JURY DISAGREES IN POWERS CASE

Ten for Acquittal, but Two Hold Out for Conviction to Last.

NEXT TRIAL ON JULY 6

Judge Refuses to Admit Prisoner to Bail, Though Health Impaired. Fourth Trial in Prosecution Lasting Eight Years.

ing out more than 48 hours the jury in the case of Cateb Powers, tried on a charge of completty is the murder of william Goebel, today reported for the second time that they were unable to agree upon a verdict and were discharged by Judge Morris. by Judge Morris.

by Judge Morris.

The jury stood ten for acquittal and two for conviction, J. L. Price, the foreman and J. W. Renaker, the Harrison County juror, held out for conviction. There came near being an acquittal. Mr. Renaker made the proposition to Mr. Price to vote for acquittal. Mr. Price held out although a sick man, and Renaker wald be would were with him. C. aker said he would vote with him. C. J. Marshall first voted for conviction but

soon changed.

After the discharge of the jury, the defense moved for the admission of Powers to ball. His attorneys pleaded that he was not in good health and that, in view of the fact that the jury tout, in view of the fact that the jury could not agree as to his guilt, he should be allowed to give ball. Another motion was made by the defense that the fate of the next trial be set to begin within ten days. Both were overruled and the trial was set by Judge Morris

DECLARE HOWARD INNOCENT

That He Be Released.

GEORGETOWN, Ry., Jan. 4.—The 10 juriors who stood out for acquittal of Caleb Powers tonight signed a request to the Governor to release James B. Howard from the penitentiary. The request says that after hearing the testimony in the Powers trial the 19 lurors have reached the conclusion that Howard, who has been tried and convicted and is now under sentence for slieged complicity in the murder of Governor Goebel, is entirely innocent of said charge and had nothing whatever to do with the commission of said crime. GEORGETOWN, Ky., Jan. 4 .- The 10

KUBELIK'S WIFE ROBBED

SPOKANE, Wash. Jan. 4.—(Special.)—Pandemonium reigned in Jan Kubelik's private car in the Northern Pacific yards tonight when the Countess Szaky Czell, the violinist's wife. Barned that her Jewol box had been broken open and two dismond rings and a gold bracelet liamond setting. box had been broken open and two dia-mond rings and a gold bracelet with a diamond setting, the three valued at 1350, were missing.

The Countess was dressing for the consert to be given by her husband. Kubeik's manager went to the office of a Justice of the Peace, where a search warrunt was secured, suspicion having failen on three colored members of the violing at the result of the report the star retinue. Detectives were called into the case and the car thoroughly searched, the case and the car thoroughly searched. nit no trace of the gems could be found.

The last the Countess saw of the jewels was in Denver. A peculiarity of the case is that a pendant valued at \$500, which was in plain sight alongside the jewel look, was intouched.

DEPEW AND PLATT ARE OUT Not Counted On as Delegates to National Convention.

NEW YORK, Jan. 4.-The Tribune to-

NEW YORK, Jan. 4.—The Tribune to-morrow will say:

"Walle the list is subject to change, like other political states, the plan of the organization leaders is that the 'Rig Four' elected by the Republican State Convention will be Elihu Root, Secretary of State; George B. Cortelyou, Secretary of the Treasury; ex-Governor Frank S. Black, and Timothy L. Wood-roff, chairman of the viole consistence.

ruff, chairman of the state committee.
"If this slate stands, obviously it leaves 'outside the breastworks' those National conventional veterans, Sena-tors Thomas C. Platt and Chauncey M. Depew. The ten or a dozen men who control the Republican organisation in this state are chary of saying why the slate leaves Senators Platt and Depew off the list, but when present, they adoff the list, but when pressed, they admit that neither Senator is likely to go as delegate-at-large."

The state convention is likely to be held on Tuesday, April 14.

ADVANCE GUARD ARRIVES Brazil Making Preparations to En-

tertain the Fleet. RIO DE JANEIRO, Jan. 4.-The

American collier Brutus arrived here today and the Ajax is expected tomor-row. They precede the American bat-ticship fleet.

The Minister of Marine has named a commission of naval officers to wait

apon the American visitors while the fleet remains here.

RELIEF TO BE HOSPITAL SHIP Fitted Out for 250, With Surgeon

Stokes in Command.

WASHINGTON, Jan. 4.—Acting under orders of the President, Secretary Met-caft today signed the orders assigning Surgeon Charles F. Stokes to the coms being fitted out at Mare Island, Cal, with a full hospital equipment, for special futy with the battleship fleet. Surgeon Stokes, it is now expected, will start for the Coast next week. The Secretary said that accommodations will be afforded on the vessel for about 150 sick persons. Other officials will be assigned to the vessel as assistants to Surgeon Stokes. Arrangements are to be made for securing a merchant crew and master.

The Secretary was asked about the reports that there were no adequate funds.

that the department would not cross the under his father in the Civil bridge until it was reached. Secretary here tonight, aged 73 years.

Metealf declined today to say anything about the controversy over the command of the Rellef, which resulted in the resig-nation of Admiral Brownson from the head of the Bureau of Navigation.

NEBRASKA IS AT CORONADO Comes to Take Part in Bennington

Monument Dedication. SAN DIEGO. Cal. Jan. 4.—The battle-ship Nebraska. Captain Nicholson, dropped anchor off Coronado this morn-ing, while on her way to Magdalena Bay for target practice. She will remain here until Tuesday, that her men and officers may participate in the dedication of the Bennington Monument, and that even-ing she will steam South.

Ing she will steam South.

News by wireless from Magdalena Bay, this morning, is that the armored cruiser California had left there yesterday morning and would probably arrive here on Sunday, that her sailors may participate in the dedication ceremony.

The cruisers Tennessee and Washington, Admiral Sebree's advance guard of Admiral Evans' big deet, are at Magdalena Bay, industries in target practice and Bay, induiging in target practice, and will be up later.

Italian Cruiser to Meet Fleet.

NAPLES, Jan. 4.-The newspapers here publish the statement that the Italian crusier Puglia has been ordered to meet the American battleship fleet and accom-GEORGETOWN, Ky., Jan. 4.—After being out more than 48 hours the jury in meet the American fleet in South American fleet in Sou

STRIKE THOUGHT BROKEN

MORE MINES RESUME WORK EVERY DAY.

Another Union Forming, to Be State Affair, Independent of Western Federation-Leaders Disturbed.

GOLDFIELD, Nev., Jan. 4.—It is bedetected in Goldfield that the strike is practically won by the mine operators and
that of the next trial be set to begin
within ten days. Both were overruled
and the trial was set by Judge Morris
for July 6.

Powers was showered with congratulatious.

DECLARE HOWARD INNOCENI
Members of Powers Jury Demand
That He Be Released.

GOLDFIELD, Nev., Jan. 4.—It is believed in Goldfield that the strike is practically won by the mine operators and
that within ten days or two weeks every
mine in the district will be in full blast.
Several mines started up this merning
with miners formerly affiliated with the
Western Federation of Miners, but who
signed cards renouncing such allegiance.
Among the mines were the Mohawk property, the Combination Fraction and several leases on the Altanta and Florence.
The men went to work under the new
scale, which reduced wages 20 per cent.
General Manager Mackenzie of the Goldfield Consolidated today, said: GOLDFIELD, Nev., Jan. 4.-It is be-

General Manager Mackenzie of the Gold-field Consolidated today, said:
"Conditions today are more promising than at any time since the strike began. The Mineowners' Association has not wavered one lota from its original pro-gramme of reducing wages and forcing a separation from the Western Federation of Miners. Every member of the Fed-eration has to sign a card renouncing allegiance to that union and the mineallegiance to that union and the mine-owners will remain firm in this stand if it takes two years to accomplish their purpose of breaking up the Federation in Goldfield and Nevada."

Goldfield and Nevada."

The most hopeful sign of an early settlement is the formation of a new union among the miners, which is to become a state affair, independent of the Western Federation of Miners. The preamble and constitution of the new union were finished today and almost immediately enough signatures were received to give the new organization a foothold with the

WASHINGTON, Jan. 4.—A report of the situation at Goldfield, Nev., was made to the President by the members of the special commission which he sent there, including Assistant Sece-tary Murray, Commissioner of Corpora-tions Smith and Commissioner of Labor Nelli all of the Daystrophy of Com-Nelli, all of the Department of Com

letter has had time to reach the Gov ernor it is the intention to make its contents public at the White House, it is said that this letter will set forth the situation as reported by the

CRUELLY BEATS DAUGHTER Man Insane on Religion Is Taken to the Asylum.

CORVALLIS, Or., Jan. 4 .- (Special.) George Harmon was adjudged insane here yesterday and taken to the asylum today. He whipped his 19-year-old daughter with a buggy whip until wests were left as large as a child's finger. His 15-year-old daughter still bears marks of a whipping that he administered about a year ave. The ministered about a year ago. mother is dead.

mother is dead.

The children, of whom, in addition to the above, there is a son of 12 and a daughter of 10, were afraid to live longer with their father, and made complaint to the authorities. Harmon is, on ordinary topics, apparently sane but has a fad on religious subjects.

WILL MARRY ON JANUARY 23 Date Set for Union of Gladys Van-

derbilt and Szechenyi.

NEW YORK, Jan. 4.-According to a statement published today, the marriage of Miss Gladys Vanderbilt, daughter of Mrs. Cornelius Vanderbilt, to Count Laszio Szechenyi, will take place Janvary 23 at the home of Mrs. Cornelius erbilt at Fifty-eighth street and

Fifth Avenue.

The reason for the postponement of the wedding, which had been set for the middle of the month, was that the rela-tives of Count Szechenyl desired to spend the Christmas holldays in their own country. They are now on their way

DENIED CHRISTIAN BURIAL

Guyot-Dessaigne Is Excommunicated for Becoming a Mason.

CLERMONT FERNAND, France, Jan. A.—Jean Francois Edmond Guyot-Dessaigne, the French Minister of Jus-tice, was refused the last rites of the church when buried here today. A priest had prepared to hold a solemn high mass when he received notification that the deceased had suffered excom-munic when on account of having emmunication on account of having em-braced Free Masonry. Therefore, only a civil ceremony was celebrated. At the grave, however, the hishop permit-ted the priest to perform a brief abso-

Edwin L. Price, Confederate General ST. LOUIS, Jan. t .- General Edwin I. Price, son of the late Conferedate General, Sterling Price, who served under his father in the Civil War, died



ANOTHER WEEK OF BARGAINS IN MEN'S AND BOYS' CLOTHES

The FIERCE PRICE REDUCTIONS of last week will continue all this-although from present indications the assortment will soon be broken. Hundreds have taken advantage of the great savings offered, why not you? Reductions in all Departments

MEN'S BUSINESS SUITS

\$50.00 SUITS REDUCED TO \$35.00 These Shits are BETTER than any \$65.00 Tailor Suits in

\$40.00 SUITS REDUCED TO \$27.50 Better than any \$50.00 Suit in Town. \$35.00 SUITS REDUCED TO \$25.00 \$30.00 SUITS REDUCED TO \$20.00 \$25.00 SUITS REDUCED TO \$16.50

BOYS' OVERCOATS

BOYS' \$15.00 OVERCOATS \$9.85 BOYS' \$10.00 OVERCOATS \$6.35 BOYS' \$8.50 OVERCOATS \$5.35 BOYS' \$5.00 OVERCOATS \$3.50 BOYS' \$3.95 OVERCOATS \$2.50

BOYS' KNEE PANTS

30YS' 50c KNEE PANTS.......29¢ BOYS' 75c KNEE PANTS......49¢ GREAT REDUCTIONS ALL OVER OUR JUVENILE DEPARTMENT

MEN'S HEAVY OVERCOATS

\$50.00 OVERCOATS REDUCED TO \$35.00 Equal to any \$75.00 Tailor Overcoat.

\$40.00 OVERCOATS REDUCED TO \$27.50 Equal to any \$60.00 Tailor Overcoat.

\$35.00 OVERCOATS REDUCED TO \$25.00 \$30.00 OVERCOATS REDUCED TO \$20.00 \$25.00 OVERCOATS REDUCED TO \$16.50

BOYS' SCHOOL SUITS

Two-piece Suits, in plain Knee Pants.

BOYS' \$12.50 KNEE PANTS SUITS \$7.50 BOYS' \$10.00 KNEE PANTS SUITS \$6.50 BOYS' \$7.50 KNEE PANTS SUITS \$5.00 BOYS' \$6.50 KNEE PANTS SUITS \$4.00 BOYS' \$5.00 KNEE PANTS SUITS \$3.50

LADIES' AND MISSES' MAN-TAILORED COATS

LADIES' \$25.00 COATS \$16.85 LADIES' \$20.00 COATS \$13.85 LADIES' \$15.00 COATS \$10.35 LADIES' \$10.50 COATS..... \$ 7.35

MOTHERS WILL MAKE GREAT SAVINGS BY COMING HERE

BEN SELLING LEADING CLOTHIER

FENDS CHICAGO BANKER.

Excessive Loans in Violation of Law Customary and Only Cause Per-Perfunctory Rebuke.

CHICAGO, Jan. 4.-That certain sections of the National banking law are dead letters, so far as banking practice ncerned, and that these violations with only formal criticism from the Controller of the Currency, was the testimony today of George M. Coffin, of New York, ex-Deputy Controller of the Currency, in the trial of John R. Waish on charges of misspplying the funds of-the defunct Chicago National Bank. Mr. Coffin was asked by John S. Miller, attorney for the defense, if it was a prevailing practice of National banks to make accommodation and memorandum notes and loans in excess of the limit provided by the banking laws. Before the militage was a second of the limit provided by the banking laws. witness could answer, an objection the attorneys for the Government by the attorneys for the Government brought out a long argument, during which Judge Anderson declared that the testimony was neither material, cor relevant, so far as Walsh's intent similar transactions was concerned, he allowed it to be given in order that the defense might lay a foundation for an attempt to prove that such prac-tices are general all over the country. The question was then repeated and Mr. Coffin answered in the affirmative.

Then the examination was continued as Were such cases as this one in which Mr. Walsh is involved frequently reported to the Controller by the bank examiners?

Yes, sir, Were they criticized by the Controller? Were they criticized by the Controller?

No, there was no special criticism.

What took place in the Controller's office?

The reports were gone over and printed letters, calling the attention of the banks to the statutes, were sent to the banks.

Did the practice of making excessive loans neval?

There were always about one-third of the banks making such loans. This pre-vailed in a reserve district and in about 30 cities of the country, including New York and

cities of Chicago, Mr. Coffin then testified that the printed letters sent to the banks were formal and perfunctory, signed with autograph stamps and containing directions regardng the reduction of excessive loans. letters were not followed up, and replies even were not necessary. The witness asserted that all loans from banks by their officers, excessive or within the limit provided by law, are generally con-sidered matters of judgment. Memoran-

May Stop Bessle Abbott From Singing NEW YORK, Jan t.-Boston, which has already seen the arrest of 1000 opera singers and many suits over the services a singers and many suits over the services of others, may take part in another legal controversy tonight when Miss Bessle Abbott is advertised to sing at a concert. Mr. Conried, of the Metropolitan Opera House, last Spring secured an injunction prohibiting Miss Abbott from singing except under his management, claiming a contract with her. After Mr. Conried secured the injunction she began suit to have the contract declared void. The case will probably be reached within a

Open Brooklyn Tunnel Next Week. BONAPARTE ANSWERS RIPLEY'S EX-DEPUTY CONTROLLER DE- NEW YORK, Jan. t.—The first trains new tunnels will be opened for public traffic. This will greatly lessen the ongestion during the rush hours on the Brooklyn bridge. Trains will be run from Bronx Park at One hundred and Eighty-Piret street to the Borough Hall, in Brooklyn.

> PORTLAND BOY MAKES WIRE-LESS TELEGRAPH PLANT



Delmar A. Whitson.

Delmar A. Whitson, aged 15 years, who resides with his parents at 576 Petrygrove street. is the inventor of a complete wireless telegraphic plant, which he has in operation at his home and from which he receives aero-grams from the different ships entering the Portland harbor. In constructing the plant young whitson was assisted by Claude Bristol and Donald McClaire. The three boys recently installed a temporary wifeless plant in the children's department of the Public Library, where it was operated with success. The large hall was filled with young people, who took great delight in the success achieved by the

the success a chieved by the young electricians.

The boys have organized the Wireless Telegraph Club and have slecked officers. The club meets in the Public Library every Friday night for the pur-pose of discussing wireless telegraphy and kindred subjects. To these meetings young boys who are interested in the Marconi system are invited. The members of the club have under consideration the erection of wireless stations at their rerespective homes in different parts of the city for the purpose of further carrying on their ex-periments.

n will to REMARKS ON COURT.

Says Charges Against Prosecutor and Judge of Santa Fe for Rebating Unfounded.

WASHINGTON, Jan. 4 .- A sweeping denial of the charges by officers and counse), and more particularly by President Ripley, of the Atchison, Topeka & Santa Fe Railroad, against the Government and the court in connection with the fining of the road \$330,000 for granting rebates, is contained in a letter to President Roosevelt, made public today by Atterney, General, Roosevelt, The charges, dent Rooseveit, made public today by Attorney-General Bonaparte. The charges
are denounced as unfounded and unjustifiable, and insofar as Mr. Ripley's statements affecting the trial Judge are concerned, it is stated they "constitute unwarrantable reflections upon a judicial
officer respecting the discharge of his duties."

Mr. Ripley's statement is quoted at
length and in it he alleges that the Santa

length and in it he alleges that the Santa Fe investigation was 'a general inquisi-tion," that the proceedings were "frivo-leus and vexatious, and originated in ill will toward the company." The Attorney-General concludes his let-

ter as follows:
"It has been the consistent policy of the department to discourage and so far as possible prevent troversies between its subordinates and those whose enmity they might incur through the faithful discharge of their public duties, and its course in this in-stance has been in accordance with this policy. But I feel it my duty in closing this report to say that the charges made by the officers and counsel of this cor-poration against the United States Attor-ney in connection with the matter. poration against the United States Attorney in connection with the matters in the present report appear to have been unfounded and unjustifiable, and the comments and suggestions contained in Mr. Ripley's letter returned from the Judge who tried and sentenced his corporation constitute unwarrantable reflections upon a judicial officer respecting the discharge of his duties as such, which are wholly indefensible, both in form and substance, and deserve the condemnation of all citizens solicitous to protect the dignity and independence of our courts." independence of our courts.'

RIPLEY SAYS HE GAVE FACTS

Tried Not to Be Disrespectful to Court and Attorney. SANTA BARBARA, Cal., Jan. 4 .- Af-

ter reading the concluding paragraph of Attorney-General Bonaparte's letter, President Ripley, of the Santa Fe, gave the following signed statement to the

the following signed statement to the Associated Frees:

Not baying seen the full text of the alleged letter of Mr. Bonaparts, I cannot reply to it in detail, it seemed to me that a very great injustice had been done the company of which I am the responsible head. I was being asked by the press and by many of our stockholders for the facts. I gave a correct hancory of the case and I endeavored not to be disrespectful to the court or the District Attorney. I do not undeerstand that the Secretary disputes my statement of fact and I feel quite confident that those who read it will not generally agree with his conclusions.

Coreans Come to Study. SAN FRANCISCO, Jan. 4 .- Y. S. Min Naw Pok Oho, sons of Corear

month, but in the meantime Mr. Conried is likely to prevent her singing elsewhere and may prevent the concert in Boston tonight.

ATTACK IS NOT JUSTIFIED

**BONAPARTE ANSWERS RIPLEY'S

*

DON'T FAIL TO SEE "The Baby Show"

The Finest "Babies" in all the world.



Never before has there been such a magnificent display of Grands, Baby Grands, Parlor Grands and Concert Grands as now shown here. It is the finest piano exhibit of this character ever made. It is an unparalleled opportunity for comparison and selection.

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