

HARRY K. THAW MUST STAND A SECOND TRIAL

Seven of the Jurors who Tried Him for Murder of Stanford White Favored His Conviction. Five Wanted Acquittal. Thaw Greatly Dejected. New Trial May Be Delayed.

New York, April 12.—The Thaw jury at 4:30 p.m. came into court and reported a disagreement. The jury was thereupon discharged by Judge Fitzgerald. The court was declared adjourned until April 29. Mrs. Evelyn Thaw immediately went to the prisoner's cell, and told her husband. A vast crowd filled the courtroom awaiting the announcement.

Disagreement of Jury.
The jury was hopelessly divided. Seven were for a verdict of guilty of murder in the first degree, and five were for acquittal on the ground of insanity.

Deliberations of the Jury.
The story of the proceedings in the jury room tonight far outranked in interest the brief court proceedings which brought the famous trial to a close. It turned out that the jury considered everything connected with the case except the "unwritten law." Basing their argument entirely upon evidence they voted either for or against murder in the first degree.

Thaw To Be Tried Again.

Thaw was remanded to the Tombs without bail to await a second trial on charge of having murdered Stanford White, the noted architect. When this new trial may take place no one connected with the case could give an opinion to-night. District-Attorney Jerome declared that there were many other persons accused of homicide awaiting trial, and that Thaw would have to take his turn with the rest. As to a possible change of venue, both the district-attorney and counsel for Thaw declared they would make such a move. Thaw's attorneys will confer to-morrow with the prisoner to decide upon their next step.

Jerome Will Oppose Bail.

They may make an early application for bail. Mr. Jerome said he would strenuously oppose such application. He held the belief that as seven of the jury voted for guilty his opposition probably would be successful. In that event Thaw has another long summer before his case on the already-crowded criminal calendar can be possibly reached next autumn.

The Jury's Announcement.

The scenes attending the announcement by the jury of its inability to agree upon any sort of verdict were robbed of any dramatic features by the general belief that after the protracted discussion and the reports of the wide division of sentiment, the jurors could make no other report than one of disagreement.

Thaw, surrounded by the members of his family, his aged and devoted mother, his hale young wife, his still sister, the Countess of Yarmouth, his sister, Mrs. F. Carnegie, and his brothers, Edward and Jos. Thaw, received the news in absolute silence.

When it became known that the jury was also to make its report and that the case would be disposed of, Thaw called his wife to a seat by his side and sat with his right arm thrown about her until he was commanded to stand up and face the jurors. He was smiling and confident when they entered the court room.

Thaw Unnerved.

Thaw sank limply in his seat when Foreman Deming B. Smith, in response to a question by Clerk Penny as to whether a verdict had been agreed upon, said: "We have not."

His mother, her features hidden behind a black veil, sat stolid and motionless. She appeared to have felt severely the stress of the long hours of anxious waiting. His wife by his side gripped his hand tightly as the foreman spoke, and then when he sank down by her side she tried to cheer him as best she could by saying she believed he would now be admitted to bail, and that a second jury would surely set him free.

Again Enters the Tombs.

The mother, the sister and the brothers well nigh exhausted by the tire-racking period of waiting, smiled wanly at Thaw as he was led away again to the Tombs. They were permitted to speak to him for a moment before he crossed the "Bridge of Sighs" to the prison, which but a few minutes before he had hoped that he was about to quit forever.

Outside the Courtroom.

Outside on the square by the criminal courts building only a few hundred persons were gathered. Thousands had been there earlier but police reinforcement had arrived with

instructions to keep every one moving and this soon had tired the silly curious into willingness to depart. Inside the building, in the galleries overlooking the court and gathered along corridors, were groups of more fortunate persons who had been able to make their way past the vigilant guards. Only the newspaper men, the court attaches and a favored few friends were allowed to enter to hear the verdict, as Justice Fitzgerald feared a demonstration of some sort.

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When they cast their first ballots

the vote was 8 to 4 in favor of conviction. During the nearly 48 hours of deliberation only 8 ballots were cast. The jury spent the two night sessions in their chairs.

The Final Ballot.

The final ballot taken just before the jury reached its disagreement in court, was as follows: For conviction of murder in the first degree, Messrs. Deming, B. Smith, foreman; Geo. Pfaff, No. 2; Chas. H. Feeke, No. 3; Harry H. Brearly, No. 6; Chas. D. Newton, No. 8; Jos. Bolton, No. 11; and Bernard Gerstman, No. 12.

For acquittal on the ground of insanity:

Messrs. Oscar A. Pink, No. 4; Henry C. Hartney, No. 5; Malcolm S. Fraser, No. 7; Wilber, F. Ute, No. 9; and John S. Deane, No. 10.

Juror Harney said:

"About ten minutes after we reached the jury room we took the first ballot and it resulted in a vote eight for conviction of murder in the first degree and four for absolute acquittal."

Signings of the Jury.

It was noticed that the only man who voted consistently according to his first opinion was Geo. Pfaff. This juror from the very first ballot stuck to his belief that Harry Thaw was guilty of murder in the first degree. The sessions of the jury were not altogether pleasant and peaceful. There were many stormy arguments and at one time charges of inconsistency and breaking of faith with the orders of the court were made, but at no point of the deliberations did the foreman lose control of the situation. He successfully held the 12 men in check and was the first to suggest, when it was seen there was no possibility of a verdict being reached, that they report the matter to Justice Fitzgerald and leave the further disposition of the case to his judgment.

Thaw Dejected.

When the disagreement was announced in court Thaw turned even paler than he has been for the past several days, and when he was remanded back to the city prison at the suggestion of District-Attorney Jerome he hung his head dejectedly. Up to the very last he had hoped that the twelve men would agree upon a verdict of not guilty.

London's View of the Case.

London, April 12.—Interest in the trial of Harry K. Thaw for the murder of Stanford White, which was at first intense here, lagged during the latter stages of the proceedings, but the unexpectedly prolonged deliberations of the jury and the novelty for the British public of the circumstances surrounding the final scenes raised curiosity here to a fever point.

English and American Systems Compared.

The chief criticisms heard were upon the comparative leniency of the American opinion toward homicides, and what Englishmen consider a lack of dignity and method in the proceedings of the courts. It has been a boast of Englishmen that hangings invariably follows killing here. But Home Secretary Gladstone's leniency toward Horace Rayner, the man who shot and killed William Whitely last January, and the unexpected wave of sentimentalism which demanded it led to discussion as to whether the swift and stern process of British law will not in the future bend more frequently before public opinion.

Learn what the outcome of the strange case would be.

Within a few minutes of the receipt of the cable despatch announcing that the jury had disagreed the streets of London, in spite of the lateness of the hour, echoed with the shouts of the newboys. The newspapers were bought up eagerly and the people everywhere discussed with unusual avidity the likelihood of a fresh trial.

Ottawa, April 12.—The Blairmore townsite question was brought up in the House yesterday afternoon by Richard Stuart Lake, M.P., for Qu'Appelle. The opposition directed its attack equally against the Department of the Interior, and Malcolm Mackenzie, M.P.P.

Mr. Oliver, replying to Mr. Lake, read from the judgment of Judge Burbridge, of the exchequer court, showing that the finding had been given with the consent of the various claimants, and on the merits of the case—not because the Crown withdrew.

St. Petersburg, April 12.—A demand for the expulsion from parliament of three socialist deputies pending their trial for political offences, which was submitted to the lower house of parliament by the minister of justice, M. Czechegostoff, at today's session, caused an outburst of indignation. F. Geras, a teacher and social revolutionist of Kuban, and A. A. Kuznetsov, social democrat of Simbirsk, are accused of being socialists.

A. S. Kupstavr, a peasant landowner of Kuvna, also was returned as a member of the left party, and is charged with making revolutionary speeches. M. Alexanisky, social democrat, pointed out that recognition of the minister's right to demand the deputies' exclusion, might lead to the exclusion of one-third of the membership of the house. The minister of justice said the law clearly provides for the temporary suspension of deputies indicted for criminal offences.

He further asserted that the Russian Court was above such action, a statement which was greeted with ironical laughter. M. Czechegostoff's remarks provoked a series of fierce answers which aroused the house into the first great excitement of the present session. Speaker after speaker denounced the Russian judicial system as being a travesty of justice, while minutes after we reached the jury room we took the first ballot and it resulted in a vote eight for conviction of murder in the first degree and four for absolute acquittal."

3 Years and 4 Months in Sing Sing.

New York, April 16.—Clifford H. Smith, 29 years old, a youth who was detected in the act of extracting pennies from a child's bank in a house which he had entered by force in the night, was sentenced today to serve 3 years and 4 months in Sing Sing prison.

Affirmed Conviction.

Chicago, April 16.—The United States court of appeals today affirmed the conviction in the district court of the Chicago and Alton railroad and John K. Fairhoun and Fred A. Wann, former officials of the line, for granting rebates.

Presentation to Preacher.

Montreal, April 16.—Calvin Presbyterian congregation presented John McMorris, chief elder and Sunday school superintendent with gold watch, chain, and locket on the eve of his departure to British Columbia.

The Votes of the Strathcona Electors

will be taken on May 10th next on the by-laws to authorize the issue of \$70,000 debentures for an hospital site and erection of building, for \$15,000 for the purchase of a city hall site, \$12,000 for the purchase of a market site, and \$15,000 for the Bailey soap works site, etc. The returning officer will be the secretary-treasurer, and the deputy returning officer Charles Grant.

PETITIONS FOR SIDEWALKS.

At the meeting of the city council last night petitions were received from S. Archibald and others for a 14 foot granolithic sidewalk on the north side of Block 63, and from Stewart Hill and others for similar improvement on the north side of block 62. This is on Whyte avenue east of Niblock.

NELSON LASTS FOUR ROUNDS.

Lauder of Winnipeg Disposes of Dakotan in Ten Minutes.
Calgary, April 16.—Billy Lauder, of Winnipeg, won to-night from Mark Nelson of Minot, Dakota, in the fourth round in a hard, fast fight. Lauder entered the ring weighing 137 pounds, while Nelson weighed 144. Lauder, forced the fighting from the beginning, having the better of the first and second rounds. In the third round Lauder went down for a second on a blow in the eye. They went at it again, and in the fourth Lauder landed with his left, Nelson missing. Lauder came back with a clean lightning wallop with his right to the point of the jaw, Nelson going down like a shot. At the ten count Nelson was fast asleep. The result was very popular, as Lauder was fighting a vigorous, clever battle.

The spectacle of the Conservative members from the west asking for tariff reduction from the Liberal Administration quite out points the assent Pharisees in snivelling hypocrisy.

SPORTING NEWS

COAST LEAGUE EXPENSES.

Close followers of baseball dope in Seattle figure out that Aberdeen will have a payroll of at least \$3,000 a month from the very beginning of the season, says the Sunday Post-Intelligencer.

The signing of such players as Higginbotham and Hickey by Aberdeen has set a pace that is sure to run the Northwestern league into a terrible fight. The original plan was to hold down to a limit of about \$2000, but it is the old, old story of one city trying to outdo the other, and there is no telling where it will stop.

Dugdale knows that not only Aberdeen, but Vancouver, Tacoma, Spokane and Butte would dance with joy if they could get ahead of Seattle, and to meet the emergency he has had to go out and grab players, paying fancy prices. Even before he knows what he has got, he will be paying between \$2,600 and \$2,800 a month.

From a business viewpoint it would be better for the teams to hold down close to \$2,000 a month, but it is too late to draw back now for the present year. The Coast league was looking fun at Lucas bush league a few weeks ago; things are different now.

LACROSSE.

Calgary papers think that city should have a school lacrosse league. Edmonton's record for 1906: won 3, lost 6, draw 1. The figures are due to be reversed this year.

Dundas, a central Ontario town of 4,000 population, has a town league with four teams in it. Gold lockets have been donated for the winners. Lethbridge Herald: The fact that Attorney General Cross is going to England at the same time as the Capital lacrosse team of Ottawa, leads some people to wonder whether he is going to be a "ringer" on the English team. Cross has not forgotten the fine points of the game yet.

The stick handlers from Bruce resident in the city will be interested to know that the North Bruce Lacrosse League was reorganized recently at a meeting at Chesley. The meeting will include Tara, Chesley, Port Elgin, Chatsworth, and Warton. The officers are: President, Dr. Crow, Chesley; treasurer, D. J. Hunt, Warton; secretary, Mr. Graham, Chesley. As Southampton has not paid Warton \$24 for expenses last summer, it will be left until the bill is paid.

Loviolette, captain of the American 800 professional hockey team, has signed with the Montreal Nationals.

Montreal Nationals who are favored in many quarters for the N.L.U. honors this year will have a policeman and a street car conductor on the line up this year.

The Albertan figures there are fourteen of last season's players still in Calgary and an adequate supply of new ones to give the city a great twelve this year.

The Edmonton club have ordered another dozen and a half new jerseys. With most of the 1906 uniforms still in the city and eighteen new ones ordered it looks as if the executive had an idea there would be a good crop of players aspiring for a place on the twelve.

Baseball Manager Fidler must have been furnishing the lacrosse dope for the Albertan Friday. That paper announces that the "Ottawa lacrosse club which will visit Australia this fall, may be seen in Calgary in an exhibition game with the senior team."

The Ottawa aggregation are at present in England for a thirty-day stay and could hardly finance trips across both ponds in one and the same year. Must be Jimmy Miller's all-star C.L.A. outfit which will visit the kangaroo country this spring that is to stop off at Calgary.

BASEBALL.

Manager Dugdale of Seattle has ten pitchers to select from.

Mullane, who succeeds Jack Morrison as manager of the Calumet team, well-known in Northern league territory in France.

The Copper Country league supplied ten players for the big ball association in the east this year.

If Chicago Nationals win the championship again this year they will be given a trip to Ireland.

Duluth players report at Madison, Wis., on Monday. Sixteen of them have been signed up to the present and five of the lot are pitchers.

If Bond, the Maroon pitcher, who will be given a trial by Minneapolis fails to make good, he will be returned to Winnipeg.

O'Dea, the world-beating shortstop, claimed by Lethbridge, is also said to be the property of Duluth, and

again he may go to La Crosse, Wis., where he is wanted as manager.

Schurich, the latest addition to Lethbridge line up, was wanted by Winnipeg but the Maroons were slow in turning over the purchase money.

Manager Herr has twenty-four players now under contract. The latest to book on is an outfielder named Munroe who played in the south last year. He is also a fair backstop.

According to advices from Bellingham this will be President Lucas' last year at the head of the Northwestern league. His successor will be D. E. Dugdale of Seattle.

Winnipeg has signed Catcher Crisp, who has been practising with the Kansas City team in the American association. He is a great hitter but not so many as a fielder.

The Edmonton club has torn down the high fence around the old grounds on Second street and will utilize it in enclosing the new grounds just leased.

President Glass says things are running so harmoniously in the Copper Country league that he will not have to make another trip around the circuit this year.

HOCKEY.

Edmonton will undoubtedly have a city league next year, but it is not likely there will be as many teams in it as this season.

With all this new lacrosse talent hitting the city there should be plenty of puck chasers around for some fast Edmonton seasons next winter.

According to Secretary Gillespie's book-keeping there were fourteen games played in the city league last season. And fully as many meetings of the executive.

Billy Baird, the Ottawa hockey player, will probably be found in the west when the ice forms again. Baird made a great hit at Portage and the Western team will certainly land him unless the Ottawas get there ahead of them.

Said Had Stuart at the Wanderers blow out at the Arena rink management's expense: "I have played hockey on both sides, but in the States I soon got sick of the game. The clubs there were like the Ottawa team and wanted to win at any price, so I quit them after they had suspended me for rough play, and came to Montreal. I am glad I came, for in Montreal they know how to play hockey."

At the dinner given by the Montreal Arena company to the Wanderers' Hockey club last week President Strachan of the Wanderers said—"We had a hard time when we went west in search of the cup. We went there to play and we found ourselves blocked on every side. Arriving in Winnipeg, we were treated like blocks of wood instead of hockey players. The only member of any team to give us anything like a reception was Tom Phillips, who simply shook hands and went away. In Kenora, we were worse off."

"Shorty" Campbell, the fast left wing of the city senior seven, who has been laid up in the Sanitarium since the last game for the Brackman-Ker trophy with Strathcona here about three weeks ago, will be out again in a few days now. At one time it looked as if he would lose the leg, but now doctors think he will come through the ordeal as good as new, though they hardly care to state whether he would be wise in participating in championship matches next season.

The annual meeting of the Edmonton Cricket club is called for Wednesday evening next at 8 o'clock at the offices of W. S. Weeks & Co. The weather has been anything of the variety to arouse the enthusiasm of the followers of the sport so far, but it is thought the game will be more popular in the city this year than ever before.

Down at Medicine Hat the players are anxious for organization of the teams in the province that would produce at least home and home games for each of the teams, and it has been suggested that the clubs from Edmonton, Red Deer, Calgary, Lethbridge, Macleod and Medicine Hat get together and form an association club.

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FIRST BASEBALL PRACTICE.

The first baseball practice is called for Friday night at 6:30 at the old grounds on Second street north, and players who wish to catch a place on a fast intermediate nine are especially requested to turn out. After the workout an organization meeting will be held.

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L CONFER A SECOND TIME

and Operators will Meet. Coal Strike is Still on, however.

Press Dispatch.

April 17.—It is probable miners' strike may be averted. Conference between the operators and the men. It is held in Fernie on the 17th. All matters at issue will be discussed.

Trying to Settle Difficulty.

April 17.—It is reported that the Canadian Pacific Railway is making vigorous efforts to settle the difficulty between the operators and the men. It is held in Fernie on the 17th. All matters at issue will be discussed.

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