day, Foreign Secretary Gray reiterated that the British government had been

notified that the American govern-ment was willing to participate in an annual conference upon the opium traffic in East Asia, or in a commis-

THAW JURY OUT ONE MORE NIGHT

No Sign of Agreement Up to Midnight.

HEARS MUCH EVIDENCE READ

Seeks Information About Details of Shooting.

THAW HOPEFUL OF RESULT

Twelve Weary Men Struggle With Problem of Guilt or Innocence. Thaw's Family Shows More Anxiety Than the Prisoner.

OTHER FAMOUS MURDER TRIALS. NEW YORK, April 11 .- (Special.)

-With the Thuw trial showing every indication of being a record-breaker on all lines, interest carries back to three other famous New York mur-der trials, statistics on which follow: Br. Samuel J. Kennedy.

First trial, 16 court days; Jury out three hours 13 minutes; verdict, guil-Second trial, 15 court days; jury

out six hours 35 minutes; verdict. Third trial, 36 court days; jury out

22 hours five minutes; verdict, disagreement. Roland B. Molineux

First trial, 57 court days; jury out eight hours; verdict, guilty, first de-

Second trial, 21 court days; jury out 25 minutes; verdict, not guilty. Non Putterson. Pirst trial, stopped owing to Ill-

ness of juror at end of ten days. Record trial: 17 court days; jury out 24 hours; vardict, disagreement. Third trial: 14 court days; jury out 11 hours 35 minutes; verdict disagree-

Harry K. Thaw. Trial 64 days to date.

NEW YORK, April 11.—Deliberation hours by the Thaw jury has falled to result in a verdict. At 11:40 o'clock tonight the jury was ordered ceked up for a second night at the Criminal Courts building. The fact that the jurors had not been able to agree after devoting so much time to a study and discussion of the case has ing in his chambers awaiting the verdict given rise to the belief that the trial of the jurors. disagreement, and the whole affair will have to be gone over

Although the 12 men have thus far failed to reach a common opinion, and to all appearances, are hopelessly at sea, Justice Fitzgerald has not given

up hope of having a verdict rendered. As yet, Deming B. Smith, foreman of the jury, has not complained to the court that the jurers are unable to reach a decision, and until he does so it is not likely that Justice Fitzgerald discharge them.

The general impression prevails that if they are unable to agree at the expiration of 48 hours, they will be released from further service. The very fact, however, that no intimation has been received from the jury room that the men are unable to agree has been construed by men who have followed the proceedings closely as an indication that a verdict will eventually be

Thaw Family Disappointed.

The mother, wife and the two sisters and brothers of the defendant last minute and when it was anrow, they returned to their hotel cresta keen disappointment.

Twice during the day the 12 men who took their places in the jury-box more than two months and a half ago filed into the courtroom and asked the court's assistance in an endeavor to bring about an agreement. They appeared wan and haggard, after wrangling through all of last night in the little conference room at the Criminal Courts building with only hard chairs and one long table provided for their comfort.

Evidence Read to Jury.

The jurors wanted to hear again the evidence of numerous eye-witnesses to They wanted to hear what Dr. Allen McLane Hamilton bad been allowed to testify as to Thaw's condition the night of the tragedy, and what Evelyn Nesbit Thaw had said as to her husband's conduct that evening; they wanted to hear repeated the conversations Thaw had with James Clinch Smith just before he committed the homicide; they wanted to hear several portions of Justice Fitzgerald's charge once more, and finally asked permission to take possession of all the writings of Thaw which had been intro duced into the trial as indicative of the defendant's state of mind when he heard the story of Evelyn Nesbit's

alleged wrongs at the hands of the man who was to become his victim.

All these requests were granted by the court, but when Foreman Deming B. Smith, on behalf of the jury, asked that certain portions of the summing up ad-dress by Mr. Delmas be read, Justice Fitzgerald called a hait. He adm the jurors that they were to be guided only by the evidence and were not entitled to hear again the closing speeches

Harry Thaw's family remained at the courthouse until late in the night. They visited the defendant on several occa-sions in the prisoners' pen on the floor above the courtroom. Their purpose was to cheer him, but he appeared by far the nost cheerful of the group. Thaw's confident air seemed never to leave him for any great length of time and a buoy-ancy of spirit is nearly always appar-

Many Rumors About Jury.

There were all sorts of rumors and ruesses in the air today as to how the jury stood. There were more different reports as to the results of the ballots than could possibly have been had test votes been taken. None had any degree of authenticity. Some were uttered in jest by principal figures connected with



er, Who Has Resigned as Actual Ruler of Egypt.

the trial, and occasionally these were taken in deadly earnest by persons who heard them.

tain portions of the testimony read aused much speculation. It seemed evident that the jury's deliberations we sanity of the defendant as shown by the The jury showed an almost startling familiarity with the ovidence and the testimony it desired to hear again today was given in part by persons who were not referred to in the ming up speeches of either Mr. Delmas or District Attorney Jerome, From the manner in which the jurors wished to go over the evidence in all its detalls, it was surmised that a verdict, if reached at all, would be predicated entirely on the evidence, and not on the 'unwritten law,"

Justice Fitzgerald spent the entire even-

Jury Pale and Red-Eyed.

The jury was liberated from its conroom at 7 o'clock this morning and taken to breakfast. The night had all had been proved up at the time, it is been a hard one for many of the jurors, believed. In the light of all the informaand the strain plainly showed on their pale faces and reddened eyes. A jury locked up to consider a case is given no The chairs in the jury room are hard, straightback affairs, in which even a few moments sleep would be wellnigh impossible. Newspaper men called at the Tombs early today and sent a enver to Thaw asking him how felt. He said he was still confident and hopeful of a favorable outcome. It was said that Thaw had a good night's rest night. The guards said Thaw was packing up his effects, ready to leave the prison at a moment's notice should be be acquitted,

Thaws Early in Court.

Members of the Thaw family began to arrive at the Criminal Courts building shortly after 10 o'clock. In one automo bile were Mrs. William Thaw, the Countwere in the Criminal Court up to the and Biward Thaw. They went at once to the witness room adjoining Justice nounced that the jury had been locked Fitzgerald's chambers. The Judge came up over night and there was no longer in a few minutes later. Evelyn Nesbit any prospect of a verdict before tomor-Thaw made her appearance at the Court House within 15 minutes after the other fallen. They had hoped and looked members of the family had arrived. forward for a decision today, and the news that they would have to pass it could be plainly seen that she was unanother night in doubt and anxiety was usually pale. She walked as though much fatigued.

A few minutes before Il o'clock the jury asked for some of the exhibits and the District Attorney sent in all the exhibits in the District Attorney's possession, it cluding the large photographs of Evelyn Nesbit, which she identified as having been taken the day she said White outraged her.

Jury Asks for Exhibits.

At 10:50 the Judge took the bench and the jury was called to the court room. A minute later a messenger was sent to the l'ombs te bring Thaw to the court room.

When Thaw was called to the bar he entered the room with a quick stride and bright eyes, and carrying half a dozen morning newspapers. His manner and appearance bore out the statements of his unsel earlier in the day that he apparently was in better shape physically than any other person connected with the long

and tedlous trial. Thaw bowed to his mother, his wife, his two slaters, the Countess of Yarmouth and Mrs. George L. Carnegle, and to his brothers, Edward and Josiah. He then turned to his counsel, all of whom were present, and entered into a brisk conver-

ation with them. Justice Fitzgerald, in taking the bench, "I have received a request from the

(Concluded on Page &)

TO BE INDICTED

Grand Jury May Involve Idaho's Senator.

LINKS NAME TO LAND CASES

Sensational Reports Expected From Boise Today.

WISCONSIN MEN IN THE NET

Borah, Attorney for Lumber Company, Under Investigation-Senator Says Rumor May Be True, but He Will Not Talk.

BOISE, Idaho, April 11 .- (Special.)-Runor is persistent tonight that the United States grand jury has indicted Senator W. E. Borah, and there is every reason o believe the story is true. It is so speific that the vote of the jufy is given, which is said to have been 12 to 11.

Mr. Borah states he has heard the rumor and is disposed to believe it is correct. The understanding is that the in dictment, together with numerous others will be reported to court tomorrow. Mr. Borah declined to discuss the subject fur-ther without official knowledge of the acion of the jury.

It is the understanding that James E. Barber, of Eau Claire, Wis., head of the Barber Lumber Company, has been in dicted, also L. G. Chapman, manager, who is in jail for contempt in refusing to de-liver all the books and records of the company to the grand jury, and other Wisconsin men interested in the corporation. Diligent search has been made to dis-

cover on what grounds the indictment has been found against Mr. Borah. It is understood to be for conspiracy, but very little seems to have been stated by witnesses, beyond the fact that he is gen-eral attorney for the company, a position he has held since 1904. One statement made before the gran

was entered into between William Sweet and the late Frank Steunenberg at the time the former transferred certain options he had on timber lands in the Bols Basin country to Steunenberg. That land was the foundation of the holdings of the Barber company. Mr. Steunenberg went East and interested Wisconsin men in the matter and they afterward took up the

Another statement made before the grand jury was that Mr. Borah handled money for the purchase of the lands. The mber company desired to get certain lands, and, in the absence of Mr. Steunenberg, Mr. Borah was asked to purchas Part of the land was patented and tion that can be secured as to the evi dence, it is impracticable to arrive at a conclusion as to the basis of the charge.

Conference on Opium Traffic. LONDON, April 11. - Replying to a question in the House of Commons to-

sion to investigate the opium trade upon the conditions that certain other powers were willing, and that the in-quiries be extended to production of opium in China as well as to the importation of foreign oplum. The secretary added that the replies of the other powers consulted had not yet been communicated to the government, nor had the programme of the conference yet been committed to them. WASHINGTON, April 11 .- It is stated here that there have been no exchanges between this Government and others interested in the suppression of the opium traffic during the last three

Mikado Receives Admiral Bronson TOKIO, April II.—Rear-Admiral Bron son, U. S. N., was received in audience this morning by the Emperor.

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U. S .- "CAN'T SOMEBODY STOP THAT FALSE ALARM?"

ROOSEVELT IS A DESPOT.

ROOSEVELT. DEGRADES THE PRESIDENCY!

DONG!

DAMAGING FACTS

Hermann Made Robertson Divide Pay.

VAGATION AT PUBLIC EXPENSE

Government Also Paid Per Diem While in Oregon.

HIS MEMORY FAILS AGAIN

Denies Land Deals While Receiver at Roseburg Were Illegal-Made Public Blue Mountain Withdrawal Before Telling Mays.

OREGONIAN NEWS BUREAU, Washington, April II.—Binger Hermann's crossexamination closed this afternoon. Only a few witnesses remain to be examined by the defease. It is expected that argument will be made by the middle of next week and then the case will go to

As on the previous days when he was under cross-examination, Hermann today did his case no goo . His admissions had his letter-books, but tended to place him in an unenviable light before the jury. For instance he admitted that on each of his Summer vacation trips to Oregon, he drew actual traveling expense from the Government and in addition received per diem of \$3 for each day he was away from Washington. He declared that these trips were semi-official in that he was at tending to public business most of the time he was in the West, but it was likewise shown that much of his time way on vacation

Made Robertson Divide.

When Harry Robertson was on th stand he undertook to testify that he act ed as private secretary to Hermann when Hermann was first in Congress and attempted to explain how Hermann regu larly made him divide up his salary with Hermann. The testimony was objected to and ruled out. Today Hermann was mpelled to admit that Mr. Robertson's charge was true, but he declared that he docked Mr. Robertson in order to employ an extra clerk, Mr. Robertson being unhandle all his correspondence When Mr. Robertson was clerk of Hermann's committee, his salary, \$185 per month, was paid to him direct, but Hermann admitted that he compelled Mr.

Asked about his extra stenographer, he said his name was James and explained that he came to his house three nights s week and took long-hand dictation. As ording to Hermann's explanation, James the long-hand writer, was better paid than Mr. Robertson, who gave Hermann his entire time. Hermann could not rec ollect that Mr. Robertson refused to divide with him his last month's salary.

Had Right to Buy Land.

Many times during his cross-examina ,................

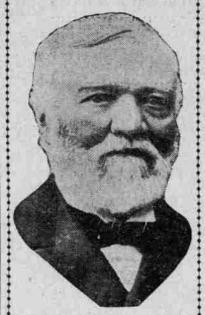
tion today, Hermann "could not requestioned. Explaining his action in acquiring three ousand acres of public lands while he

as Receiver of the Roseburg Land Office, Hermann said he bought land for \$1.25 an acre, using it for a sheep ranch. After holding it 23 years he sold it for 12 per acre. His attorney declared that at the time Hermann bought that land it was not unlawful for local land officer acquire public lands. The restriction cited a day or two sgo, he said, applied only to officials and employes of General Land Office in Washington, officials and employes of th

Denies He Gave Mays Tip.

On re-direct examination, Hermann again denied that his telegram to Mays July 25, 1902, was a tip to enable May to get land in the Blue Mountain Re serve before the withdrawal went int

He said he gave full details as to this withdrawal to The Oregonian correspond



Gift to Pitteb

ent three days previous, and that the ame were published on July 22. He cited this to disprove the charge that he was giving Mays advance or inside informaion, but that he was merely informing ilm what had already been published in

the Portland papers.

Hermann "could not remember" whether he expedited F. A. Hyde's cases before the Land Office at request of Sena-

Where Puter Got the Money.

Charles Chaffee, president of the Wisnsin National Bank, of Rhinelander, Wisconsin, and Henry Close, cashier of the Milwaukee National Bank, of Milwankee, testified for the defense regarding the payment in 1901 of 20000 to S A D Puter. Mr. Chaffee said his bank ordered payment to Puter through the Milwankee bank, and Mr. Close said his bank paid the amount by drafts on the National Bank of Chicago, and that this draft was cashed by the Continental National Bank of Chicago. On cross-examination Mr. Chaffee said he paid Puter Robertson to give him all but \$80 each payment was made. Puter had testified dent of the Southern Pacific. that Le got the two \$1000 bills from a Milwaukee bank, the money being a part of this \$9000 transaction.

DOES NOT GET FAIR DEA

MRS. VON CLAUSSEN SAYS PRES-IDENT IS AGAINST HER.

Snubbed Society Dame Says She Got No Square Deal-Will Pursue Matter to End.

WASHINGTON, April 11 -- Mrs. Ida von laussen, who has been here for some time, endeavoring to see President Roose velt regarding her controversy with the American Minister to Sweden, Mr. Graves, growing out of Mr. Graves' refusal to present her to the royal court at Stockholm, left for New York tonight. Before her departure she gave out a statement in which she said she had "no chance of redress at the hands of President Roosevelt or the State Department" and that would pursue the issue to the end. Her statement criticises Presiden Roosevelt for denying her an audience asks if that was a "square deal," says she has been snamefully treated by the Roosevelt administration and says that the "reopening of the case" by the State Department, while a moral victory for her, "Is intended to deceive me into non-

She alleges that the State Department is protecting the President in the matter, "I regard my treatment here as a farce

TOWNSPEOPLE FIGHT FIRE Burning of Cotton Compress Endan-

gers Buildings of City.

CHICKASHA, I. T., April 11.—The compress of the Traders Compress Company, with its contents of 14,000 bales of cotton, was destroyed by fire here to-

Mrs. Taft at San Juan. SAN JUAN, Porto Bico, April II.—Mrs. William H. Taft, Miss Ide and Mr. Poet arrived here today on the steamer Coamo. Several entertainments have been ar-

REDUCE POWERS GIVEN HARRIMAN

Union Pacific Directors Propose Move.

TOO MUCH ONE-MAN CONTROL

Harriman Could Sell All Road's Securities.

CAUSES PUBLIC DISTRUST

teorganization of Executive Committee Proposed to Remove the Cause of Criticism_"Fine Idea," Says Harriman.

NEW YORK, April 11 - (Special) e of the directors of the Union Pacific Railroad favor a material reduc-tion of the extraordinary powers conferred upon its president, Edward H. Harriman, which make the company a -man affair.

At present the executive committee has all the powers of the directors when the latter are not in session, and Mr. Harriman has all the powers of the executive committee when that body is not in session. In other words, Mr. Harriman can do as he pleases, except for the few minutes once a week or once a month, when the committee is in session.

He has a power of attorney and could sell the millions upon millions of the securities of other roads owned by the Union Pacific at what price he pleased, or he could hypothecate securities, borrow tens of millions upon them from banks and engage stock market operations on a colossal

In the hope of appeasing the Union Pacific stockholders and eliminating the public distrust in the securities of the Harriman roads, it is proposed to put some new blood in the executive committee, reorganize the body and adopt resolutions taking away from Mr. Harriman some of the powers which have provoked so much criti-

cism. plan, Mr. Harriman said, smilingly:

it is a fine iden." The regular monthly meeting will be held as soon as enough directors are in the city, and it is expected the proposed change in the executive committee will then be effected.

Mr. Harriman was re-electe

MUST ALLOW COMPETITION

Railroad to Pay Damages for Discrimination in Rates.

WASHINGTON, April 11 .- In an opinion by the Interstate Commerce commission the principle was laid down that a railroad company cannot arbitrarily determine that a particular establishment shall compete in certain mar-kets with other localities and that other similar establishments on its lines shall not so compete, particularly where the discrimination is not justi-

fied by operating conditions.

The decision was applied to the case of the Texas Cement Plaster Company against the St. Louis & San Francisco Railroad Company, involving a complaint of unlawful discrimination in rates on cement plaster in carload lots. The defendants were ordered to adjust their tariffs accordingly and to pay the complainant reparation in the amount of excess charges, with interest,

SANTA FE MUST STAND TRIAL Judge Welborn Declines to Quash

Indictments for Rebating. LOS ANGELES, April 11 .- In a lengthy verbal opinion, Judge Olin Welborn, in the United States District Court, declined to quanh the indictments against the Santa Fe Railroad Company for alleged rebating, and the company must stand trial upon 65 separate counts. Judge Weiborn's opinion reaffirmed the doctrine set forta in the American Tobacco Company case that a corporation is not a son, as defined in the fourth and fifth amendments of the Constitution of the

Judge Welborn gave the defendants permission to file a demurrer, if they desire to do so, by April 22.

United States, and may be compelled to

give testimony tending to incriminate

Georgia Rate Cases Set.

WASHINGTON, April 11 .- The Interstate Commerce Commission has set of cotton, was destroyed by fire here today, causing a loss estimated at between \$600,000 and \$700,000. The loss is
fully covered by insurance. The compress was owned by Nell H. Anderson,
of Fort Worth, and R. K. Wooten and
L. M. Potts of this city.

The flames were fanned by a strong
wind and the town was only saved from

wind and the town was only saved from

Company and others, alleging inreasomable and discriminating rates on
cotton from various Southern points
via Pacific Coast terminals to Shanghal and other ports in Japan and
China, and also a practically similar
case against the same railroad filed for hearing in this city on April 18 the by the China and Japan Trading Com-

Two-Cent Fare for Michigan.

LANSING, Mich., April 11.—The 2-cent railroad fare bill recently passed by the Senate was passed by the House today, with only one dissenting vote,