

DAILY CAPITAL JOURNAL

BY HOFER BROS.

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FACTS IN THE CASE

In the first trial of Congressman Williamson, Dr. Van Gesner and Marion R. Biggs, Judge De Haven instructed the jury that they had a right to find a verdict of not guilty as to any one of the defendants. The jurors replied that they so understood the charge. G. O. Walker of Lane and O. H. Flook of Douglas county were willing to find a verdict against Van Gesner and Biggs, but were not fully satisfied as to the guilt of Williamson. The Oregonian terms this act an "extraordinary feature." The king of the castle with the tall tower also says: "The two members of the jury who held out were from Hermann's district—one of them from Douglas, the other from Lane county. Both are said to be personal friends of Hermann. This might sufficiently account for their inability to join in a verdict which might have reflected upon Mr. Hermann, or at least have added to the embarrassments of his position." We know nothing about the standing of Mr. Walker, but Mr. Flook is one of Douglas county's most honored citizens. The Oregonian has no right to question his veracity. This is not the first time a jury has failed to agree, and in this case it is presumed every juror did his duty as he understood the law and evidence. Perhaps Mr. Scott does not like the charge of Judge De Haven, and being afraid to criticize the court, takes a "parting shot" at the jurors from Congressman Hermann's district. If Harvey Scott were able he would doubtless convict every man indicted without further evidence. Suppose the dissenting jurors are friends oflinger Hermann. He has more friends in Oregon today than the editor of the Oregonian has or ever will have.

G. O. Walker, the juror from Lane county, made the following statement in Saturday's Oregonian: "From the first I held that if the evidence warranted the conviction of any of them it undoubtedly did with all of them, from start to finish, and furthermore, on the first two ballots there were five for the acquittal of Williamson and three for the acquittal of all. "The statement that I am a timber cruiser is also erroneous, as I am a farmer, and the only timber cruising I ever did was to pick out a claim for myself about four years ago in the Roseburg land district, and the government never held up any claim as alleged. "Your statement reads also, 'both Flook and Walker are constituents oflinger Hermann.' I cannot speak for Mr. Flook, but so far as I am concerned, I never saw Mr. Hermann, nor did I vote for him or support him politically. "My position was based entirely upon the merits of the evidence, taking into consideration the conduct of the witnesses. I never met Mr. Flook prior to being accepted as a juror, nor have I ever had any acquaintance with any of the defendants, either before or since the trial, except to shake hands with them when they came out of the court room." W. O. Cook of Eugene did not hold up the jury in the Williamson trial. He was the leader and spokesman for the majority. Neither was he ever in

Save Something. It's the sure way to success. Everybody can save something, if only a small amount, and the small sums saved and deposited REGU-LARLY soon yield large results. It May Mean the Building of a Home, the Foundation of a Business or a College Education. We receive deposits of one dollar or more at any time and pay interest at the rate of three per cent per annum, compounded semi-annually. Savings Department CAPITAL NATIONAL BANK

Ayer's Hair Vigor. To be sure, gray hair is better than no hair. But why have it gray, and thus tell everybody you are getting old? Keep it dark and rich; make it long and heavy.

the employ of the Booth-Kelly company, as stated by the Portland daily. If the press insists upon trying the land fraud cases, it might be well to state facts.—Exchange.

SCOTT FOUND MINE BY CHANCE

Miner Was Suffering the Pangs of Thirst When He Located It. Los Angeles, July 27.—Now that the Death valley miner, Walter Scott, is attracting so much attention, many interesting stories about the man of mystery are coming in. Most of them are founded on fact, as Scott is well known among miners from Nevada to Los Angeles, and was in Randsburg during the gala days of that camp. Stripped of its romance and mystery, the mine that Scott is working is not as valuable as other mines in other parts of the globe, but it is easier worked, and the way Scott spends the returns from the government assay office at New York give the idea that wealth is limitless. Scott himself claims that he has over \$30,000,000 in sight.

"The nearest Scott has ever come to revealing the whereabouts of his mine," said an old miner just in from the Randsburg district, "was in his delirium from exhaustion following his return to camp after the discovery. "In his delirium he told of his hardships and wanderings. He had left Daggett more than a month before with two burros as his sole companions, reaching furnace creek without mishap, where he stayed several days. He left here in the night, and struck out west to cross Death valley at a point opposite Telescope peak, the most prominent mountain in the southern desert.

"In attempting to scale rocky walls that obstructed his path he slipped and fell upon his canteen, causing a leak along one of the seams. "About 10 o'clock the following morning, and suffering terribly from thirst, he suddenly came upon a few bunches of green brush, a never-failing sign of water.

"In a few minutes Scott lay sprawled out, his head nearly submerged in the little stream of Willow canyon, which comes down from the summit of Telescope peak on the east side of the Panamint range.

"As he sat by the water his experienced eye fell upon some quartz. He found it to be a fabulously rich piece of gold float, which must have come from the neighboring canyon side.

"After two days' search he said he stumbled upon a vein of considerable size, and upon investigation found many pieces that were more than half pure gold."

A Humiliating Coincidence.

Mr. Filleybrown was late in getting started for his office. It was raining, and in the excitement of leaving his home, Mr. Filleybrown took, quite by accident, his wife's umbrella. He was a stately white haired gentleman, and felt, to some extent, the humiliation of having in his possession a gold and pearl handled affair of so obviously a feminine gender. When Mr. Filleybrown finally seated himself in an elevated train he was, then, in a peculiarly sensitive, ruffled condition of nerves. The financial news of the morning, too, rasped his temper. It was in this trying mental state that our friend snatched up the offensive umbrella and made for the car door when his station was called. Half way there he was arrested by a firm hand. An indignantly polite old lady was at his elbow.

"I'll trouble you for my umbrella," she acidly remarked. "You have it, and also your own."

Mr. Filleybrown glared the glare of detected innocence. He glanced fearfully at his hand; there were the two umbrellas. He reddened angrily. "Madam," he shouted, vehemently, "I don't want your umbrella."

"Oh!" said the triumphant owner of the umbrella, significantly, "Oh!" Mr. Filleybrown dashed furiously from the train, laughter in his ears.

Toward evening the sun struggled out. The day on the street had belied Mr. Filleybrown's gloomy expectations. He left his office somewhat richer and infinitely more bland in temper. On the way home he stopped at the umbrella mender's and presently took from that person some half dozen of the family umbrellas that had been undergoing a prolonged period of repair.

"I won't be caught that way again," considered Mr. Filleybrown with congratulatory fervor.

Again he boarded the train and folded himself contentedly into his evening paper. By that singular and malevolent fate which dogs the feet, steps of the virtuous, the indignantly

polite old lady of the morning sat directly opposite Mr. Filleybrown. She fixed him and his six umbrellas with a scandalized and outraged eye. Mr. Filleybrown remained statuesquely unconscious. At last, goaded to it by that power which forces speech from our unwilling lips, as she rose to leave the car, she leaned over to Mr. Filleybrown's paper, close to his horrified face, and hissed scornfully: "I see you've had a successful day!" And Mr. Filleybrown, sickeningly aware of his six umbrellas, blushed that hot blush of shame the innocent are eternally cursed with.

GUARDSMEN MUCH BENEFITTED

Col. C. U. Gantenbein Speaks of the Results of Gearhart Encampment.

"Great were the benefits derived by the camp of the Oregon National Guards at Gearhart Park," said Colonel C. U. Gantenbein yesterday. "The outing was instructive to the men in many ways. They received valuable instruction as to military discipline, and the drills gave the men experience in orders. Not only the privates were greatly benefited, but the camp was a grand school for the officers. Besides the field work, the men learned about camp life, mode of transportation, and the best of all was the target practice.

"In case of a call issued from the National government, Oregon could send out within a few hours notice 780 practically all trained men. That was the number in my regiment. There are 16 companies in Oregon. The limited number of men for a regiment is 830, so we run close to the maximum. The number of men in the regiment this year is about the same as last year.

"While speaking about the annual camp, I wish to say that I never saw such an orderly lot of boys, both at Gearhart Park and in camp at the exposition grounds. As a rule disorderly men will be found in a large gathering of that kind."

No Daily Train for Springfield.

For some time past the people living along the Woodburn-Springfield branch have been after the Southern Pacific Company to operate a daily train on that line. It appears that they are to be disappointed. The Portland Journal of yesterday says:

"The petition of the people on the Woodburn-Springfield line for a daily passenger train has not been favorably considered."

Excursion Rates.

During the Lewis and Clark Exposition the O. C. T. Co. will make a rate of 75 cents to Portland, round trip \$1. Tickets good for 10 days. Boats leaving daily.



Salem Box Factory

G. F. MASON, Prop. I am in South Salem, where you will find me for all kinds of fruit trays, orchard boxes and hop baskets. Miller street, Salem. Phone Red 2191.

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Russel Heise Dead.

Russel Heise, the youngest son of Mr. and Mrs. A. Heise, died this morning at 1:45, at the Salem hospital, from the effects of an operation for appendicitis, which he underwent yesterday. This comes as a most severe shock to his parents and the family, as he was not taken sick until Sunday morning. About four months ago he celebrated his 13th birthday anniversary.

Besides the grief-stricken parents, he leaves two sisters, the Misses Nanulo and Lena, and one brother, Clay, all of whom are well-known in Salem and throughout Polk county. Mr. Heise was at one time one of the most extensive hop growers in that county. During that time he resided at Oak Grove.

The funeral will be held at the family residence, at the west end of the steel bridge, tomorrow morning at 10 o'clock. Rev. Solleck will conduct the services, and burial will take place in City View cemetery.

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COLONEL J. OLMSTED, Prop. DOROUS D. OLMSTED, Manager. 230 Liberty Street. Phone 411. Leave orders in Dallas with J. J. Piddler, or at the Roy Confectionery Store.

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THAT HUNGRY FEELING is something you want-and don't want to keep. The place to lose it is at

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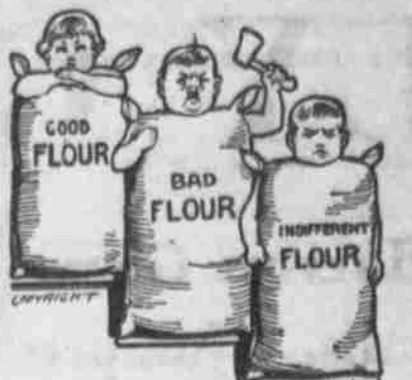
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The famous seaside resort for the Willamette Valley. Tickets at reduced rates will be sold until September 1, 1905, by the

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Do not neglect this opportunity to take in the fresh sea breezes and sunbathing.

Season Rate From Salem \$5.00

These tickets are limited to October 10, 1905.

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