



THAW JURY DISSAGREED

Seven for Conviction Five For Acquittal.

NEW TRIAL THE RESULT

Thaw Limply Sank Into His Chair When The Jury Rendered Its Report.

COUNSEL KNOCK DELMAS

Thaw's Attorneys Claim His "Dementia Americana" Statement Injured Thaw's Prospects An Outcropping Of Petty Jealousy That Has Existed.

NEW YORK, April 12.—Hopelessly divided seven for a verdict of guilty, of first degree murder five for acquittal on the ground of insanity, the jury which since January 23 last has been trying Harry K. Thaw, reported today, after 47 hours and 8 minutes deliberation, it could not possibly agree on a verdict. The twelve men were promptly discharged by Justice Fitzgerald who declared that he, too, believed their task hopeless. Thaw was remanded to the Tombs without bail to await a second trial on the charge of having murdered Stanford White.

When the new trial will take place no one could, tonight, express an opinion. Jerome declared, there were many other persons accused of homicide awaiting trial, Thaw, will have to take his turn with the rest. As to a possible change of venue both sides declared they would make no such move. Thaw's attorneys will have a conference tomorrow with the prisoner to decide on their next step.

They may make an early application strenuously oppose it. In that event Thaw will have another long summer before him in the city prison. His case then for bail. Jerome said he would not possibly be reached before next fall. The announcement of the inability of the jury to reach an agreement was not surprising after their long deliberation and Thaw received the news, surrounded by the members of his family in absolute silence. When it became known that the jury was about to make a report, Thaw called his wife to the seat by his side and sat with his right arm thrown about her until he was commanded to stand and face the jurors. Smiling and confident as he entered the courtroom, he sank limply into a chair, when foreman Smith in response to the question of the clerk as to whether a verdict had been agreed upon said:

"We have not." Thaw's mother, her features hidden behind a dense veil sat stolid and motionless. In ill health of late, she had felt severely the strain and stress of the long hours of anxious waiting. The wife gripped her husband's hand, tightly as the foreman spoke and then when he sank down by her side she tried to cheer him as best she could saying she believed he would now be admitted to bail and that the second jury would surely set him free.

The mother and brothers, pale and well night exhausted by the tedious nerve racking wait for the verdict were permitted to speak to Thaw for a few moments and bid him be of good cheer before he crossed the "Bridge of Sighs" to the cell, which until a few minutes before he had hoped that he was about quit forever.

The police succeeded in dispersing the thousands gathered around the building as when the failure of the jury to reach an agreement was announced but a few hundreds were there to

receive the news. The proceedings were brief and but a few minutes elapsed from the time the announcement was made by foreman Smith, until the jurors were free to go to their homes. Thaw when he returned to the Tombs issued the following statement: "I believe that every man in the jury possessing average intelligence excepting possibly Mr. Bolton, comprehended the weight of the evidence and balanced for an acquittal. All my family bid me goodbye, with courage. I trust we may all keep well."

To his attorneys Thaw said he was deeply disappointed. "But I could hardly expect anything else, in view of the events of the last few days," he added.

Earlier in the day Thaw had given out another statement in which he said he had desired that his fate should be judged on the "Written laws of the State of New York." He declared that he believed the evidence adduced, had convinced Jerome of his innocence under the strict letter of the law.

Delmas who conducted Thaw's case was not in court when the jury made its report and was discharged.

Clifford W. Hartridge, attorney of record, who is a personal friend of Thaw gave out the following statement to the Associated Press.

"Mr. Thaw has already expressed himself as desirous of a trial under and in accordance with laws of the State of New York. I can add nothing to that except to say, that I, entirely, agree with him and hope that we shall have a new trial, speedily, and that the next time it will not be necessary for the presiding Judge to charge the jury that we are living in a civilized community." It said that Attorney

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DEFRAUDS BROTHER

Is Arrested for Fraudulent Use of Mails.

DENIED HIS RELATIONSHIP

Proved In Court They Were Brothers— Charges Were Withdrawn And Brothers Leave Court and Are United Once More.

SEATTLE, April 12.—An unusual drama enacted itself today in United States Commissioner Kiefer's court room, when two men, one charged with using the mails to defraud the other, were proved to be brothers, who had been separated for 26 years.

The charges were withdrawn, and the brothers, one of whom had come from Pennsylvania to press them, left the room together, both weeping.

Yost Weber, a longshoreman, defendant in the case, had left his home in Heese, while a lad, had followed the sea, and after Johan Yost Weber, his Pennsylvania brother had not heard from him for many years, wrote him from Port Townsend that he was married and in need of money. Johan Yost Weber sent him \$200. Later the longshoreman again wrote that he was lying flat on his back, that he had been in the wreck of the Valencia, where his wife and a child were drowned. The gasterner immediately came west. The alleged brother was pointed out to him on the street. He denied being the man who had written the letters. The Pennsylvania man angry, had him arrested, as an impostor. Jailed for a month, the longshoreman was held until the other might be again summoned from the East to testify. The longshoreman insisted that they were brothers; the other denied it. In court both were required to write separately the names of certain cousins. Both lists were identical. Other tests were made, including the recital of the longshoreman's class in confirmation. Asked why he had denied the other when accosted on the street, Yost declared that he had been ashamed, after having lied about having a wife and family.

RUEF CASE ADJOURNED

Time Allowed Defense-- Reconvenes Monday.

SHORTRIDGE IS FREED

State Supreme Court Decision on Ruef Habeas Corpus Will Be Rendered Monday.

DUNNE LACKS CONFIDENCE

In Sheriff And Coroner's Honesty In The Summoning Of A Fresh Venire Of Talemens—Ten Probationary Jurors Have Been Accepted.

SAN FRANCISCO, April 12.—This morning the prosecution in the case of alleged extortion for which Abe Ruef is being tried will ask for the appointment of another elisor and the summing up of a special panel for which the trial jury may be completed. Three more talemens were passed yesterday, making ten men now in the box, but there are fifteen peremptory challenges to be issued which must be provided for in the final selections of the jury.

Subpoenas will be issued tomorrow which will bring the officials and directors of both the United Railroads Investment Company of New Jersey before the grand jury as witnesses. The investigation of the bribery of the Supervisors of the United Railroads will be taken up early next week probably on Monday. Mr. Patrick Calhoun made a denial of the truth of the charges, and states that his companies has not at any time paid or authorized payment of money for the passing of ordinances granting the trolley franchises. The investigation into the affair of the Home Telephone Company has been postponed until next Saturday afternoon. The principal witnesses are now asking immunity before they agree to testify which has checked temporarily the course of the inquiry.

District court of appeals freed attorney Samuel M. Shortridge from the contempt order and jail sentence imposed by Judge Dunne. Justice McFarland announced that State Supreme Court will not make known, before next Monday, its decision on Abraham Ruef's application for release by habeas corpus from the custody of Elisor Biggy. Judge Dunne reiterated his total lack of confidence in the sheriff and coroner to honestly summon a fresh venire of talemens, to complete the Ruef trial panel, and adjourned court until next Monday to give the defense an opportunity to prepare counter affidavits in support of its objection to the redissolution of the sheriff and coroner. These were today's developments in the bribery and graft investigation. There was no session of the Grand Jury.

MILLIONAIRE PABST INJURED.

Auto Struck Street Car. Millionaire Brewer and Companion Hurt.

CHICAGO, April 12.—A dispatch to the Tribune from Milwaukee, says Frederick Pabst, a millionaire brewer and Mrs. Leon Barnickel wife of a well known athletic instructor were, seriously injured last night in an automobile accident. Both are at Trinity Hospital, but will recover.

Mr. Pabst left home a short time before to meet the manager of one of his ranches. On his way down town he met Mrs. Barnickel, a friend of

the family. She was on her way to the armory to meet her husband with whom she was going to the dog show.

Mr. Pabst invited her into the automobile and started for the armory when they were run down by a trolley car. Mrs. Barnickel was thrown to the pavement, while Mr. Pabst remained in his wrecked automobile and was dragged 150 feet over the muddy pavement. Both were unconscious and were picked up and carried to a drug store and then removed to the Trinity Hospital. They are still unconscious but will recover.

Mrs. Barnickel is the most seriously hurt. Her face is cut and bruised and it is feared she will be disfigured for life.

Mr. Pabst says his most serious injuries are about the head.

EVELYN'S MOTHER.

PITTSBURG, April 12.—All efforts to obtain a statement from Mrs. Holman, mother of Evelyn Nesbit Thaw, on the result of the trial was unsuccessful. It was reported tonight however that the woman is preparing a statement to be made public in the near future.

RECEIVED THAW NEWS.

PITTSBURG, April 12.—Pittsburg received the result of the Thaw trial with hardly as much interest as the baseball bulletins. There was little comment.

BASE BALL SCORES.

LOS ANGELES, April 12.—Los Angeles 5, Oakland 2.

SAN FRANCISCO, April 12.—12 Innings, Portland 2, San Francisco 1.

"ETERNAL YOUTH"

First Society Has Been Formed In Iowa.

MEMBERS FINED IF SICK

Object To Perpetuate And Renew The Mental, Moral And Physical Youth— Over 100 Members—Custom And Habit Cause Old Age And Sickness.

CHICAGO, April 12, 1907.—A dispatch to the Tribune from Des Moines, Ia., says:

"The First Society of Eternal Youth," is the name of an organization here which has for its object the prolongation of life and which proposes to fine every member who becomes sick. That the association is in earnest is evidenced by the fact that 100 men already have enrolled in the scheme, the preamble of which reads as follows:

The special object and the business of this society shall be to renew and perpetuate the mental, moral and physical youth and strength of all its members, to build up and continue in the highest degree the mental vigor in each individual member and imperatively requiring from each and every member that he live the life of health, thereby contributing his share in banishing the spectre of disease and death from the face of the earth.

Any member who is reported sick from any disease and so remains sick and is confined to his bed for a continuous period of three days or more shall be fined in a sum not less than \$1, nor more than \$10, for the first offense. For the second offense under this article any member shall be expelled from membership and for the third offense of any member in violation of this article, expulsion from the society shall be the penalty.

All members joining must sign a pledge that he or she will continually assert that there is nothing but custom and habit of thought that causes people to be sick, grow old, and die.

SPEECHES OF IMPORTANCE

Delivered By World Noted Men.

CARNEGIE INSTITUTE

Plan to Raise Funds for Proposed Pilgrimage to the Hague Peace Conference.

MONEY SHOWERED ON STAGE

Dinner In Honor Of Mr. And Mrs. Carnegie At Hotel Schenley—Speeches Of Prominent Men Upon Science And Engineering.

PITTSBURG, April 12.—William T. Stead, Editor of Review of Reviews, London at the rededication ceremonies of the Carnegie Institute of Pittsburg today, announced a plan to raise the \$100,000 necessary to conduct a pilgrimage from all countries to the Hague conference. He proposed that every college and university student in the United States contribute fifty cents toward the fund. After the applause Stead said that probably his hearers would like to contribute, immediately a shower of money landed on the stage coming from all parts of the hall.

A banquet by the trustees of the institute in honor of Mr. and Mrs. Carnegie was held in the hotel Schenley.

The exercises today were largely attended. Addresses were made by several noted men. Sir William Henry Preece said in part in his address on "The Connection between Science and Engineering—Political and mental freedom aided by clear thought and true reason have unfolded nature laws and the engineer has applied them to expediate transport, to facilitate communication, to eliminate time and to annihilate space.

The self consciousness of man has been elevated and he had learned to observe, to think, to reason and to retain. The engineer is a great benefactor to his race, for he has facilitated and economized the transport to draw material and of food supplies. The railroad and the steamship render females practically impossible. The engineer has improved the condition of life in the civilized world, the mean duration of life has increased and David's limit has been raised. The biologist finds the germ of disease in bacilli and the engineer utilizes feeding bacteria to purify his sewage. Thus life itself is made to minister to the service of man. His works are tending much to hasten the advent of peace on earth, and good will among the nations. The engineer has become the necessity of the age. Hitherto his education had been self acquired. Invention will probably continue to be the result of individual private inquiry but the great majority of the active workers in the field must be educated in their science and trained in their art.

Sir Robert Ball, professor of astronomy at Cambridge observatory, England, delivered an address on "The solution of a Great Scientific Difficulty," in which he explained the maintenance of the heat of the sun during a period of many millions of years. He said the age of the sun appears to be very much greater than would be computable with the supposition that its heat was derived only from contraction. He said that in the process of the contraction of the sun from infinity to its present bulk the sun would yield its present amount of heat by contraction for only 9,520,000 years.

But Professor Jolly had shown it would require 100,000,000 years for the earth's water to turn from fresh to salt. Therefore, he concluded that there must be some source of energy in the sun much greater than that arising from contraction. This source he said was found in the movement of corpuscles of matter at the velocity of light. The nebula from which the sun contracted contained the particles, a small quantity of which such as radium, would produce a tremendous energy and heat.

MODESTY OF CLOTHES.

Paper of Club Women on "The Scientific View of Artistic Dress."

CHICAGO, April 12, 1907.—A dispatch to the Tribune from Detroit, Mich., says:

Unclothed peoples, accustomed to see the human body nude are less vicious than a clothed nation among whom clothing adds allurements to the mystery of the body said Mrs. O. A. James in her paper, "The Scientific of Artistic Dress," read before the Twentieth Century Club yesterday. She said:

"We women wear tight fitting bodices on the street and exposed busts in public gatherings like the opera, and we blush at the exposure of the ankles and call it immodest. What is there more essentially immodest about the exposure of the upper than of the lower limbs?"

"Modesty is the latest evolved of all the virtues, and originally is the effect rather than the cause of clothes. The first chapters of Genesis show that clothing originally was the result of moral degeneracy. Because we are clothed are we human beings more virtuous than the unclothed horse we drive?"

FOREIGN INVASION

Offset By Training of the Coast States Militia.

OUR HAIRLESS SENATORS

"Sweet Girl Graduates" Swarm To Washington—Old Warship "Marion" Sold For Junk—New Activity Of Steamboat Men On Three Rivers....

WASHINGTON, April 12, 1907.—Given a scant three years of preparation the United States will be in a position to laugh at foreign invasion, at least so far as the manning of its coast fortifications is concerned. General Murray, chief of artillery, is astounded at the enthusiasm with which his invitation, extended to the militia of the seaboard states, to learn the secrets of the big guns has been accepted. The Governor of California has just notified the War Department that the militia will join heartily in joint drills with the regulars, and has asked that provision be made for participation in all of the 52 military infantry companies in the State. This has been both an enjoyable and embarrassing surprise to the government, for it has been proposed to entertain only 37 companies at the outside, disposing of them among Fort Rasencranz, Fort Riley, Fort Winfield Scott and Fort Baker. The militia of the other Pacific states have accepted with equal alacrity the opportunity to learn the operation of the big guns, while on the Atlantic coast the same spirit is shown. Even little Rhode Island will turn out its full fighting force to learn the intricacies of the coast defenses. In fact, the war spirit seems to be thriving in this age of commercialism, for the War Department is advised of the formation of hundreds of rifle clubs throughout the country. The spirit even has spread to the gentler sex, and the high school girls of this city have formed an organization for rifle practice. It is probable that before the summer is over they will be able to fire the light 22 calibre robot without flinching both eyes.

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