

"It is better late than never." If you don't read the CLASSIFIED ADS of the Journal now is the time to begin. Many opportunities in the Help Wanted columns.

The weather—Fair tonight and Friday; north to east winds.

VOL. VII. NO. 241.

PORTLAND, OREGON, THURSDAY EVENING, DECEMBER 10, 1908.—TWENTY PAGES.

PRICE TWO CENTS.

ON TRAINS AND NEWS STANDS, FIVE CENTS.

JOURNAL CIRCULATION YESTERDAY WAS 30,927

RECEPTION OF VERDICT OF JURY IS DELAYED

REGARDED AS SERIOUS "CURLY" BOSS IS MORE CHEERFUL

Rumors of Clash Between Jurors—State's Lawyers Are Suspicious.

(United Press Leased Wire.) San Francisco, Dec. 10.—Before daylight today a great crowd had gathered at Judge Lawlor's courtroom in hope of hearing from the Ruff jury which was retired an hour after midnight following the repeating of the mass of testimony offered during the long trial by witnesses for the prosecution. The police department detailed 10 mounted plain clothes men and a score of the plain clothes men to guard the court when Lawlor called the forenoon session to order.

There never has been so much suppressed excitement in the city since the days following the great fire and earthquake and every precaution was taken to control the crowd.

Shortly after 1:30 o'clock yesterday afternoon the case went to the jury, which then deliberated until nearly 8 o'clock and when word that certain testimony was desired. This was read to them in open court and it was long past midnight when they retired into a short conference and then retired for the night.

During the afternoon Hiram Johnson for the prosecution made an appeal for justice on behalf of the people and intimated that it would not be well for the jury to give a verdict of "guilty." The prosecution was disappointed that a quick verdict was not returned.

Rumors About Jury.

Rumor had it that the jury stands nine to three and 10 to two, with the majority in favor of conviction. Every hour the jury remains out is considered favorable to Ruff. When the jury returned last night to the courtroom and asked that the evidence be read to them and further examinations be given, it became apparent that they were seriously divided.

Ruff, after being locked up for the night, did not send for the judge this morning. It was generally believed about the hall, when the evening trial was held, that a mistrial would be the final result.

Ruff had the appearance of a man who had been able to sleep little but in general his manner was more cheerful than yesterday. He smiled as he passed about the courtroom and there was an air of confidence in his bearing as he strode up and down among the lawyers and reporters.

Deliberations Not Plain.

Reports from the jury room indicate that the deliberations have been far from plain. The rumor of a severe clash, bordering on a riot, between two jurors was spread about the building. It is understood that several members of the jury were quarrelsome and that some decision be reached in view of the enormous cost of the trial to the state.

Burns Gets Busy.

With every prospect of a disagreement of the jury in the Ruff case, Detective William J. Burns this afternoon began preparations for an investigation of the jurors who are holding out for an acquittal.

It is understood that the failure of the jury to report by noon led the prosecution almost to abandon hope of a conviction. Disaffection exists between the counsel for the prosecution. Ruff was all smiles this afternoon. While he refused to comment on the probable outcome of the case, he said:

"The speech made by Attorney Johnson yesterday was the kind of a speech that would make a man vote for a conviction when his honest opinion favored an acquittal. I have a pretty strong will to file with the state but all the money in the world will not buy me out of my judgment by such a speech. At the same time, on some men, it might have the reverse effect."

League Men and Funds Are Gone

(United Press Leased Wire.) Toledo, Ohio, Dec. 10.—The independence league are reported missing. Mulholland and all the state funds of the independence league are reported missing. Mulholland and the league committee for the Hearst party in Ohio and had in his keeping not only all the records of the organization in that state but all the money as well.

M. W. Madge, state secretary of the party, is badly perplexed at the disappearance of the funds. He is unable to meet many bills which have been turned in and, furthermore, he has been unable to file with the secretary any correct list of the campaign expenditures in Ohio.

WASHINGTON MEN ALLEGED VICTIMS

Idaho Stockmen Reported to Have Acquired \$50,000 Worth of Lands.

(Special Dispatch to The Journal.) Pendleton, Or., Dec. 10.—Not only \$100,000 worth of horses, but at least \$50,000 in land as well, was included in the operations of Major Ferris, George Sheldon, the Lamb brothers and W. R. Clemens, the five Idaho stockmen who are alleged to have victimized the leading horsemen of the northwest out of \$100,000 worth of fine animals and some \$15,000 in commissions, by a series of sales on worthless notes.

According to E. L. Longmeyer of this city, who was approached by the men to sell his wheat ranch at Cunningham, Wash., four leading farmers in that district have parted with their property to the alleged swindlers, receiving therefor a portion of the notes for commission given by the various horsemen and taking the notes of Ferris and his colleagues for the balance. In each case a small cash payment was made and in some instances the land men were to be given valuable horses in the trade.

According to Mr. Longmeyer, he was approached by one of the men who wanted to buy the ranch. They finally agreed on a compromise price of \$40,000, a small portion of which was to be paid in cash and the balance by notes, but when Mr. Longmeyer demanded that the notes be secured by a mortgage on the place he was refused, and the deal fell through. Mr. Longmeyer was also to receive the value of \$5000 in blooded stock at that time in Harrison, one stallion and a jack.

The Pendleton man's neighbors were not so conservative. Four of them accepted notes for something like \$50,000 worth of land.

The losers, according to Mr. Longmeyer, were Fred Hedrick, who sold his 500 acres for \$24,000, accepting a payment of \$1000, with the assumption of a \$2000 blanket mortgage, with the balance of \$20,000 in notes; Bert Carter and his father, who each sold 270 acres at \$32.50 per acre, and Land Commissioners in through sympathy with the movement is said to be something like \$5000.

In each case the land has been placed in the hands of the swindlers and the unfortunate former owners are in a fair way to lose their all.

CASTRO LANDS AT BORDEAUX

(United Press Leased Wire.) Bordeaux, France, Dec. 10.—President Castro of Venezuela landed this afternoon from the steamship Guadaloupe without any opposition being interposed by the French authorities. After disembarking he and his party entered carriages and were driven to a hotel.

Kay's friends say they are confident that they can beat the Bowerman forces at their own game and win the organization even in the canyon, basing their hopes on being able to have the support of a number of anti-statement senators who at the same time do not favor the candidacy of either Bowerman or Beach.

Whitehead, not accustomed to the use of the revolver, fired a shot at the time the party arrived at his home he was mad with drink.

The authorities were immediately notified and a posse set out in pursuit. After learning today that Whitehead was in the canyon, a posse of blacksmith named King, who lives in an isolated spot near here, the officers are in hot pursuit of the fugitive and predict his capture within a short time.

REPUBLICANS CALL COMPTROLLER SIGNED BY SIXTEEN

Loans, Discounts and Other Financial Affairs Reviewed in Annual Summary of the National Treasury.

(United Press Leased Wire.) Washington, D. C., Dec. 10.—The annual report of Honorable Lawrence O. Murray, comptroller of the currency, made to congress on December 7, includes statistical and general information in relation to the condition of national and other banks at date of latest returns, the figures relating to national banks being taken from reports to the comptroller of the currency under date of September 23, 1908, when there were in operation 6853 associations, with paid in capital stock of \$921,483,172, circulating notes outstanding \$613,726,155, and individual deposits of \$4,548,135,165. Loans and discounts amounted to \$1,750,412,731; 1907, a decrease of \$267,357,358. There were \$1,800,000,000 in their vaults, gold and silver to the amount of \$680,185,555 and legal tender notes, \$188,238,518.

The aggregate resources of the banks on the date in question were \$9,027,260,484. In addition to the paid in capital stock there national banks is the stockholders' liability, amounting to \$921,483,172.

The surplus of the banks is \$555,562,919 and their undivided profits \$202,099,801.

Thus the capital stock holders' liability, surplus and undivided profits aggregate \$2,610,592,352, or over one fourth of the total liabilities of the banks. It is estimated that there are about 405,000 shareholders in national banks, and that the affairs of the associations are managed by approximately 100,000 directors.

The preliminary survey of the line of the canal for the big irrigation scheme will be in sight of Mount Glenn this evening. Last evening when darkness overtook the engineer and his corps Al Good's farm had been reached. It has already been demonstrated that the canal will be sufficiently high to irrigate every foot of land in the valley to the east of it were sufficient water brought down the che alone, and that thousands and thousands of acres that lie beneath the grade route. The engineers progress about two miles daily, establishing the canal and taking field notes.

The effort of the engineer is to hug the foothills as closely as possible to give as great lower acreage as possible. The canal will run much higher than had been hoped for, based on judgments of the surveying party.

The route will sweep over Sandridge with a great acreage on either side of it.

Widow a Suicide Through Grief.

(United Press Leased Wire.) Los Angeles, Cal., Dec. 10.—Despondent over the death of her husband a month ago, Mrs. Anna A. Judd committed suicide by falling gas through a tube attached to a kitchen range. Her body was found on the screen porch of her residence. The tube, through which a stream of gas was flowing, was tightly clasped between her teeth. Her head was covered with a blanket.

IOWA OFFICIAL PRESIDENTIAL VOTE

(Special Dispatch to The Journal.) Chicago, Dec. 10.—Iowa official vote: Taft, 275,210; Bryan, 200,711; Cuffin, 9837; Debs, 9257; Watson, 251; Higgin, 404.

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Senator Newlands of Nevada suggested that if the plan for full national control of public resources did not meet with the absolute approval of the congress they were empowered to appoint conservation commissions in their own states. These commissions may gather information and present it with suggestions to their state legislatures. This, said Newlands, would result in the enactment of such laws as public opinion demanded.

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MAD WITH WINE; SHOTS FRIEND

(United Press Leased Wire.) Ontario, Cal., Dec. 10.—J. E. Whitehead, a wealthy rancher of China, is a fugitive from justice after shooting and fatally wounding his neighbor and intimate friend, Charles Fuhr, late yesterday afternoon. Beach is expected to turn to Bowerman or Bowerman in the final lineup.

The fight will be between the united forces of Beach and Bowerman on the one side and the Statement No. 1 line-up, with Kay probably leading, on the other.

Kay's friends say they are confident that they can beat the Bowerman forces at their own game and win the organization even in the canyon, basing their hopes on being able to have the support of a number of anti-statement senators who at the same time do not favor the candidacy of either Bowerman or Beach.

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The authorities were immediately notified and a posse set out in pursuit. After learning today that Whitehead was in the canyon, a posse of blacksmith named King, who lives in an isolated spot near here, the officers are in hot pursuit of the fugitive and predict his capture within a short time.

UNION FARMERS BOOST PROJECT

Subscriptions in Land to Irrigation Scheme Are Piling Up.

(Special Dispatch to The Journal.) La Grande, Or., Dec. 10.—Excellent success has marked the efforts of the Commercial club soliciting committee to secure subscriptions in land to the irrigation project. Since Monday a large per cent of the committee of nine have been devoting themselves to the task, and they declare that success has been the fruit of their labor. They have called on a large number of farmers, and have succeeded in interesting them to the extent of 10, 20, and even 100 acres each.

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The morning session was devoted to forestry, with the consideration of improvements for national waterways presented for this afternoon.

Senator Reed Smoot of Utah, chairman of the forestry section of the National Conservation committee, filed the section's report.

CHRISTMAS IN WASHINGTON

Almost Time for the National Santa Claus to Distribute a Few Gifts.

(United Press Leased Wire.) Omaha, Dec. 10.—Charles E. Davis was acquitted today of the charge of murder in connection with the famous triple death pact.

It was alleged that he shot and killed Dr. Frederick Rustin under an agreement by which he and Mrs. Abbie Rice were to commit suicide as soon as they learned that Rustin was dead. The jury went out at 5:20 o'clock last night and reached the verdict. The defendant, with his attorney and his brother, Fred Davis, heard the verdict. The released prisoner thanked each juror personally.

The state was not represented, and only a small crowd was on hand when the verdict was announced.

When Mrs. Abbie Rice, the star witness for the prosecution, heard that Davis was acquitted, she clapped her hands and cried, "I'm so glad! I'm so glad!"

Then she added: "I did not want to see him punished. There was always a doubt in my mind whether he really shot Dr. Rustin. I merely told the story as Dr. Rustin told it to me. I was trying to solve the mystery of his death. I do not believe he shot himself, but I know nothing more about it."

Mrs. Rice said she would go to Des Moines as soon as she was formally released by the court. If her husband sent for her to go to him in Youngstown, Ohio, she said she would go there and reform.

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GIRL A WIRE FOR 220 VOLTS

Miss Henrietta Raugh Gets Shock When Grasps Light Button and Telephone.

(United Press Leased Wire.) Two hundred and twenty volts of electricity passed through the body of Miss Henrietta Raugh, office assistant at the Portland Stockyards, yesterday morning. That she is alive from the effects of her terrible experience is considered remarkable by her physician and those who knew of the circumstances of the strange accident. Miss Raugh is still very weak at the home of her sister, Mrs. W. H. Daughtrey, 1195 of Vancouver avenue, but it is expected that she will be able to resume her duties at the office Monday morning.

A few minutes before 12 o'clock when everyone in the office with the exception of Miss Raugh, had gone out for lunch the young lady had occasion to use the telephone. Being a rather dark and gloomy day, the electric light above the desk was still turned on. Finishing her conversation at the telephone, Miss Raugh, still retaining the instrument in one hand, with the other reached up to the light bulb to turn off the current. Immediately 220 volts was transmitted to her body and she fell to the floor unconscious, tearing the globe from its fixtures.

One of the office employees, returning for some article that he had forgotten, found her prostrate on the floor. Thinking that she had inadvertently tripped and fallen, and never dreaming the true cause of the accident, he attempted to raise Miss Raugh. Then he tried to remove the telephone and the light bulb from her grasp. She retained them with a vice like grasp, and it was with the greatest difficulty that the bulb was extricated. The telephone wires was cut and assistance was at once summoned. In an automobile the young woman was hurried to her home and she and a sister-in-law of President W. H. Daughtrey of the yards.

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Vain Sophistries

From the Wallows Chieftain. It is taking reams of paper for Editors Scott, Geer and Bennett to ease their consciences in their attempt to have legislators break their pledged word to vote for the people's choice for senator. They may satisfy themselves, but it is certain they cannot convince anyone else that black is white or a wrong is right.