



RUEF GIVEN MORE LEEWAY

Decision Allows More Personal Liberty.

PRIVATE CONVERSATION

Allowed to converse with anyone he desires out of guards hearing.

MAIN POINT NOT DECIDED

Legal Right of Judge Dunne to Give Elisor Custodian Powers Not Passed On by the Supreme Court—Ballot Stuffing Thashed Out.

SAN FRANCISCO, April 10.—Inquiry by the Grand Jury into the alleged ballot stuffing by agents of William R. Hearst and into the Telephone Franchise Corruption and a decision by the Supreme Court, increasing the personal liberty of Abe Ruef, were the net results of today's proceedings, into the bribery graft investigation. Responsive to a letter, from Fremont Older, Managing Editor of the San Francisco Bulletin, demanding an official investigation of the charges published in that newspaper, that Eddie Graney, the prize fight promoter and ward politician had confessed to special agent Burns that he and James Coffroth, another prize-fight promoter and ward politician had in Aug. 1904, caused the primary ballot boxes to be stuffed, at an expense of \$600, furnished by John P. Barrett and at the behest of Barrett, who is news editor of the San Francisco Examiner, Assistant District Attorney Heney today summoned before the Grand Jury J. P. Barrett, W. F. Bogard, Business Manager of the Examiner and Edward Burke, Cashier of that paper; Jas. Coffroth, B. E. Nathanson, a former dance-hall manager and James O'Brien, contractor and politician. Each of the witnesses denied, unequivocally the charges comprised in Graney's alleged confession, or any knowledge bearing upon them. Coffroth on the witness stand denounced Graney as "crazy and malicious if he made the statements alleged."

The only other witness examined before the inquisitorial body was Judge North, of Riverside Calif. He is attorney for the Home Telephone Co.

In the matter of Ruef's application, the Supreme Court directed Elisor Biggy, to allow Ruef more personal liberty, to permit him, within reasonable hours, to see and converse with any person he may wish to see, whether it be his attorneys, his prospective witnesses, his friends, members of his family or those with whom he has business and to permit him to hold with them private conversations, out of earshot of his guards. The Court withheld its decision as to that portion of Ruef's habeas corpus petition, which denies the legal right of the Court (Meaning Superior Judge Dunne) to clothe the Elisor with custodial powers, so the main contention is as yet, undetermined.

CARNEGIE BUILDING.

The United Engineering Society Will Dedicate Building Next Week.

NEW YORK, April 10.—The United Engineering Society has opened its new home for the erection, of which, Andrew Carnegie gave \$1,500,000. The formal dedication will take place next week.

Rising 13 stories high with a front-

age of 135 feet, the club house is an imposing structure overlooking Bryant Park, and the New York Public Library. The construction is of steel, covered with twenty-four inches of porous terra cotta and the columns are grouted with concrete.

The idea is to bring together the various engineering societies of the United States, where they will have a common meeting ground, and to provide quarters for the national societies of mechanical, electrical and mining engineers, as well as for such associate societies as may require headquarters in New York. While each is to maintain its individual character, all are to unite to advance the engineering arts and sciences.

EDITORS BIRTHDAY.

Joseph Pulitzer Celebrates Sixtieth Birthday. Gives Dinner to Staff.

NEW YORK, April 10.—In celebration of his sixtieth birthday, Joseph Pulitzer, proprietor of the New York World and the St. Louis Post Dispatch gives dinners tonight in this city and in St. Louis, to the executive heads of the staff of the two papers.

In his absence he being now in the Riviera, Mr. Pulitzer will be represented by his two sons, Ralph, the elder, will take the place of his father in New York City, and Joseph Jr., will act as host to the guests in St. Louis. Each dinner will be limited to sixty guests, one for each of his years.

BULLET IN BRAIN.

Walks a Mile to Hospital and May Recover.

NEW YORK, April 10.—With a bullet in her brain, Mabel Guy, the ten year old daughter of Mr. and Mrs. Charles Guy, of Middletown, N. Y., walked a mile to T-rall Hospital for treatment yesterday. The girl was wounded by a young companion she was playing with, by a pistol supposed to be empty. At the hospital and unsuccessful effort was made to find the bullet. The physicians say the girl may recover.

STREET CAR WRECK

Cable Car Struck and Demolished by Hack.

E. J. ZIMMER FATALLY HURT

Employed by Pacific States Telephone and Telegraph Company—Mrs. Wellington Gregg Was Also Injured By Being Struck On the Head.

SAN FRANCISCO, April 10.—Emil J. Zimmer, of the Pacific States Telephone & Telegraph Company, was fatally injured in a collision between a hack and street car early this morning. Mrs. Wellington Gregg, wife of the cashier of the Crocker National Bank who was in the hack with Zimmer, was unconscious for some time after the accident and it is feared that she sustained internal injuries which may prove fatal.

Zimmer and his wife had attended the theatre together. Afterward they took supper at a restaurant and at 12 o'clock left in two hacks for Zimmer's home at 2660 Green Street.

When crossing the Washington Street cable line on Van Ness Avenue, a car struck the hack in which Mrs. Gregg and Zimmer were riding. The hack was demolished and its occupants thrown into the street.

Zimmer was badly crushed and hurt internally. Mrs. Gregg was struck on the head. Both were picked up and rushed in an automobile to the Central Emergency Hospital.

SPANISH HEIR.

MADRID, April 10.—The third week in April is the time for the expected accouchment of Queen Victoria.

THAW CASE TO JURY

Jury Having Hard Time to Agree.

DISAGREEMENT LIKELY

After Being Out Six Hours Jury Was Ordered Locked Up for Night.

JEROME DENOUNCED THAW

Thaw Was Much Depressed After Jerome's Attack But Under Influence of Wife Brightens Up and Expects a Favorable Verdict.

NEW YORK, April 10.—Charged with the responsibility of deciding the fate of Harry K. Thaw, the jury, which since January 13rd, has been sitting in judgment on the young slayer of Stanford White, retired at 5:17 p. m. today, to being consideration of their verdict. Six hours later they had failed to reach an agreement and shortly after 11 p. m. they were locked up for the night in the jury room of the Criminal Courts Building. Justice Fitzgerald, who had been waiting for some word from the jury room, became convinced at that hour, that the chances of receiving a verdict, tonight, were too remote, to warrant his remaining up any later. Justice Fitzgerald had earlier in the evening gone to his club and held an auto in readiness to make a quick trip to the courthouse, should he be needed. His instructions regarding the locking up of the jury were telephoned.

It was said that when Justice Fitzgerald's message was received at the court-house the officer on duty there, put the matter up to the Jurors themselves, asking if there was any possibility of a verdict within the next few hours.

The reply was strongly in the negative. The jury was said to be almost hopelessly divided and nobody connected with the case tonight would venture a hope of anything better than a disagreement as the climax of the long drawn out trial.

Harry Thaw sat in the prisoners pen, adjoining the deserted courtroom, during the long hours of the jury's deliberations. By his side, was his wife and his counsel, who remained with him until all hope of a verdict tonight was abandoned. During the early evening all of the Thaw family were with the prisoner, but before ten o'clock, they made their way up town to their hotel.

Thaw, who was much depressed at the close of District Attorney Jerome's impassioned attack on him as a "cowardly, brutal, murderer, a rich illiterate who, always had, had his own way, until he fell into the clutches of the law." He revived in spirits as the evening wore on and the chances of an unfavorable verdict seemed to him to become more and more remote. He was reluctant to wend his way back, over the dimly lighted Bridge of Sighs, to his cell in the Tombs, to say good night to his wife.

A disagreement of the jury is a possible outcome which Thaw has not at any time anticipated, during the progress of the trial. His family and counsel were much alarmed this afternoon, however, lest the jury under Justice Fitzgerald's charge, might find a verdict of some less crime than murder in the first degree. The prisoner, tonight did not share this gloomy outlook and laughed and joked to dis-

pel the serious looks on the faces of his mother and wife.

Judge Fitzgerald is not expected at the court-house tomorrow until 10:30 the usual court session hour. If the Jury should, earlier notify him of an agreement, he might consent to come down at an early hour, but this is not considered at all likely.

NEW YORK, April 10.—What bids fair to be the last day of the long drawn trial of Harry Thaw will begin at 11:30 o'clock this morning at which time District Attorney Jerome will begin his summing up for the people. For 2 days Mr. Jerome has been absent from the courtroom, leaving to his assistant Mr. Garvan, the task of making notes of Mr. Delmas' remarks while he went over the evidence and prepared himself for the effort he will make today. That it will be the effort of his life there is but little doubt. The case he is about to close, is the longest ever tried in New York and no other trial in American criminal history has attained the prominence that has been given to this.

Mr. Jerome will go before the jury in an effort to have inflicted upon Harry Thaw the extreme penalty of the law. He has believed Thaw to be insane, but the commission legally appointed by the court under the law has held that he was legally sane and if he is sane now, Mr. Jerome will argue, he was sane when he fired three shots point blank into the body of Stanford White on the Madison Square Roof Garden, on the night of June 25.

Mr. Delmas painted Harry Thaw as the model young man who in a burst of sane rage, believing himself to be the agent of providence, to put out of the world a man he believed was a menace to society and who, he believed, had ruined the woman who afterward became Thaw's wife. Mr. Jerome will contend that Thaw's act was premeditated murder and that it was prompted by more than jealousy.

If Mr. Jerome finishes his address in time, Justice Fitzgerald will probably charge the jury before he adjourns court this afternoon and the day's session should close with the fate of Harry Thaw in the jury's hands.

FORAKER IN OHIO

Opened Presidential Campaign at Canton.

REVIEWED WORK AS SENATOR

Issues—Reviewed Investigation of Brownsville Episode—Mention As One Of The Anti-Roosevelt Combination.

CANTON, Ohio, April 10.—In the presence of 1200 people, Senator Joseph B. Foraker tonight delivered an address defending his actions as a public servant and declaring his willingness to abide by their decision in the future. The occasion was the annual banquet of the Canton Board of Trade. Senator Foraker was on the program for an address on "Civic Pride," but his speech was largely directed to his work as Senator and is regarded as being the opening of the presidential campaign in Ohio.

He discussed public statements regarding the Senator's speech at this time, replied to a mentioning him as one of the anti-Roosevelt combination. Reviewed the investigation of the discharge of the negro soldiers on account of the trouble at Brownsville, Tex., reiterated his views regarding recent railroad legislation, protested against the infringement by one branch of the government on the rights of another branch, declared that the representatives of the people in Congress are accountable only to the people and are not "properly subject to any other influence" denied the right of anyone, except his constituents to

O.R. & N. WRECK AT CAYUSE

Train Goes Through Undermined Bridge.

FOUR MEN WERE KILLED

And Four Were Seriously Injured The Latter Were Taken to Portland.

ENGINE AND CARS IN RIVER

Passenger Coaches Stayed On Track—Latest Reports Say All Of Injured Will Recover—Passengers Were Shaken Up, Bruised And Cut A Little.

LA GRANDE, April 10.—Four persons were killed, four seriously injured and several slightly hurt, today when the O. R. & N., westbound, through passenger train was wrecked 14 miles from here early today.

The train which was traveling about fourteen miles an hour, struck the bridge, which had been undermined by the recent rains, at Cayuse. The engine passed over safely, but the baggage and mail cars following, sank through and dragged engine after them and are now in the Umatilla River.

The list of dead and injured is as follows:

Dead: Marvyn Thompson, logger; Mike Dunne, logger; George McParttridge, fireman; unknown Greek laborer. The two loggers were riding on the blind baggage.

Injured: Engineer Fred G. Schilke, leg broken, internal injuries; James P. Graham, mail-clerk arm broken; L. W. Owen, mail-clerk, hand cut and body injured; unknown Chinaman, face crushed and hip broken.

None of the passenger coaches left the track but the passengers were all hurried from their seats, several sustaining painful bruises and cuts.

The injured were taken to Portland on a special train, where they arrived this afternoon. Tonight it was stated that all of the injured will recover.

Passengers dragged the river for the body of Fireman McParttridge, but were not successful in locating it.

How Engineer Schilke was injured is not known, though it is supposed he leaped from the cab when the track gave way, and that falling debris was responsible for his injuries. Two Italian passengers were first reported killed, but later advices were to the effect that they were among the slightly injured. The smoker was filled with a number of laborers and others who could not get accommodations in the day coaches, owing to the heavy travel from the East.

Officials of the line are in a quandry as to the reason for the track being undermined, for it has not rained during the past day or two, and no rise in the Umatilla was reported by agents along the line. It rained heavily about the first of the week, and it is the supposition that the water seeped from the high land and broke through beneath the ballast, thereby causing the roadbed to be washed out.

George McParttridge, the missing fire-

call him to account, and sounded a note of warning against increased surveillance of business men who need "no moral regeneration."

He quoted a published report that President Roosevelt has drawn a deadline for Senator Foraker, and that "if he attacks President Roosevelt, President Roosevelt will be heard from in no uncertain terms."

man, had resided at La Grande for three years, making his home at the Patti rooming-house. He has a brother, whose place of resident is not known, but has no other near relatives. A foster mother lives at Long Beach, near Los Angeles, Cal. James Graham and Lewis Oren, the mail clerks make their headquarters at La Grande and run out of there each day.

The dead passenger was a Greek laborer. Among the injured is a Chinaman whose back is broken. It seems the train was coming down grade when the wreck occurred and it run into the washout, which was about half-a-car length long. The engine in being hurled from the track struck pilot first and it now stands with the rear wheel in the air.

The mail, baggage and express cars left the track, but only the forward and was smashed.

Word was brought here immediately after the wreck by members of the train crew, who made the run on a handcar. A wrecker was immediately made up, and left at 6 o'clock, returning from the scene at 8:45 o'clock, bringing the injured.

W. C. Sechler, Conductor Coykendall and Brakemen Shull and Shackelford were not injured.

Engineer Schilke states the train was not going to exceed 14 miles an hour when it ran into the washout. The train had gotten down from the mountains and was working steam up grade toward Cayuse. Suddenly he felt the engine drop beneath him, and his left leg was broken below the knee and his foot crushed. He had no warning, and was given no opportunity to reverse the engine.

The point where the washout is was formerly a culvert, and had been filled in.

GUILTY OF REBATING.

MINNEAPOLIS, April 10.—Chicago St. Paul, Minneapolis and Omaha railroad and H. M. Pearce, acting freight agent, tonight was found guilty of rebating by the jury in the Federal Court, E. B. Ober and F. C. Clifford were adjudged not guilty.

RESCUE SONS BODY

Buried In Twenty Feet of Snow and Ice.

HARRY KELLY, LOS ANGELES

The Father Accompanied By Undertaker and Ten Men Will Endeavor To Carry Body On Shoulders From The Summit Of White Mountain.

LOS ANGELES, April 10.—Harry Kelly will leave this city today heading a party of men bound for Inyo County, there to make the hazardous attempt at recovering the body of his son Raymond Kelly, which has lain for five months past in the summit of White Mountain, buried in twenty feet of snow and ice. Young Kelly lost his life on the mountain while returning from a prospecting trip in the early months of last winter. At the summit of the Inyo County range he was overcome by the high altitude and died from heart failure. His son's companion, a young man named Thompson, made heroic efforts to save his friend, carrying him for miles on his back, but was finally compelled to desert the body and make his way out as best he could. Heavier snows made rescue impossible. Several weeks ago, when the snow began to melt, Mrs. E. F. Schooley went almost daily from her cabin three miles from where the body lay and kept it covered with fresh snow. Finally Mrs. Schooley and her husband were able to carry the body to the shady side of the mountain where they interred it under ten feet of snow. Additional