

MRS. W. A. CLARK REPORTED BETTER WILL BE TAKEN HOME FROM SANITARIUM

Condition of Senator's Wife Said to Be Very Favorable and No Further Trouble is Anticipated

Special to The Herald. NEW YORK, Feb. 27.—The condition of Mrs. William A. Clark, wife of Senator Clark of Montana, who has been in a sanitarium here for the last three weeks, was reported today as being extremely favorable. Dr. Albert H. Ely, who has been attending Mrs. Clark, expects to have her removed to her own home some time this week.

SENATOR'S WIFE ON ROAD TO RECOVERY



MRS. W. A. CLARK

SENATE EXPELS THE GUILTY FOUR

(Continued from Page One.) judgment on me. I again swear before God that I am innocent. Wright's speech had no effect in changing the opinions of his colleagues, who promptly expelled him on roll call. Thirty-three votes were cast for expulsion and there were no negative ballots. Senators Pendleton and Rambo refrained from voting in Senator Wright's case.

BUNKERS FILES PETITION Applies to Supreme Court for Writ of Habeas Corpus

By Associated Press. SAN FRANCISCO, Feb. 27.—In the supreme court today a petition for a writ of habeas corpus was filed by Attorney H. V. Morehouse in behalf of State Senator Henry Bunkers, who is accused of accepting a bribe from Joseph Johnson to influence his action as a member of the committee on commissions and reform regarding the proposed investigation of building and loan associations.

Spends Night in Jail

SACRAMENTO, Feb. 28.—Senator Bunkers spent the night in jail in consequence of the failure of his habeas corpus application.

Appropriations for Glen Ellen

SACRAMENTO, Feb. 27.—The assembly this afternoon passed Senator Woodward's bill appropriating \$8000 for the purpose of completing the erection of the hospital building at the home for the feeble-minded at Glen Ellen. Also Woodward's bill appropriating \$6500 for a reservoir for the Glen Ellen home.

To Shorten Fire Department Hours

SACRAMENTO, Feb. 27.—Senator Wolfe made an ineffectual attempt today to have the upper house pass, over the veto of the governor, his bill cutting down the time that the members or the employees of the San Francisco fire department are to be kept on duty from twenty-four to twelve hours a day. He admitted that the bill might be unconstitutional, as claimed by the governor, but said if it were passed by the senate its provisions would probably be placed in the San Francisco charter. Wolfe and French cast the only votes for reconsideration.

BURNED WHARVES WILL BE REBUILT

By Associated Press. NEW ORLEANS, Feb. 27.—With the fire that destroyed its immense export terminals still burning, though powerless to do further damage, the Illinois Central railroad announced today that, as soon as the ruins cool, forces will be put to work to clear away the debris, and Stuyvesant docks and elevators will be promptly rebuilt on a more elaborate and substantial scale than before.

Fire Started in Elevator

The fire started in the conveyers to elevator D. It spread with remarkable rapidity, sparks dropping into oil barrels on the wharf and extending the flames in every direction. Ten ships were lying at the docks when the fire started and all except two escaped without damage.

Superintendent C. M. Dunn directed the forces of the railroad company for several hours, and, when the fire was under control, went to the office of the company where he spent the night in wire communication with officials east and west, settling the lines for clearing the wreckage away.

He said that it was probable that the piers, elevators and sheds could be restored within a year and that they would be made more extensive and substantial than those destroyed.

Throughout the night and today many messages passed between the local officials and the head offices of the company in New York and Chicago, and arrangements were set on foot to take care of the traffic now en route here and to provide for handling the export trade of the company until the docks are rebuilt.

The Texas & Pacific has an immense elevator at Westwego, and there also is an elevator at Chalmette, the property of the Frisco. General Manager Preston of the latter road tendered the use of the Chalmette property to the Illinois Central, and it is probable that the traffic will be handled to that point.

STATE REFINERY BONDS

Work on the Kansas Enterprise to Begin at Once

By Associated Press. TOPEKA, Kan., Feb. 27.—It was decided today that the bonds for the state oil refinery will be issued within ten days. As soon as they are sold work on the refinery will begin.

Warden Jewett of the state penitentiary will select a site for the refinery and branch penitentiary at Peru this week.

WOMAN HELD UP; MERCHANT ROBBED

(Continued from Page One.) up and robbed of \$258. The man who made the feed dealer deliver his valuables was a big negro, who was armed with a revolver which had a most persuasive appearance to Zukerman.

The east end of the bridge is in almost total darkness, so far as artificial light is concerned, and this is where the holdup occurred.

Zukerman lives at 141 South Rio street, just across the river. He is in the habit of going home each night with the proceeds of the day's business in his pockets and supposes that the negro knew of this in some manner and lay in wait until he should come along.

Without stopping to see in which direction his assailant made off, Zukerman proceeded to the nearest telephone and informed the police.

As soon as possible half a dozen detectives were on the scene and a search in all directions was prosecuted but without avail.

EMMONS' CONDITION IMPROVES

Physicians Say Patient Will Probably Recover

By Associated Press. SACRAMENTO, Feb. 27.—A decided improvement was reported tonight in the condition of Senator E. J. Emmons. His physicians now state that he will probably recover.

At 10 o'clock tonight Senator Emmons was sitting in bed, enjoying a cigar. Up to that hour he had not been informed of his expulsion from the senate. He was not aware that the consideration of the report of bribery committed had been made a special order for this morning and made no inquiries of his nurses or physicians.

Fire Victims Unidentified

HOT SPRINGS, Ark., Feb. 27.—Contributions continue to be received from outside cities for the benefit of those rendered destitute by Saturday's great fire. It is now generally accepted that only three persons perished in the flames. The identity of these victims has not been established.

Murderer Makes Confession

DENVER, Feb. 27.—James Neal, 18 years of age, who has been living in Denver under the name of Roy Dallow, has given himself up to the police and because of remorse confessed that he murdered Cynthia Johnson, a widow, who lived on a farm near Kennisop, I. T.

CANNOT RECEIVE CASTRO'S ENEMY

ANDARA IS NOT PROPERLY ACCREDITED

Washington Cannot Recognize Representative of Revolutionary Movement Against Venezuela, With Which We Are at Peace

Special to The Herald. WASHINGTON, Feb. 27.—When Joseph L. Andara, agent of the revolutionary party of Venezuela, reaches Washington tomorrow he will not be received at the state department by Secretary Hay.

Senor Andara is now in New York and is coming to this city with the avowed intention, so he is reported to have said, of prevailing upon this government not to take any drastic action at this time against President Castro in connection with the asphalt controversy and other matters which are availing settlement between the two governments.

In view of the fact that Andara has no official status and is clothed with but questionable diplomatic powers, Secretary of State Hay will not receive him. The United States government is at peace with Venezuela and accordingly cannot, under any circumstances, receive a representative of a revolutionary movement against that country.

PACKING HOUSE DESTROYED

Santa Paula Has Disastrous Early Morning Fire

Special to The Herald. SANTA PAULA, Feb. 27.—The large packing house belonging to the Santa Paula Commercial company took fire in some unaccountable manner early Saturday evening and was not discovered until the flames had gained such headway that nothing could be done toward saving the building, though the office fixtures and records were saved.

It is thought there was something like \$30,000 worth of beans, dried fruits and nuts in the building, which was mostly covered by insurance, though it is thought one lot of beans, about \$8000 worth belonging to A. Levy of Oxnard, was not insured. The building was insured for \$4000.

The Commercial people had orders to ship three cars and one of them was partially loaded with beans, and a large part of those were saved, but the car and also two other freight cars were entirely burned. A small storage building near by was also burned and this greatly endangered a dwelling owned by J. E. Whalen.

The household effects were all removed, but the hosemen finally got in position to fight the fire in that locality and succeeded in stopping it. Fortunately there was little wind blowing. If there had been it might have been difficult to save the Blanchard packing house and several dwellings in the vicinity. The origin of the fire is unknown.

CONVICT IS RECAPTURED

Horse Is Shot Under Him in Making Arrest

By Associated Press. COVVELO, Cal., Feb. 27.—Dan Kelley, an escaped convict from San Quentin, was captured just north of here yesterday by Deputy Sheriff Robert Redwine and Sanford Redwine. Kelley's horse was shot under him in making the arrest.

Kelley escaped from prison last August and showed up a few weeks ago at Fort Bragg, where he rode a horse from Larson Bros. He rode it to Ukiah and traded it to Sheriff J. H. Smith for another horse and got \$50 to boot. Deputy Sheriff Robert Redwine took the prisoner to Ukiah today.

PASSENGERS IN PANIC

Ice Sinks Ferryboat at Cairo, Ill.—No Lives Lost

By Associated Press. CAIRO, Ill., Feb. 27.—The ferryboat Katherine, which plies between Cairo and Bird's Point, was struck today near here by a large piece of ice and sank in several feet of water.

Many passengers were aboard and a panic followed. All the passengers, after much difficulty, were taken off in safety.

Anti-Trust Law Constitutional

By Associated Press. WASHINGTON, Feb. 27.—The supreme court of the United States decided the case of the National Oil company vs. the state of Texas, involving the Texas anti-trust law. The state court found the company guilty under that law and held that it had forfeited its right to do business in the state. The case was appealed to the supreme court on constitutional grounds. The court, however, in its opinion today, which was delivered by Justice McKenna, held that the charge was untenable and sustained the verdict of the court below.

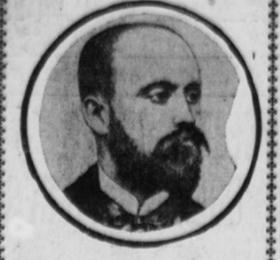
Relieves Condemned Man

SAN JOSE, Feb. 27.—Governor Pardee today notified District Attorney Campbell that he has relieved Lee Look, who was sentenced to be executed next Friday, until April 28. Lee Look's crime was the killing of Lee Wieg in this city in 1901.

Sultan Ordering Gunboats

PARIS, Feb. 27.—A dispatch from Constantinople to the Temps says the sultan of Turkey has directed that thirty gunboats be ordered at various European shipyards.

PRESIDENT CASTRO



JAPANESE GAIN SEVERAL PASSES

RUSSIAN FLANKS TURNED BY HEAVY FIGHTING

Mukden Shelled by Mortars That Cause Much Damage—Engagement in Progress All Along the Line

By Associated Press. MADYADANI, Manchuria, Feb. 27.—After fighting of the most desperate nature, the Russians remained, yesterday evening, in possession of Che and Da passes, against which the Japanese had been flinging themselves madly from noon until dark. The Russians, who were greatly outnumbered, sustained repeated attacks, some units losing as high as 70 per cent in killed or wounded in hand to hand fighting with the bayonet, to which they were reduced, owing to having fired their last bullets. In order to hold Da pass, the last reserves were sent to the firing line. The Japanese turning operations in the region of Gauto pass were checked by a battalion of Russian infantry and several squadrons of cavalry, who repulsed the Japanese with heavy loss.

The Japanese also tried to advance on Nagou and Vanupuzi, but were repulsed.

The present operations commenced February 19, when the Japanese made a night attack on Haba pass, seven miles south of Tsinkhetchen. On February 20 they attacked Vanz pass, seven miles south of Tsinkhetchen, positions which are far in advance of the general front of the army. The Russians made a counter attack February 21, and temporarily gained ground, but on the evening of February 22 they were flanked by superior numbers and retired on the fortified line at Tsinkhetchen.

The Japanese stormed Beresneff hill throughout February 23, simultaneously enflanking the Tsinkhetchen positions with artillery and outflanking the Russian infantry.

Russian Flanks Turned

By Associated Press. ST. PETERSBURG, Feb. 27.—A dispatch from General Kuropatkin, dated February 26, says: "The enemy is continuing the offensive against the front of our Tsinkhetchen detachment and has turned both its flanks.

"The Japanese have also advanced against Kantle pass, turning our left flank, but all his attacks on Tangu and Beydaling have been repulsed. His offensive movement against Bomapudz has also been repulsed. At some positions our riflemen forced the Japanese outposts to retire.

Heavy Losses on Both Sides

By Associated Press. MUKDEN, Feb. 27.—The Japanese crossed the Shakhe river last evening, having driven in the pickets of the Russian vanguard. Russian supports came up and stopped the Japanese advance.

On the right flank all is quiet, but movements of the Japanese indicate an intention of attacking the Russian center, at least in the way of a demonstration. Heavy firing continued today to the eastward.

Mukden Shelled With Mortars

By Associated Press. NEWCHWANG, Feb. 27, via Tien Tsin.—According to a person who has just returned here from the front, the Japanese are shelling Mukden with eleven-inch mortars. The bombardment which was recently commenced is further reported to have caused great damage far behind the Russian lines.

Advices from Chinese sources say that a general engagement is in progress all along the line.

Commanding Point Occupied by Japs

By Associated Press. MUKDEN, Feb. 28.—The Russians report that the Japanese are in possession of Taling and also the pass between Taling and Kaotouling. The possession of Taling threatens Fushan, Tieling and Higeway.

Taling is regarded as of the same consequence to the Japanese in their operations against Mukden as was Motienting in relation to Liao Yang.

Japan Made No Peace Overtures

By Associated Press. WASHINGTON, Feb. 27.—To set rest rumors which have been printed recently to the great annoyance of the Japanese legation here respecting negotiations for peace, it was authoritatively announced at the state department today "that the government of the United States has never received from the Japanese government a re-

AMUSEMENTS

MASON OPERA HOUSE
TONIGHT—MATINEE TOMORROW and TOMORROW NIGHT—Last Night. The Biggest Hit of Recent Years!
Miss Virginia Calhoun
RAMONA
Presenting Helen Hunt Jackson's Beautiful Romance of Old California of the Mission Days—
Dramatized by Miss Calhoun and Gen. Johnston Jones. Production authorized by publishers, Little, Brown & Co. and Mr. J. H. Jackson. Telephone—7.
SPECIAL—FRIDAY, MARCH 3—MONSTER THEATRICAL BENEFIT AT THE MASON.

MASON OPERA HOUSE
THREE NIGHTS ONLY—Thursday, Friday and Saturday, March 2, 3, 4 and Saturday Matinee—KIRKE LA SHELLE presents LAWRENCE D'ORSAY in the Crowning Comedy Creation—
THE EARL OF PAWTUCKETT
By Augustus Thomas. Supported by the original New York company. "I've had a telegram from Sarah, Sarah's better." An overwhelming wave of laughter from ocean to ocean. Seats now on sale. Prices—\$1.50, \$1.00, 75c and 50c. TEL. 79.

MASON OPERA HOUSE Friday Afternoon, Mar. 3, 1:30
Monster Theatrical Benefit
For Nedy of the Profession ALL THIS FOR 50c
HAPPY JACK GARDNER, Monologist (Orpheum).
LAWRENCE D'ORSAY AND COMPANY in an act from "The Earl of Pawtucket;" GERTRUDE COHEN, Pianist; KATHRYNE WARDE, Contralto; WILLIAM HARRISON, Readings from Paul Laurence Dunbar; FAY BAINTEER, Juvenile Singer and Dancer; BURBANK STOCK COMPANY, act from "In South Car'liny;" NEWELL AND NIBLO, Musical Artists (Orpheum); ELLEFORD COMPANY, act from "The Belle of Richmond;" QUIGLEY BROTHERS, Conversational Comedy (Orpheum); COLE AND JOHNSON, Composers and Entertainers (Orpheum).

GRAND OPERA HOUSE
THE FAMILY THEATER.
W. J. Elleford Presents the Great Eastern Success,
Through the Breakers
A superb company and startling electrical effects.
Matinee Sunday, Tuesday, Saturday, 10 and 25 cents. Evenings, 15, 25 and 50 cents.
Next Week—Harry Beresford in "Our New Man."
Friday Afternoon, Mason Opera House, Monster Theatrical Benefit.

BELASCO THEATER
Tonight . . . All This Week
JUDAH
As presented by the eminent English actor, E. S. Willard, with enormous success. PRICES—Every night, 25c, 35c, 50c and 75c; matinee, Thursday and Saturday, 25c, 35c and 50c. Next week—Clyde Fitch's brilliant comedy-drama, "The Climbers."

RACES Los Angeles Jockey Club
ASCOT PARK
SIX OR MORE RACES DAILY. BEGINNING TODAY, RACES START AT 1:55 P. M.
TUESDAYS LADIES' DAYS—Free admission to ladies. Children not admitted on Ladies' Day. EVERY FRIDAY GRAND CONCERT BY PROF. FRANKENSTEIN'S CELEBRATED ORPHEUM ORCHESTRA OF TWENTY PIECES. Admission \$1.00. Private Boxes \$3.00 per day. San Pedro st., Vernon av., Maple av. and Pacific Electric cars direct to the main entrance. J. W. BROOKS, Manager.

MOROSCO'S BURBANK THEATER
TONIGHT! All week with usual Matinee Saturday—The Burbank Stock Company in
War of Wealth
See the fall from the balcony. The great robbery. The run on the bank. Prices—Matinee, 15c and 25c—no higher. Evenings, 10c, 25c, 35c, 50c. Next Week—"THE TWO ORPHANS."

SIMPSON AUDITORIUM
Song Recital Postponed
David Bispham To Sat. Afternoon, Mar. 4
2:15 P. M. SEATS ALREADY PURCHASED FOR MONDAY NIGHT, FEB. 27, GOOD FOR SATURDAY. MONDAY NIGHT PROGRAM WILL BE RENDERED. SEATS NOW ON SALE AT UNION PACIFIC TICKET OFFICE.

CHUTES Tuesday Afternoon
Grand Open Air Concert by
ELLERY'S BAND
Program will include "Magic Flute Overture," trumpet solo "Il Flauto," by Signor Demitris, grand fantasia "La Toca," etc. Admission 10c. Reserved seats 25c. Balcony 15c. Tickets on sale at Birke's Music Store, 345 S. Spring St.

CASINO THEATER
A Stupendous Aggregation of Vaudeville Stars
Continuous Performance Evenings, 7:45 to 10:30. Matinee Every Day Except Monday.

Paths of Profitable Pleasure
Some such title might be applied to our four great daily Observation Car trips.
The fare is \$1.00 for either one.
9:40 A. M. Car, "The Orange Grove Route."
10:00 A. M. Car, "The Surf Route."
11:00 A. M. Car, "The Mountain Route."
9:30 A. M. and 3 P. M., "The Valley Route" and Spanish Dinner.
Ask Agents.
All cars from our great depot, 6th and Main.
The Pacific Electric Railway
quest to lay propositions of peace before the Russian government and, of course, has never in any manner, directly or indirectly, approached the Russian government on the subject."
This statement was made directly after Mr. Takahira, the Japanese minister, had conferred with Secretary Hay.
As the minister was leaving the department he announced that he had no news of peace.

Japanese Loan Announced
NEW YORK, Feb. 27.—Mr. Uchida, the Japanese consul general, received notice today that a domestic loan of 100,000,000 yen, about \$45,000,000, was announced in Tokio today. The bonds will bear 6 per cent interest, will be payable in seven years and the issue price will be 90.

Parole Breakers Must Return
ST. PETERSBURG, Feb. 27.—Yielding to the demand of the United States Russia has not only ordered the officers of the cruiser Lena, who violated their parole, to return to San Francisco, but has reduced them one grade as punishment. The only excuse offered was their youth.

Water Bonds Voted
VALLEJO, Feb. 27.—The result of the water bonds election today in Vallejo was 691 for, against 125.

SUPREME COURT GIVES NATIONAL BANK VERDICT
California State Law Assessing Stock Declared to Be Unconstitutional as Working Discrimination
By Associated Press. WASHINGTON, Feb. 27.—The supreme court of the United States today decided the tax case of the National bank of San Francisco favorably to the bank. The case involved the state law directing the assessment of the stock of national banks in California, while assessment of state banks was made on their property.
The opinion was delivered by Justice White, and held that the effect of the state law was to work discrimination. The finding of the state court was reversed. The chief justice and Justices Brewer, Brown and Peckham dissented.

PROTECTION FOR THE EAGLE
Nevada Assembly Passes Bill Recommended by Governor
By Associated Press. RENO, Nev., Feb. 27.—The bill introduced last week providing for the protection of the American eagle in Nevada passed the assembly today and has been sent to the senate.
The measure was introduced upon recommendation of Governor Sparks and makes it a severe penalty for those who wantonly kill the bird.
Nevada is probably the only state in the union with a similar law.