



## BAFFLING BARRIERS

### Rules of Evidence Check Course of Jerome.

### HUMMEL DISAPPOINTS

### Does Not Give Expected Evidence Regarding Thaw's Cruelty.

### MUCH EVIDENCE RULED OUT

### Jerome Tries to Introduce Story of Girl Tied to Bed Post and Whipped by Thaw—May Prove Alibi For White.

NEW YORK, March 11.—On the first day of the State's case in rebuttal at the Thaw trial District Attorney Jerome today came to a temporary standstill against the practically solid wall which the rules of evidence have built around the story of Evelyn Nesbit Thaw. Jerome began to attack this story as soon as the court opened this morning. There ensued a well nigh ceaseless battle between prosecutor and Delmas at the end of which Judge Fitzgerald upheld the rule laid down at the beginning of the trial, that young Mrs. Thaw's story was admissible, only as an end in show the effect it might have had in unbalancing defendant's mind, and its truth or falsity is not material. Jerome tried to evade this rule by declaring he was endeavoring merely to show by inference, that Mrs. Thaw could not possibly have told the story to her husband. Although he will doubtless be blocked by the same rule when the time comes, it is said that Jerome may attempt in some way to prove an alibi for White on the night on which he is said to have maltreated Miss Nesbit.

Although Delmas succeeded in nearly every instance in winning his point, Jerome in the very argument he made, got before the jury what his witnesses could have testified if they had been permitted to do so. Jerome opened the battle by calling F. W. Longfellow to the stand and attempting to question him regarding the case in which Ethel Thomas is said to have sued Thaw for damages because of cruel treatment. Delmas blocked this by an objection, but before the judge could rule out the evidence Jerome declared "The story of a girl tied to a bed post and whipped by Thaw is the story of Ethel Thomas. This poor girl is dead."

Delmas also objected to Jerome's remarks. The latter then attempted to question Longfellow regarding the affidavit said to have been signed by Mrs. Evelyn Thaw in Hummel's office because

There was another long argument between Delmas and Jerome, which ended in Longfellow's turning his entire examination into naught by declaring Mrs. Thaw had never shown him the affidavit. The next witness were the police officers who took Thaw into custody they declared Thaw acted rationally after killing White.

Captain Hodge created something of a sensation by persisting in making comparisons in his answers. Two of his answers were stricken out before one that was satisfactory was secured. The prosecution called a chemist to the stand to prove that there was no known chemical which could instantly produce sleep and permit the quick recovery described by Mrs. Thaw. Around this point the battle between the attorneys waged for an hour, but the court ruled against Jerome and no opening was

given him through which he could march his forces in attack upon Mrs. Thaw's story.

Delmas also cut short the testimony of White's brother in law Jas. C. Smith who was in Europe when the prosecution gave its direct testimony. Delmas made the point that he should have been produced during presentation of the case in chief.

The court stated he take the matter under consideration and decide whether Smith can testify, deferring question of the Smith testimony until tomorrow.

### NORTHSHORE ACTIVITY.

Superintendent E. R. Budd, of the I. R. & N. Railroad is in Portland this week superintending the unloading of two locomotives, five passenger coaches and several freight cars, which will be brought down the river for use on the I. R. & N. and Columbia Valley Railroad this summer. They are of narrow gauge and of the latest make.

Engineer Kennedy, in charge of construction of the Columbia Valley Railroad, went to Portland Saturday and returned Tuesday with four additional men for the engineer corps, and if the fine weather keeps up he will rush work on the line and keep the contractors busy. The engineer has engaged offices and rooms at the Coleman House, and it is believed the force of workmen will be still further increased. Mr. Geo. W. Boschke, chief engineer of the O. R. & N. arrived yesterday, and with Engineer Kennedy is going to govern the line. Chinoook Observer.

## DISTINCTIVE TYPE

### George Washington University Will be Model of Kind.

### EXCEPTIONAL ADVANTAGES

### Have Congressional Library for Refering One of Finest Collection of Historical Documents in the World—In Touch With Whole World.

WASHINGTON, March 11.—Government officials and those members of congress who still are here are watching with interest the movement under way to make of George Washington University a distinctively national educational institution. The university authorities are at work raising a fund of \$400,000 for the purchase of a site suitable for the growing needs of the institution, and although they have been engaged in the campaign less than a week, more than one-quarter of the amount has been subscribed.

The plan to make George Washington University a model American university has appealed to the patriotic pride of leaders in the administration and in congress, irrespective of politics. Situated in the capital of the United States, the institution enjoys advantages that cannot be duplicated in other centers of learning. It has the wealth of material contained in the archives of the different departments, and is in close touch with the whole world through the different foreign representatives quartered here.

Of immense value as a storehouse of reference to the Congressional Library one of the finest collections of historical documents in the world.

The work of raising funds is proceeding rapidly and under the direction of the Citizen's and Alumni committees, wealthy residents of the capital are pouring in their contributions, and the students themselves have pledged a subscription of not less than \$10,000. The plan is being pushed forward enthusiastically, and it is expected that the \$400,000 necessary to procure a site for the new institution. The University, at the present time, is in a position to begin the construction of from six to seven great buildings, once the site is determined upon. Of these half-dozen or so buildings,

## NEW NAMES ARE ADDED

### More Relatives of Mrs. Eddy Aid in Suit.

### VS. CHURCH OFFICERS

### Mrs. Eddy is Declared Not Fit Mentally to Administer Affairs.

### ASK ACCOUNTING OF PROPERTY

### Relatives of Famous Leader of Christian Science Church Declare Her Property is Being Administered By Officials of the Church.

CONCORD, March 11.—Fred W. Baker of Epsom, N. B., second cousin of Mrs. Mary Baker S. Eddy and Dr. E. J. Foster Eddy, of Waterbury Vt., Mrs. Eddy's adopted son, have become additional parties plaintiff as "new friends" of Mrs. Eddy to the bill in equity brought to secure accounting of her property against heads of the Christian church.

In joining the bill in equity, Dr. Foster Eddy says in his petition he has "become convinced that Mrs. Eddy is and for a long time has been incapable of intelligently conducting or receiving an account of her business and property, and the same is being managed wholly by the defendant's without giving a proper accounting thereof."

Fred W. Baker, in his petition, says that in September 1896 he was sent by his employers to repair certain carriages of Mrs. Eddy, he made known to Mrs. Eddy his relationship to her and she extended him a cordial invitation to visit her with his wife and children at any time. Mr. Frye however told him he ought not to make that visit.

During the past three years he wrote to Mrs. Eddy twice offering to avail himself of her invitation to visit her, but received no reply and believed she was not permitted to see either of the letters.

Two and possibly three will be erected by friends of the institution.

The question of a site is giving the faculty some trouble. This inconvenience does not rise from a scarcity of offerings, but rather the reverse. A number of parcels of ground are under consideration, one of them being a tract known as the Dean place. This land is the highest spot in Washington and would make an ideal location for the University were it a trifle larger. President Charles W. Needham fears that there is not enough acreage to permit of rapid growth, and for that reason he is hesitating about closing the deal.

It might be a good thing if the University did acquire the Dean property, for almost every congress for years back has been urged to buy it in for the government to be used as the site for a new White House. With insistent regularity this bill has appeared, and with equal regularity it has died peacefully in the committee. Congress, however, is growing tired of seeing it appear at every session.

### DISTRICT COURT UPHELD.

SAN FRANCISCO, March 11.—Judges States circuit court of appeals United States circuit court of appeals have upheld the district court of Oregon in cases of Ex-congressman Williamson and Marlon Biggs and Van Gesner, convicted of land frauds.

### SENATOR FULTON HOME.

### Gives Opinion Regarding Recent Session of Congress.

Senator C. W. Fulton, and wife returned to Astoria Sunday evening, having left Washington the previous day. The Senator is accompanied by his private secretary Charles Halderman.

In discussing the legislative measures with an Astorian representative yesterday, Senator Fulton expressed his belief that at the next session of Congress the aid of the government could be secured towards purchasing the Oregon City locks. He had framed a bill for that end during the present session but as a greater appropriation had already been secured for Oregon than ever before, and many measures were before the Senate, it was impossible to have the bill acted upon.

In the Senator's estimation the most important legislation enacted by Congress was that regarding denatured alcohol. It is understood that the necessary machinery for a small plant of from 10 to 100 gallons daily capacity can be secured at from \$100 to \$500, which would permit every small community and almost every farm to manufacture.

Speaking of Captain Forrest, the murderer of George Fisher Senator Fulton said that he had been requested to assist in his defense, and would probably do so.

### MORGAN IN WASHINGTON.

WASHINGTON, March 11.—J. Pierpont Morgan of New York was in conference with President Roosevelt for two hours today.

## ASKS SOLONS TO STOP

### President Protests Against Japanese Measure Law by California.

### WOULD IMPEDE EXCLUSION

### Action of Senate of California Legislature in Passing Japanese Exclusion Law Would Interfere With Exclusion of Coolies By Agreement.

SACRAMENTO, March 11.—President has sent a telegram to Governor Gillette asking the legislature to suspend all Japanese legislation and expressing a fear that the action of the legislature Saturday in passing two Japanese bills by Wolfe and Keene, and Sanford's resolution may render ineffective his efforts to secure the exclusion of the Japanese laborers by a friendly agreement with Japan. The Governor transmitted the President's telegram to the assembly this morning where action was to have been taken today on bills and resolution with a message recommending and urging that the President's request be acceded to. The Legislature decided to take no action on the bills.

Secretary Loeb made this statement today: "President Roosevelt in a telegram requested Governor Gillette to withhold his approval of bills relating to the Japanese question passed by the California legislature until the governor received a letter from the president in which the president sets forth at length reasons why such legislation would be detrimental at this time."

The Secretary pointed out that Secretary Root and the Japanese ambassador are engaged in negotiating a new treaty which has for the time being been held up pending the action of Mayor Schmitz and the San Francisco school board in carrying out the agreement reached in the recent White House conferences in which the California delegation participated.

### Schafer Wins Championship.

CHICAGO, March 11.—Jake Schaefer of Chicago won the billiard championship at Balk Line billiards, 18 inch one shot in, from George Sutton here tonight in thirty sixth inning.

## REVERSES FOR RUEF

### Day of Disasters for Defense in Graft Case.

### COURTS REFUSE ACTION

### Mayor Schmitz Demands Separate Trial from That of Ruef.

### CROWD TO SEE CAPTURED BOSS

### Appearance of Ruef in Court Marked by Intense Interest on Part of People—District Court of Appeals Refuses Writ of Habeas Corpus.

### SAN FRANCISCO, March 11.—This

was the most eventful, and for the defense the most disastrous day thus far in the prosecution of the alleged municipal graft in San Francisco. Its conclusion found the chief figure against whom the forces of the District Attorney's office are directed, Abraham Ruef, nearer by far than he ever before been to actual trial in department six of the superior court, to delay which his attorneys have been drawing upon all their resources and the many and fast-following incidents of a day full of strenuous action and direct results the following were chief: The Supreme Court of California denied Ruef's application for a writ of prohibition to restrain Judge Dunne from proceeding to try him on the grand jury extortion indictments in the superior courts; Judge De Haven in the U. S. district court refused Ruef's petition for a writ of habeas corpus having in view practically the same end, and denied Ruef the right to appeal from his decision.

Mayor Schmitz demanded a separate trial and his case was set for hearing tomorrow, but to follow the trial of Ruef.

In charge of Elisor Biggy, Ruef appeared at 10 o'clock in Judge Dunne's department of the superior court, where an immense crowd had assembled, their interest aroused to a great pitch by the prospect of seeing the indicted boss actually brought to the bar in custody. It was Ruef's first appearance in public since he was declared by Judge Dunne to be a fugitive from justice.

Seated near Ruef when the court opened was Mayor Schmitz, indicted by the Grand Jury on five counts of extortion, identified with those brought by that body against Ruef. Chief of Police Dinan, indicted for perjury and conspiracy occupied a seat in the rear of the room.

The day's proceedings were opened by Assistant District Attorney Heney with a motion Judge Dunne set aside the acts of Superior Judge Hebard by which Ruef took appeal to the supreme court of the United States for the purpose of suspending his trial by Judge Dunne.

This motion after nearly two hours heated argument by counsel was taken under consideration by the court in fairness to the defendant and in order to gain benefit of the impending decision from the state supreme court. Judge Dunne continued the hearing until 10 o'clock tomorrow morning. Ruef's counsel filed an affidavit of bias against Judge Dunne and announced tomorrow that they will ask for a change of trial judges.

The latest development of the day came in the United States district court where Ruef, accompanied by attorneys Ach and Murphy, came before Judge De Haven in defense of his ap-

### Application for a writ of habeas corpus.

In denying Ruef's application for a writ of habeas corpus Judge De Haven said that the granting of a writ of habeas corpus is not an absolute right and the supreme court of the U. States has declared in a long line of decisions that district and circuit courts should not interfere with the actions of superior courts unless some right guaranteed to the petitioner by the federal constitution were being

### \$600,000 PENSIONS A YEAR.

### Pennsylvania Railroad Increases Annual Appropriation.

PHILADELPHIA, March 11.—Having granted a ten per cent. increase in wages to its active employes the Pennsylvania Railroad has just gone a step further and raised the annual appropriation of its pension fund for retired employes by 35 per cent.—from \$390,000 to \$600,000 a year. This announcement is contained in the annual report just issued by the pension department of the railroad.

According to this report nearly half a million dollars in pension allowances was paid by the Pennsylvania Railroad to its retired employes in 1906. The exact amount, \$467,614.47, is the largest sum yet paid in any one year, and exceeds that of 1905 by nearly \$45,000.

There are now 1,940 men on the pension rolls of the company. In January, 1906, there were 1,810. During the year 200 men died, three-fourths of whom were over 70 years of age.

## TIE UP ALL MILLS

### Portland Mill Hands Threaten Entire Pacific Coast.

### NO SETTLEMENT IS APPARENT

### Logging Companies May Shut Down Until Strike is Over—Strikers Declare They Will Tie Up Mills in Columbia District.

PORTLAND, March 11.—There was no development of importance today in the sawmill strike of this city. Unionists claim to have disaffected the men at one of the three mills still operating at St. Johns and declare this plant will be compelled to shut down tomorrow. Logging companies of the Columbia river district are to meet in Portland Wednesday to discuss the advisability of shutting down until the mill strike is over because there is no demand for logs.

A sensational threat is being made by the Unionists who are manipulating the strike here. They declare if the tying up of all mills in the Columbia district does not have the desired effect, the Workers of the World tie up all the mills from the Pacific Coast between Mexico and British Columbia.

### CLATSOPIANS AT CORVALLIS.

The morning Astorian is indebted to Registrar J. B. Horner, of the State Agricultural College at Corvallis, for the following list of young people now in attendance at that institution: William C. Reith, Astoria; Charles L. Rogers, Astoria; Albert Utzinger, Seaside; Ralph L. West, Westport; Eugene Wiggan, Westport; Joseph W. Thomborg, Astoria; Phillip J. Cherry, Astoria; Leonard M. Hicks, Astoria; Doris E. Olsen Warrenton; Earle A. Olesegn, Warrenton Estelle B. Olsen, Warrenton.

Professor Horner says that the attendance of the college has increased over two hundred this year. The Baccalaureate sermon this year will be preached by Rabbi Wise, of Portland, at the annual address to the graduates will be made by Senator Gearin. The next meeting of the Alumni promises to be the most extensive in the history of the institution.