's jury in the Jennings murder case resumed its session at 1:30 yesterday afternoon. Mary Spellman gave the first testimony. The evidence showed that Jennings and Mrs. Bowlsby stayed together two nights in her (Mrs. Spellman's) boarding house in Astoria. Captain Oleson, of the Alliance, followed. He told of taking the gun from Bowlsby after the shooting. Bowlsby made no resistance. Oleson asked Bowlsby what he had done, and the latter replied he had shot a son of a b— because he broke up his home. Following, Tom Whitney told the same story he had told the Astorian.

Then came the two brothers of Mrs. Bowlsby, who identified the parties and told when the sister arrived at their house. One of the brothers said Jennings told that he would either have the woman or Bowlsby's scalp. When all the evidence was submitted the coroner locked up the jury. They had no difficulty arriving at a conclusion, though it took time to get it into words.

Eventually it was as follows: "We, the undersigned jurors, sworn to inquire into the cause of death of Cleve Jennings, on oath do find: Cleve Jennings came to his death at Astoria, Clatsop county, Oregon, June 16, at St. Mary's Hospital; that his death was caused from a gunshot wound in the body inflicted by a weapon in the hands of H. Bowlsby. We find that after fully considering the evidence submitted to us the shooting was justifiable, and therefore recommend that the defendant be released from custody. The evidence shows that the defendant and wife had lived together in peace and happiness for a period of over fifteen years until a serpent entered their household in the shape of Cleve Jennings and destroyed their home. We are, furthermore, of the opinion on account of the lack of statutes covering crimes of this character that the said Bowlsby was fully justified in shooting Jennings."

McCue is considering the verdict and will decide later if the murder charge will be proceeded with. Bowlsby remains in the county jail.

SIMPSON BOAT WRECKED.

San Francisco, June 19.—The schooner Louis, owned by the Simpson Lumber Company and bound for San Francisco from Gray's Harbor was wrecked today off Farrallone Islands. No lives lost.

BATTALION MUTINIES.

Kill Company Commander and Fire At Comrades—Are Arrested.

Kiev, June 19.—Last night the 21st battalion of Sappers, 450 strong, mutinied. They killed the commander of the third company and began firing at random. Five loyal battalions summoned, called on the mutineers to surrender and they replied with shots, wounding four loyal soldiers. The loyal battalion fired and the mutineers fled. Two hundred and fifty-eight were arrested. The others escaped.

Dukes Win Fight.

Denver, June 19.—Frederic Dukes of Cripple Creek got the decision over the Bantam weight champions, Jimmy Walsh, of Boston, in the tenth round last night.

More Confessors.

Portland, June 19.—Eleven more furniture firms pleaded guilty in the United States district court to restraining trade. Among them were E. P. Voruz, Queen City Furniture company; Robert Folsom, Baker City and V. Strable, Pendleton. The latter paid \$10, others were fined \$25.

EXTRACT FROM VERDICT. "The evidence shows that the defendant and wife had lived together in peace and happiness for a period of fifteen years until a serpent entered their home in the shape of Cleve Jennings. We are, furthermore, of the opinion that on account of the lack of statutes covering crimes of this character that the said Bowlsby was fully justified in shooting Jennings."

WILL BUILD MODEL ROAD

National Government Will Build Sample Near Forest Grove Oregon—Senators Fulton and Bourne Cooperate

That the national government is taking much interest in good roads is evinced by the "model roads" which the government experts sent out by the department of agriculture are building in the various states and territories of the Union. Here in Oregon "model roads" have been built at Pendleton and Salem. The road at Salem was one of the attractions at the Oregon state fair last year. It starts from the railroad track at the fair grounds and extends for a distance of three-quarters of a mile toward Silverton. The road is macadamized and was built under the most approved system, consisting of three layers of crushed rock, which were rolled with a heavy and powerful steam roller. Another of these roads is to be built at Forest Grove in Washington county, which is becoming one of the Willamette centers in dairying. Hundreds of tons of milk are hauled from various sections in the vicinity of Forest Grove to the condensed milk factory located there, and the road question is one that has been a source of perplexity to the citizens of that section of the country because of the manner in which the roads are cut up in the winter time by the wagons that haul the milk. The Forest Grove Times says:

"The good roads division of the department of agriculture will in the near future build a model road in the vicinity of Forest Grove, under the direction of S. C. Lancaster, one of its experts. Senator Bourne recently took up with the department the matter of good roads demonstrations in Oregon and was assured that the department would do everything possible to aid the people of this state in their efforts to improve their public highways. The division of public roads is handicapped by having a limited force of engineers and a decidedly limited appropriation. Mr. Lancaster will take with him a corps of men and the necessary machinery for use in building the sample road near Forest Grove. This point was chosen because conditions here are similar to other parts of the Willamette valley, and moreover, because it is accessible to Portland and can be readily reached by farmers from all over the state who have occasion to visit the metropolis.

Next season Mr. Lancaster will be assigned to deliver lectures on good roads in Oregon, Washington and Idaho, in some instances building demonstration roads. It is at the joint request of Senator Fulton and Senator Bourne that Mr. Lancaster was assigned to this work for next season."

STRIKER'S WORK. San Francisco, June 19.—Four hundred telephones were put of commission this morning by cutting the cables south of Market street. There are still 124 linemen on strike out of the original 187.

TRICKERY AT CONVENTION

Discovery That Some States Are Packing Public Lands Meeting Causes Sensation

TO BAR COUNTERFEITS

Issue New Cards of Admission and Only Genuine Delegates Will Receive Them.

Denver, June 19.—A sensation was sprung in the public lands convention today by charges being made by both the administration and anti-administration forces that the convention was being packed. The anti-administration forces charged that a number of men who were not properly accredited delegates had been given seats. An order was made to issue new cards of admission and to see that only the genuine delegates received them. When the committee on credentials reported it was found that 476 delegates were accredited to Colorado and 145 to Wyoming and the balance of the States scarcely 100.

Colorado's representation was later cut to 396, it being stated the first figures were in error. It developed that all of Colorado's delegates, whether present or not, had been counted, while in the case of the other States only those present were allowed to count. A report was sent back to the committee with instructions to bring in its report according to a call of the convention. The committee will be heard the first thing in the morning, and if it obeys its instructions, it will give a vote for every person whose credentials have been sent to the convention, whether they are present or not.

GIGANTIC THEFT. New York, June 19.—O. M. Dennet, a broker who was arrested on a charge of theft of more than half a million dollars from the Trust Company of America, pleaded guilty today to the charge of receiving stolen goods. The theft of the bonds was made at various times by William O. Douglass, loan clerk, who is awaiting trial.

LAND CRAZE UNABATED

County Recorder Flooded With Notices of Prospective Settlers—Trouble Anticipated.

Albany, Ore.—The rush for lands in Linn county has not abated. The lands of the Southern Oregon & California are still eagerly sought and each day finds the county recorder busy filing notices of intention to purchase, and a return of the tender and rejection of the stipulated price of \$2.50 per acre by the railroad company. Over 100 of these notices of rejection have been received and placed on record. Many have a special clause to certify that the applicants are actual settlers on the land, citizens of the United States and residents of the State of Oregon.

Not satisfied with the race for these railroad lands, those with the land madness are making a systematic search of the records for homesteaders not complying with the laws relating to residence and improvement, and are filing contests. The county clerk has 12 contests on his docket, and many more in prospect. Every claim that is not occupied by the original entrymen as a home and actual place of residence will be jumped and contested.

A large portion of the homesteaded lands in the timbered area are more valuable for timber than for agricultural purposes and the contest will center on this fact. Altogether the entryman on a homestead will have difficulty in holding his claim unless he is found to be an actual and bona fide resident on the land entered.

Those in a position to state allege that every homestead in the territory adjoining Albany and in Linn county will be the object of a contest.

BOMB PLOT TESTIMONY

Judge Goddard Once Picked As Orchard Victim, Testifies In Haywood Trial at Boise

DEATH CAME CLOSE

Bomb Was Placed Under Gate Through Which He Would Have Passed.

Boise, June 19.—The State today made dramatic production and proof of the Goddard bomb and besides offering further corroboration of Orchard's testimony, secured a ruling under which a number of denunciatory articles published in the Miner's Magazine, the official organ of the Western Federation of Miners, will be admitted as evidence.

Boise, June 19.—To Justice Luther M. Goddard himself today fell the task of telling the story of the finding and preservation for use in the evidence of the bomb with which Orchard tried to kill him. The veteran jurist testified that the first information he received about the bomb came to him from Orchard's confession, which was shown to him at Denver Feb. 13, 1906, by Detective McParland. He at once returned to his home and in his gate discovered the screw eye which Orchard said he placed there. The witness said he examined the ground outside the gate where Orchard said he placed the bomb and found a slight depression with the soil packed very hard around it. The bomb was dug up next day by General Bulkley Wells, who, using a pocket knife, cut the soil away and raised the pine box containing the bomb. There was a small phial on top of the box and attached to a rubber cork of a phial there was a piece of rusted wire.

The bomb and its attachments were at once taken to the office of the Pinkerton detective agency and carefully sealed in wrappers and envelopes that were signed by a half dozen witnesses, including Judge Goddard, and afterwards placed in a vault, to the door of which five seals, including that of a notary, were attached. They were not until the following May when, believing the Haywood case was to come to trial, they were removed in the presence of the same witnesses, and all save three of the forty sticks of giant powder contained in the bomb exploded. The explosions occurred in the presence of the witnesses at a point in the suburbs of Denver. The bomb itself, 12 giant caps, and two wrappers torn from the sticks, were saved as evidence. Senator Borah produced the several packages and, commencing with the phial passed them to Justice Goddard, who broke the seals and identified the articles.

Attorneys Richardson and Darrow for the defense objected to all the evidence and all exhibits and moved to strike out everything, but the court ruled against them all along the line. Mrs. Seward, at whose home in San Francisco Orchard lived during a part of the time he was conducting operations against Fred Bradley, gave evidence strongly corroborating Orchard's account of his acts and experiences in San Francisco. Besides confirming Orchard's recital as to the time, movements and locations, she testified she found lead and wood shavings in Orchard's room, and a screw eye, string and bottle attached to the closet door, where Orchard had been experimenting. She said her lodger had a very heavy suit case, and she made up her mind he was an inventor.

John L. Stearns, agent at Denver of the Mutual Life Insurance Company, confirmed the story told by Orchard about applying for employment before he went to Canyon City to kill ex-Governor Peabody and produced letters of recommendation which Orchard furnished. One was from Pettibone, another was signed by Horace N. Hawkins for the defense, and it

FRANCHISE AT NORTH BEND

Hewitt, Bell and Simpson Given Permission to Install Electric and Gas Plant

BOND FIVE THOUSAND

Must Begin Work Within Ninety Days—Completed In Year's Time.

At a meeting held Tuesday evening the city council of North Bend granted the Hewitt-Bell-Simpson Syndicate a thirty-year gas franchise.

The syndicate has given the city a \$5,000 bond pledging that they will start construction within ninety days and have the plant completed far enough along in a year to furnish all the business section with gas, heat, light and power, and it is also provided in the franchise that the generating plant must be built in the corporate limits of the city of North Bend. The franchise is the same as the one granted by Marshfield, with the exception that in North Bend construction must be started within ninety days and ready for business within a year, while the Marshfield franchise provides that construction must start within nine months and ready for business within a period of two years. Both cities will be served from one generating plant and the granting of the North Bend franchise with the terms as stated makes it that Marshfield, too, will have gas service many months sooner than the Marshfield franchise provides for.

The Marshfield franchise was granted February 28, 1907. Attorneys Maybee and Pixley represented the syndicate before the North Bend council.

Astronomer Dies.

London, June 19.—Professor Alexander Stuart Herschel, distinguished astronomer, died today at the observatory hospital where his grandfather Sir Elmer Herschel and Sir John Herschel made most of their discoveries.

Brownsville Affair.

Washington, June 19.—Senator Foraker today left for Ohio where on Thursday at the Wilberforce university he will review the testimony of the senate committee on the military affairs in the Brownsville inquiry and make a defense of the negro troops.

Earl Says "No."

London, June 19.—The Earl of Munster when asked today regarding the report that he was engaged to Mrs. Potter-Palmer replied: "The report is absolutely untrue." The afternoon papers printed dispatches from Chicago reporting an engagement, with photographs of the parties.

"JAPS" AGAIN.

San Jose, Cal., June 19.—The labor organizations in this city threaten to vote against the proposition to bond the city for \$175,000 to improve the fire department and park unless the Japanese tea garden in the park is removed. The commissioners took the matter under advisement.

gave that Orchard was then traveling under the name of Thomas Hogan, and was a very strong endorsement as to character. Riley Harris, who worked for Roach, a plumber, who made the lead casing for the Peabody bomb, told of the call of Orchard at Roach's shop in Denver in May, 1905, the making of the casing and delivery of the article to Orchard, whom the witness identified.

The morning session was devoted to arguing the admissibility of the articles published in the Miner's Magazine. Judge Wood, after taking a noon recess to examine the articles, decided to let certain of the articles go before the jury and will tomorrow decide which of the rest will be admitted and which excluded.

KILLS MAN OVER WIFE

C. Y. Reynolds of Portland Shoots And Fatally Wounds Hurlburt a Musician

WERE OUT WALKING

Murder Interrupted Stroll In Park—Shot Three Times In Abdomen.

Portland, June 19.—In what appears to have been a fit of jealousy, C. Y. Reynolds, proprietor of a bath house in this city, this afternoon shot and probably fatally wounded George Hurlburt, a musician who arrived here yesterday from Walla Walla. The shooting occurred at Reynolds' home, 186 Fourteenth street. From what can be gathered from a meagre statement made by Reynolds, Mrs. Reynolds has been corresponding with Hurlburt regarding musical matters for a year or more. Last night Hurlburt called at the Reynolds house and was refused admission. About two o'clock this afternoon, Reynolds says his ten-year-old son called him by phone and at Mrs. Reynolds' instructions told him she could not come to Reynolds' establishment, as she promised.

Reynolds says the boy added his mother was going for a walk in the park, and the little fellow thought something was wrong. Reynolds rushed home, meeting Hurlburt and Mrs. Hurlburt leaving the house. Without a word, the husband drew a revolver and commenced shooting. Hurlburt attempted to hide behind the woman, but she darted into the house. Reynolds then shot Hurlburt three times in the abdomen. The latter, although mortally wounded, ran nearly half a mile to a drug store, whence he was taken to the Good Samaritan Hospital. It is stated there that he cannot survive the night. Reynolds says he was once a scout under General Custer, and he and his wife came here from Denver about a year ago.

COOS BAY ELECTRIC

Marshfield Subscription Committee Will Soon Get Down To Work In Earnest—J. W. Flanagan To Call On Citizens

That the Marshfield-Douglas-Coos Electric Subscription Committee means to raise its share of the \$250,000 was evidenced yesterday when it was decided to put the subscription list in the hands of J. W. Flanagan, who will approach every man in Marshfield. Mr. Flanagan has been absent from the city for several days on a fishing trip to Ten Mile, but is expected home today. Although the books have been opened for several days nothing has been done in this city as yet, while the city of North Bend has raised several thousand dollars. L. J. Simpson having subscribed \$10,000 the first day the books were opened.

It is believed by many in a position to know that there is no question but that the moneyed citizens of Marshfield will contribute.

Outside capitalists have already made a bid to finance the road just as soon as it is proven to them that the local people believe in it by giving their support. One firm has even gone so far as to state they will not only build the road and operate it, but will finance it themselves, paying back the money that the local capitalists put in it, providing they are assured the road is favored by residents of Coos and Douglas counties. As soon as enough money is raised to form a corporation it is likely that some of the eastern firms will be interested to the extent that the road will be built entirely by outside capital.