



THAW JURY STILL OUT

Again Locked Up for the Night.

DELIBERATED 31 HOURS

Fitzgerald Hopes for Verdict Will Not Discharge Jury Until Foreman Complains.

INDICATIONS FOR VERDICT

Absence Of Word From Jury That They Are Unable To Agree Taken As Favorable Sign That A Verdict Will Be Rendered.

NEW YORK, April 11.—Dawn and then he hurrying eager morning found the 11 men who are charged with the duty of finding Harry Thaw guilty or guiltless of Stanford White's swift death at his hands last June, still locked up in the jury room in the criminal courts building. They had been confined there since 11:20 o'clock last night and they had had the case committed to them shortly after 5 o'clock yesterday afternoon. It will probably be well into morning before they can be released, assuming that they have agreed for Justice Fitzgerald does not commonly reach the building until 10:30 o'clock.

Fewer rumors than usually filter from a jury room where a great case is near its end reached the outer air last night or early today. But scarce and comparatively valueless as those reports were, their trend was all in the same direction—disagreement. Of course, guesses, some of them based on shrewd deductions, and some of them on mere hearsay were not infrequent.

At midnight, Daniel O'Reilly, one of the prisoner's lawyers, who has been credited with a successful forecasting of the way the jury stood in the Nan Patterson case, said that the jury stood ten for acquittal and two for murder in the first degree. Mr. O'Reilly was also convinced that the jury would agree by 10:30 o'clock.

As for the defendant, the cheerfulness and even gaiety which marked his recovery from the gloom which almost overwhelmed him when District Attorney Jerome exhortated him and his wife, and Justice Fitzgerald solemnly adjured the jury to do their duty, remained with him until late into the night. Indeed through Clifford W. Harbridge, his personal counsel, he sent a message to one of the newspapers which quotes him as declaring that he had the absolute conviction that he would be acquitted, and added:

"I fear not her the electric chair nor the mad house for my act was justifiable."

Mrs. Evelyn Nesbit Thaw who stayed with him until all likelihood that the jury would return a verdict last night, had vanished, expressed an assurance like his that he would be acquitted.

Mrs. William Thaw, mother of the defendant and the other members of the family who have remained by his side all through the trying ordeal, anxiously awaited at their hotels up to a late hour for news from the jury.

NEW YORK, April 11.—Deliberation of thirty one hours by the Thaw jury it has failed to result in a verdict. At 11:40 tonight the jury was ordered locked up for the second night, at the Criminal Courts Building. The fact

that they have not been able to agree, after devoting so much time to the study and discussion of the case has given rise to a belief that the trial will end in a disagreement and the whole affair will have to be gone over again. Although the twelve 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 the foreman of the jury has not complained to the court that the jurors are unable to reach a decision and until he does so it is not likely that Judge Fitzgerald will discharge them.

The general impression is, 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 jury room that the men are unable to agree, has been construed by men who have followed the proceedings closely, as an indication that the verdict will eventually be reached. The mother, wife and two sisters and brothers of the defendant were in the criminal court up to a late hour, when it was announced that the jury had been locked up for the night and there was no prospect of a verdict before tomorrow morning they returned to their hotel the Crestonian.

BASEBALL SCORES.

San Francisco.—San Francisco 6, Portland 1. Los Angeles.—Los Angeles 2, Oakland 1.

PORTLAND TRAGEDY

Prominent Society Woman Deliberately Drops to Death.

MRS. IGNATZ LOWENGART

Nervous Prostration Causes Woman To Leave Husband And Little Daughter And Deliberately Drop 60 Feet From Bridge At Ford Street.

Over the railing of the high bridge that spans the 100-foot gulch at Ford street, Mrs. Ignatz Lowengart threw herself this morning to end what to her, in broken health, was a troubled existence. The tragedy occurred at 5:20 o'clock. A few minutes before 9 o'clock she died quietly at the North Pacific Sanatorium in the presence of her husband. She never regained consciousness.

She was the wife of Ignatz Lowengart, senior partner of the wholesale millinery firm of Lowengart & Company, one of Portland's most substantial and best known business men, and before her marriage ten years ago, was Miss Leah Gerst, a society belle of San Francisco. Mrs. Lowengart, before ill health compelled her to renounce all social activity, was prominent in society circles of this city.

Within 50 yards of the spot where Dr. Phillip Johnson met his death in the same manner nearly three months ago, Mrs. Lowengart fell. While her husband slept she had stolen softly from the room dressed herself with the utmost care, then walked a mile to bridge with no one seeing. There she held to the rail in trembling meditation full 40 minutes till she slowly let herself sink backwards to the ground far below just as a policeman, running with all speed to the spot was within 20 feet of her. That she was not instantly killed was due to the fact that her fall was broken by trees. Her body struck on a small mound of soft earth, bounced up, and fell again on some rocks, cruelly bruising and lacerating her.

The place from which Mrs. Lowengart fell is on the west side of the Ford street bridge, about 100 feet from the south end. This is not at its highest point, the ground being about 80 feet below the rail. When picked up she was lying in a grove of trees.

In her hands were a pair of stockings. Her shoes were on her feet, but unbuttoned.

SHERIFF IS CHALLENGED

Interesting Point in Ruef Case.

STATE CLAIMS BIAS

Asks That Sheriff O'Neil be Not Allowed to Summon New Panel.

WANTS AN ELISOR APPOINTED

Judge Dunne To Decide Prosecution's Motion Today—Three More Probation Juries Accepted—Another War Of Words Between Counsel.

SAN FRANCISCO, April 11.—One of the most interesting questions, from a material as well as from a purely legal standpoint, to be evolved out of the Ruef trial, was projected today by the prosecution and will be determined tomorrow by Judge Dunne.

The present panel of talesmen having been exhausted today a new panel must be drawn or summoned before the proceedings can go on. Sheriff O'Neil having been disqualified on the motion of the prosecution for personal bias, in favor of Ruef, the State is not willing that O'Neil shall have the summoning of the new panel, from a regular jury list. Consequently Special Prosecutor Johnson, shortly before today's adjournment gave notice of a motion for the disqualification of the Sheriff and the appointment of an Elisor to summon a special venire of 100. This is an anticipated move, against which the defense has been silently conspiring and carefully preparing for, for weeks. Outside of the courtroom, Ruef's counsel made no secret of their great desire to have a new venire "When the time for it should arrive" from a jury list instead of a specially summoned venire. Judge Dunne himself recognized the nicety of the point involved, when he said in response to Johnson's motion and to Ach's emphatic objection, that it was his purpose to "proceed in the orderly and usual way," unless, convinced that the justice demanded the summoning of a special venire.

Three more probationary jurors were accepted during the day, increasing the number in the box to ten all of them are subject to preliminary challenges. They are, Theodore Cohen, drygoods merchant; John D. Duffy, drayman, and Bartholemew O'Gart, retired butcher. A lively encounter between attorneys Ach and Johnson, occurred early in the afternoon session over a voluntary statement from Juror Cohen, made by permission of the court, that he had been approached as a juror by a man he did not know. Ach suggested that Johnson might be able to tell this person's name. Johnson returned the compliment in kind, and a wordy war ensued.

ANGLO-SPANISH ALLIANCE.

Spain, With England's Assistance Plans To Reconstruct Navy.

PARIS, April 11.—The Madrid correspondent of the Eclair says that he has knowledge that some of the main points of the Anglo-Spanish understanding were discussed by King Edward and King Alfonso at Cartagena, England, he says, will help Spain in the reconstruction of her fleet and Spain will see to it that certain important naval positions do not fall into the hands of any other power.

CUBA AT THE HAGUE.

Dutch Compliment To Uncle Sam In Regard To Peace Conference.

HAVANA, April 11.—The government of Holland has cabled to the provincial government inquiring whether the Cuba would send delegates to The Hague conference. The matter has been referred to Washington.

It had not been thought here that Cuba would be represented at the conference as such representation would give the United States an extra representative. Holland however would be unlikely to address Cuba on the subject unless she had the consent of the other powers. The action of the Netherlands is regarded as a distinct compliment to the United States.

WARNED TO STAY AWAY.

SEATTLE, April 11.—In an effort to discourage the taking of Treadwell, Alaska, of strike breakers or men to replace the striking miners, passengers leaving Seattle on the steamers Jefferson and Portland last night were warned by union men on the wharf not to go around the mines, as serious trouble might arise there at any time.

NITRATE DEPOSITS.

VALPARAISO, Chile, April 11.—Nitrate in sufficient quantities to last for 250 years, it is estimated, is in the nitrate fields of this country.

CURATE UNFROCKED

Arrested in House in Tenderloin With Negro Woman.

WAS DISCHARGED IN COURT

Violated Sixth Ordination Vow And Is Deposed By Bishop Greer Investigating Committee Returned An Unfavorable Report.

NEW YORK, April 11.—Rev. Howard Mears, Curate of St. Mathews Episcopal Church, who was arrested by the police at a house in the tenderloin district, on March 12 last, where he was today deposed from the church by Bishop Greer, following the report of the committee of investigation. The commission reported that the Curate had violated his sixth ordination vow, which requires the Clergyman "As far as in him lies, to make himself a wholesome example and pattern, to the followers of Christ."

Mears, while asserting that he was not actuated by any wrong motive in visiting the house in the tenderloin, and that his presence there was with a view of making sociological investigations accepted the commissions findings. The magistrate before whom Mears was arraigned, following his arrest, accepted his explanation of his presence in the tenderloin and he was discharged.

WOMEN'S COLLEGE FOR CHINA.

American At Los Angeles Gives \$15,000 For College At Foo Chow.

LOS ANGELES, April 11.—A resident of Los Angeles, whose name is withheld at his own request, today donated \$15,000 for a woman's college at Foo Chow, China. The gift was announced at a meeting of the Woman's foreign missionary Society of the Methodist church. An installment of \$3000 was paid down and the money forwarded.

DROUTH IN SPAIN.

MADRID, April 11.—Serious results are likely because of the long continued drouth in Andalusia. The best root crop in Granada threatens to be a total failure and fears are felt for the wheat crop in southern Spain.

Misery and distress prevails in the afflicted section. Public prayers for rain have been offered in all churches.

CARNEGIE INSTITUTE

Rededicated At Pittsburg Yesterday.

GATHERING OF NOTABLES

Speeches of Importance Were Made and Presidents Letter of Regret Read.

PRESIDENTS NAME CHEERED

"Carnegie's Great Gift To Science, And Education" The Way Roosevelt Expressed The Situation—Parade Of Of Europeans And Americans.

PITTSBURG, April 11.—The formal rededication exercises of the enlarged Carnegie Institute, of Pittsburg, were brought to a close for the day with the announcement of prize winners in the International Art exhibition. At today's ceremonies several addresses of international importance were delivered by Theodor Von Moeller, Minister of State, Germany; Paul Doumer, formerly Speaker of the Chamber of Deputies, Paris; Andrew Carnegie, Baron d'Estournelles de Constant, Member of Senate, Paris, and Dr. John R. H. Elys, Principal of Jesus College University, of Oxford. A letter of regret was read from President Roosevelt, praising Carnegie for the great gift to science and education.

During the exercises, the President was referred to as a "great peace maker and vociferous applause greeted every mention of his name. The notable feature of the exercises today, was the parade of European and American guests from the hotel to the institute.

Mr. Carnegie said in part: "Eleven years ago, standing here, I handed over the institute to Pittsburg, then an experiment, combination of library, art gallery, museum and hall of music, never as far as I know, having been attempted before. The city was to maintain the library, and let me say in passing, most generously she has done so, including seven branches erected to meet the wants of her swelling population. I congratulate her upon being among the foremost cities of the world in public literary development—certainly there is none superior."

The speaker then took up the history of the establishment of the library system and the Department of the Institute idea, adding:

"Here it was that fortune came to me and it is as a Pittsburger I have labored for Pittsburg. This institute is built by a Pittsburger, with Pittsburg money for Pittsburg. You all know the beneficent results which have followed."

Mr. Carnegie then directed his remarks to each of the departments and complimented the directors for their said:

"I am told there are today 1390 students—young men and young women, and several thousand more waiting admission, in every department there exists obvious proofs of intense earnestness, great system and a determination to profit by the advantages offered. Already there has been developed strong feelings of pride and love of the schools."

"Thus, ladies and gentlemen, whatever we look at around us, in every branch of the institute, we find success written in large and unmistakable letters. The tree has borne good fruit abundantly, year after year in

the past and promises to continue doing so increasingly, year after year, generation after generation to come, the end of which no man can forestall.

"There is room for many things of the spirit in our city. Things material are abundant. Our mills and factories, numerous, large and prosperous, but things material, including money itself, should only be the foundation upon which is reared things spiritual.

"There is surely to arise from the wealth created here, a body of men who will find in the distribution of their gains where they were made, the genuine reward which surplus wealth can give, the knowledge that it is certain in after years to elevate, refine and purify the lives of those who succeed us, and that we have left one spot of earth at least a little better than we found it."

thanks to the board of trustees, to the heads of departments, the press and lastly, to the visitors from foreign lands, and in conclusion, said: "It will not be considered invidious if special mention be made of the interest displayed in our institute by that remarkable man the German Emperor. We owe him much for sending General Van Lowenthal and others. We ask them to convey to the Emperor the profound acknowledgments of all interested in the institute. We earnestly wish for him long continuance of the reign of peace and pros-

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PRESIDENT QUERIED

In Regard to His Moyer-Haywood Opinions.

INJURES MEN TO BE TRIED

Chicago Federation Of Labor Takes Up Cudgel And Endeavors To Place President On Record—Question His "Square Deal"—Ask Explanation.

CHICAGO, April 11.—The Chicago Federation of Labor is endeavoring to place President Roosevelt, on record, regarding his reported opinions of Moyer and Haywood, the officials of the Western Federation of Miners, charged with complicity in the Steunenberg murder.

T. N. Nickles, secretary of the local labor today, went the President the following telegram:

"Newspapers report you as saying Moyer and Haywood are undesirable citizens. In view of the fact these men will soon be put on trial for their lives, we believe their chances for a square deal to be considerably lessened if the reported statement is true. We therefore ask you for correct information on this subject, of believing man is innocent until proven guilty."

FAVROT FREED.

Congressman, Who Killed Friend Because Of Remarks About His Wife.

BATON ROUGE, April 11.—Congressman Geo. Favrot, who has been in jail, continuously, for five months under the charge of murder, of Dr. Al-drich and awaiting action of the Grand Jury, was tonight set free. The second Grand Jury, today, declined to indict him. Al-drich and Favrot had been lifelong friends. The Congressman declared the physician had made disparaging remarks about Mrs. Favrot.

DECLARE OPEN SHOP.

SEATTLE, April 11.—J. W. Paterson, manager of Moran and Company, announced today that hereafter the company's plant would be strictly non union. Sixty of the machinists are on a strike, although Paterson declares they were receiving 3 to 5 cents more than union scale which the union is striking for. The Moran company has maintained an open shop and it is said by the officials that the union is fighting only for recognition.