

TILLMAN'S TILT ENLIVEN'S SENATE

SPOONER AND SOUTHERN MAN HAVE ARGUMENT

Discussion of Rate Bill Brings Out Tart Language — Wallace's Testimony Read in the House

By Associated Press. WASHINGTON, March 23.—Mr. Spooner today concluded his speech in the senate on the railroad bill, and the fortifications appropriations bill was taken up and passed.

Mr. Tillman also spoke on the railroad rate bill, suggesting that the interstate commerce commission should have authority to enjoin the railroads from increasing their rates.

Mr. Spooner interrupted, saying that he had not intended to ridicule Mr. Tillman, but said that the object of his remarks was that one should not hire a cornfield lawyer to argue a constitutional point.

Mr. Spooner declared that under the fifth amendment to the constitution the circuit court might be deprived of the right to issue temporary injunctions.

Mr. Tillman declared that if it were not for a distrust of the federal judges and the arbitrary and tyrannical way in which they exercised their powers there would be no occasion for an amendment to the rate bill to curtail their authority to issue injunctions.

Immediately after the senate conference Mr. Beveridge renewed his motion authorizing the appointment of conferees on the part of the senate to meet house representatives on the statehood bill.

House Proceedings. WASHINGTON, March 23.—An echo of the statehood controversy resulted in an effort to correct the journal when the house met today.

Hotel Guests Escape. CHICAGO, March 23.—Guests of the Panama hotel, 146 to 156 Dearborn street, were driven from their rooms early today by a fire that started on the first floor.

Inhuman Mother Insane. ROSWELL, N. M., March 23.—Mrs. Mary E. Aiken, who confessed to having buried alive her 8-month-old boy, was today found not guilty of murder in the first degree by the jury that heard her case at Carlsbad.

EIGHTY-FIVE LIVES LOST

Storms Off New England Coast Bring Long List of Fatalities—British Ships Most Unlucky. By Associated Press. BOSTON, March 23.—Eighty-five lives were lost and fifty-four ships were wrecked along the coast of New England and the maritime provinces during the past winter.

HADLEY BRINGS ROGERS TO TERMS

STANDARD OIL MAN WILLING TO TESTIFY

Hearing Will Be Continued Today, When Ownership of Independent Companies May Be Determined. NEW YORK, March 23.—Herbert S. Hadley, attorney general of Missouri, arrived in New York city last night, prepared to follow up his victory in the Missouri courts.

H. H. Rogers, who denied the right of Mr. Hadley to force him to testify in the suit of the state of Missouri against the Standard Oil and allied companies at the hearings here last month until such time as a decision pending in Missouri affecting the same line of inquiry had been announced, sent word yesterday to Henry Woolman, New York representative of the state of Missouri, that he would interpose no further objections to answering Mr. Hadley's interrogations.

Attorney General Hadley is accompanied by Rush C. Lake, assistant attorney general. The hearing was set for today, but by consent will not be reached before tomorrow.

Mr. Hadley said that subpoenas had been served upon H. H. Rogers, H. M. Tilford, W. D. Rockefeller, W. M. Hampton and John D. Archbold. He also said that subpoenas had been secured on John D. Rockefeller.

Henry M. Tilford and J. C. Arnold of the Standard Oil company were declared in default when they failed to appear today before Commissioner Spooner in the action brought by Attorney General Hadley of Missouri to oust from Missouri the Standard Oil company of Indiana and companies alleged to be controlled by it.

JUDGE BLEDSOE TO HEAR CASE

Suit at San Diego to Be Tried in Same Court a Second Time. SAN DIEGO, Cal., March 23.—Governor Pardee will be asked to select a judge to try the case of E. S. Babcock against the Coronado Water company as Judge Bledsoe will be called in again.

This was decided this morning in department one of the superior court. Both Judge Torrence and Judge Conklin were present and heard the arguments of Attorney Stearns for the defendant and Attorneys Doolittle and Wadham for the plaintiff.

Mr. Stearns said again that he wanted the hearing set for March 28 and that he saw no reason why Judge Bledsoe could not try this case as he had the others.

Judge Conklin remarked that if the opposing counsel could not come to an agreement in the matter he saw no reason why he should not take action himself and call in Judge Bledsoe. He did not want to try the case himself, Judge Torrence took no part in the discussion.

Cashier Goes to Pen

ST. CHARLES, Mo., March 23.—Antonio E. Mispage, former cashier of the St. Charles Savings bank, who has been on trial for two weeks on a charge of embezzlement, was today found guilty and sentenced to two years' imprisonment in the penitentiary, the minimum penalty.

JUDGE DISGUSTED WITH SUPERIORS

SUPREME COURT REVERSES DECISION TWICE

Kansas City Jurist Refuses to Aign Hear Case of Man Convicted of Killing His Son. By Associated Press. KANSAS CITY, Mo., March 23.—"If a man commits a crime so revolting that it shocks the morals of the people just to hear about it—then that man can go scot free."

That was the statement made by Judge Wofford in the criminal court yesterday. He had before him John Martin Speyer of New Orleans, twice convicted of murdering his little boy, and twice given a new trial by the supreme court. Angered at the action of the higher tribunal, he refused to try the case again.

"I sat as judge twice in this case," he went on. "Both times the supreme court has seen fit to take a different position from mine. I will have nothing more to do with it."

"I'll call in Judge John A. Rich of the circuit court of the Fifteenth judicial district to hear the case. The trial will be set for June 25."

Speyer killed his 3-year-old boy July 24, 1902. The man was a performer with a street show. Speyer was in a tent when officers arrested him for attempting to murder a little girl. He asked for permission to go into his tent a minute. The officers allowed him to and he picked up a knife and cut his little son's throat from ear to ear before they could interfere.

Speyer was found guilty of murder in the second degree April 2, 1903, and sentenced to twenty years' imprisonment by Judge Wofford. He was given a new trial by the supreme court because Wofford at the request of the attorneys had given an instruction to the jury allowing it to bring in a verdict of second degree murder.

A year ago he was tried, again convicted of murder in the first degree and sentenced to hang. Two years ago the supreme court again reversed the decision on the ground that Speyer's sanity had not been gone into.

ROOSEVELT INTERESTED IN EIGHT-HOUR VIOLATIONS

WOULD KNOW OF COMPLAINTS REGISTERED

Plans to Have Reported Infractions Investigated by Labor Bureau. Appears to Take Personal Interest in Matter—Promises Square Deal. By Associated Press. WASHINGTON, March 23.—Frank Morrison, secretary of the American Federation of Labor, today received the following letter from President Roosevelt:

"My dear Mr. Morrison: At our interview yesterday I requested you to bring to my attention any specific violation of the eight-hour law, which you would like to call my attention as soon as possible to these complaints, and I shall also forward them to Mr. Neill of the labor bureau and direct the work to be begun and I shall notify the secretary of the department of commerce and labor whenever such notification reaches him, himself to notify the head of the labor bureau, whose duty it then will be to take cognizance of any complaint made as to violations of this law, to investigate the same and to report to me."

"As you know, I not only sympathize with you on the eight-hour law, but I intend as a matter of course to see that this law is strictly enforced. My belief is that you will find that with Commissioner Neill personally supervising the enforcement of the law all just complaints will be met."

"THEODORE ROOSEVELT. Mr. Frank Morrison, secretary American Federation of Labor."

At the executive council of the Federation of Labor it was decided to have compiled a list of complaints as suggested in the president's letter.

President Shea of the Brotherhood of Teamsters requested that inasmuch as a local union of that organization at San Francisco has seceded from the parent body, the labor council of that city be requested to insist upon seceding local's return to the brotherhood and that it resume its duties, otherwise that its representative be denied a seat in the labor council.

ARREST FORGERY SUSPECT

Detectives Take Octabino Chicon Into Custody on Suspicion of Complicity With Ramirez. In the arrest of Octabino Chicon, the detectives believe that another clever Mexican forger is captured.

Evidence was secured yesterday by Officers Tully and O'Brien connecting Chicon with the recent forgeries of Ygnacio Ramirez, now in the county jail awaiting trial for passing worthless checks.

The detectives say that Chicon went with Ramirez to the Eden afe, Alameda and Aliso streets, and cashed a worthless check signed by Jesus Santillan in favor of Juan Ortega. It is said that Chicon impersonated Ortega, a fictitious person, and secured the money on the check.

FLOOD THREATENS OAKLAND

Reservoir Near Mountain View Cemetery Choked With Water and Guards Put On. OAKLAND, Cal., March 23.—Cemetery Creek, which runs down the hollow between Piedmont avenue and Linda Heights in North Oakland, proved helpless before the great flood of storm water which rushed down its bed today as a result of a heavy downpour.

The reservoir at what used to be Blair park, near Mountain View cemetery, has become so choked with water that serious consequences are feared should the strain prove to be too much for its walls.

Extra guards have been posted to watch it and great apprehension is felt for the safety of the district below it.

RUSSIA RIDDEN WITH CRIMINALS

LAWLESSNESS OF ALL KINDS PREVALENT

Record of One Day Displays List of Shocking Misdeeds—Bombs and Revolvers Used Everywhere. By Associated Press. ST. PETERSBURG, March 23.—Lawlessness and crime are keeping pace in Russia with the repressive measures of the government.

Columns of newspapers are daily filled with records of murders and robberies, and by scores are brief chronicles of condemnations and military executions of political offenders.

The majority of the robberies and assassinations are of a political nature and everywhere the revolutionists are fighting their opponents with bombs and revolvers.

The record of a single day shows the distracted state of the country. At Tamboff, Riga, Warsaw, Batoum, Mitsu and Chita yesterday military executions took place, while from half a dozen other cities reports of death sentences passed by military courts on political prisoners come.

From Stavropol and Kuban provinces in the Caucasus come reports of the pillage of churches and theft of goods by so-called brigades. Near Samara, province of Samara, robbers disguised as rural guards held up a mail coach and carried off \$19,000 in booty, and at Orenburg an armed band plundered the state distillery and several pharmacies.

Robbery Everywhere. An attempt was made at Elotslavsk, Poland, to assassinate the chief of police and at Starajitz, Poland, a large factory was set on fire and burned.

Armed men at Ekaterinoslav robbed a merchant of \$1000. At Smolnad an infernal machine was thrown through a window in an assembly of nobles, and in Sebastopol eight masked men entered a store, bound and gagged the proprietor and employes and escaped with the contents of the till.

The spirit of lawlessness has also penetrated north, which part of the country is still snowbound. In the principal cities on the road to Archangel, are driving off the proprietors. They fought a battle near Yarensk with a detachment of 130 Cossacks, were defeated and lost a number of dead on the battlefield.

At Lodz, Poland, 8000 men are locked out and in all the principal cities hundreds of men are without work and are walking the streets begging food.

Terrorize Prison Guard. MOSCOW, March 23.—A political prisoner named Glasgow terrorized the prison guard with an imitation bomb today when he walked out of jail. The Credit Mutual bank, which was robbed on March 20 of \$432,000, offers a reward of 10 per cent of the amount stolen to any person who will return the amount taken by the robbers.

DRIVER AND MOTORMAN FIGHT

Truckman Charged With Administering Serious Beating to Street Car Employee. When S. P. Baines, a motorman of the Los Angeles Railway company, tried to shove a wagon of the Pioneer truck company off the street car tracks at Broadway and Fourth street yesterday, the driver of the truck wagon, Harry O'Connell, swore some very blue oaths and descended from his high perch to give battle to the motorman.

There was a general mix-up and it is claimed that Baines was badly used up. No arrests were made at the time, but it was stated that the railway company would try to secure a complaint for battery against O'Connell.

PROHIBIT WOMEN IN CHOIRS

Catholics to Eliminate Many Musical Features From Services—Organ to Produce Solos Only. By Associated Press. OMAHA, Neb., March 23.—Solos, both vocal and instrumental, are to be eliminated from the Roman Catholic churches of the Omaha diocese after May 1, and women are to be dispensed with in choirs. These changes are announced in an order, from Bishop Scannell.

INSURANCE MEN COMBAT LARCENY

SAYS JUSTICE O'SULLIVAN OF NEW YORK

Contributions of Political Campaign Funds Constitute Crime—Clash With District Attorney Jerome. By Associated Press. NEW YORK, March 23.—The officers of life insurance companies who contributed a portion of the companies' funds to political campaigns committed larceny, is the opinion of Justice O'Sullivan of the court of general sessions.

Justice O'Sullivan expressed his opinion in court today in replying to the presentment submitted to him by the grand jury which is investigating some phases of the insurance business which were developed by the legislative committee. He held the larceny was committed by the officers who authorized such contributions and charged the jury to investigate as to the responsibility for such crimes.

This opinion is directly opposite to the one on the same subject which was submitted to Justice O'Sullivan by District Attorney Jerome several days ago. Replying to Justice O'Sullivan, District Attorney Jerome reiterated his opinion that the acts of the insurance officials did not constitute larceny and told the court that if he maintained the contrary opinion that it was up to the grand jury to seek cause for indictments for larceny against George W. Perkins, former vice president of the New York Life, who admitted giving political contributions, and against George B. Cortright, chairman, and Cornelius N. Elbes, treasurer of the Republican national committee, as the receivers of stolen goods.

Jerome's Proposition. District Attorney Jerome said, addressing the court: "If your honor will sit as a magistrate in this case I will submit affidavits as to the acts committed by George W. Perkins, and will ask the grand jury to return a bill of habeas corpus will follow and the case will be taken to the highest court, where I will retain Alton B. Parker as special counsel."

Justice O'Sullivan refused to grant the warrants for Jerome's arrest. After Judge O'Sullivan had delivered his remarks to the grand jury there was some question as to their exact import, one portion of the judge's remarks dealing with the question of intent on such a matter as to make it appear that it was the duty of the grand jury to consider the matter of intent in its determination of the question as to whether larceny had been committed. Justice O'Sullivan's statement that there was no larceny made in answer to the hypothetical question put to him in which certain suppositions were accepted as facts.

The supposition dealt with the making of contributions by authority of insurance officials.

DEATHS OF THE DAY

Warren F. Mosher. NEW YORK, March 23.—Warren F. Mosher, secretary of the Catholic summer school of Albany, and one of the best known Catholic laymen in the United States, died suddenly yesterday from heart disease at his home in New Rochelle. Mr. Mosher established "Catholic Reading Circle Review," which he edited from Youngstown, Ohio, for many years. Later this Review was changed to "Mosher's Magazine." Reading circles were established in nearly every parish throughout the country, which took up a systematic study of general literature. Mr. Mosher was born in Albany in 1860. He married Miss Constance Farrell of Lisbon, Ohio. They had six children, all of whom are living. Mr. Mosher introduced the Knights of Columbus in Ohio, in which order he attained the highest degrees.

Dr. Jessie M. McGregor. DENVER, Colo., March 23.—Dr. Jessie M. McGregor, an eminent physician, died at her home in this city last night after a five days' illness of cerebro spinal meningitis. Dr. McGregor ranked among the best of women physicians and won distinction at Edinburgh, Leipzig and Paris, where she pursued her studies. She was possessor of the highest degree ever obtained by a female physician. Dr. McGregor is survived by three sisters, Mrs. J. A. McDonald of this city, Mrs. E. M. Lowell of Sedalia and Miss Jean McGregor of California.

Mrs. Miguel Ahumadam. EL PASO, Texas, March 23.—Mrs. Miguel Ahumadam, wife of Governor Ahumadam of Jalisco, Mexico, died in Chihuahua today. She was the daughter of Jose Salazary Larregui, chief engineer of the Mexican commission which was sent to the international boundary dispute between the United States and Mexico.

Frank E. Moores. OMAHA, Neb., March 23.—Frank E. Moores, mayor of Omaha, died today, aged 66 years. He was serving the last year of his third term as mayor, and had long been prominent in the Republican party of the city and state.

Ras Makonnen. JIBUTI, French Somaliland, March 23.—Ras Makonnen, governor of Abyssinia, is dead. He was cousin of Emperor Menelik and was regarded as likely to be his successor.

Money for Mare Island. VALLEJO, March 23.—Congressman Knowland has telegraphed from Washington to Secretary Taft of the local chamber of commerce stating that when Secretary Bonaparte appeared before the house naval affairs committee yesterday he strongly recommended an increased appropriation for the Mare island navy yard to provide the necessary equipment to build the collier Prometheus.

Howard Divorce Suit. SAN DIEGO, March 23.—Something of a sensation was caused today by Mrs. Florence S. Howard filing a suit against her husband, Roy Howard, for separate maintenance. Mrs. Howard alleges desertion and other statutory grounds as the basis of her action. The parties are prominent here.

Owing to the rush of business the Talk-o-Phone department of the Southern Bell Telephone company of the city closed Wednesday and Saturday evenings for the accommodation of Herald subscribers.

If you want to go easy, O. Hayward, agent Illinois Central, 24th St., will give you a ticket to Chicago for \$1.00.

AMUSEMENTS

OPHEUM. Spring St., between Second and Third. Both Phones 1447. Modern Vaudeville. Matinees Daily Except Mondays, 10c and 25c. Evenings 10c, 25c, 50c.

GRAND OPERA HOUSE. THE FAMILY THEATER. HUMAN HEARTS. As Popular as It Was Twenty Years Ago. A Fine Production. Matinees Sunday, Tuesday, Saturday, 10c and 25c. Evenings, 10c, 25c, 50c. NEXT WEEK—Pollard's Lilliputian Opera Company in "The Geisha," "An American Millionaire," and Other Operatic Successes.

ROLLER SKATING AT DREAMLAND. TWELETH AND MAIN STS. Music by Celebrated Catalina Island Band. The Finest White Maple Skating Floor in the West. Ball-bearing Steel Roller Skates. Instructors for Beginners.

Harley Davidson. The World's Champion Roller Skater, and winner of over 50 gold medals, engaged at an enormous salary for the week commencing Tuesday, March 20. Change of Exhibition nightly. The Greatest Roller Skater Artist in the World. Free Check Room.

Belasco Theater. Belasco, Mayer & Co., Props. Phones: Main 3380; Home 267. ALL THIS WEEK—MATINEE TODAY. The Belasco Theater Stock Company Presents for the First Time Here George Arliss' Famously Successful Farce.

THERE AND BACK. Three hours of genuine fun; three big acts full of laughter. NEXT WEEK—The Comedy Triumph, "THE SECRET OF POLICHINELLE."

MASON OPERA HOUSE. H. C. WYATT, Lessee and Manager. MATINEE TODAY AT 2:10—LAST TIME TONIGHT. The Heir to the Hoorah. AS GIVEN FOR TWENTY-FIVE WEEKS AT THE HUDSON THEATER, NEW YORK. An American Comedy by Paul Armstrong. Direction of the Kirkie L. Shelle Company. Seats Now on Sale. Prices 25c, 50c, 75c, \$1, \$1.50.

HOTCHKISS THEATER. 4th and Spring. Management of T. Jeff White. Direction E. F. Seaman. MATINEE TODAY—TONIGHT AND SUNDAY MATINEE AND NIGHT. A GENUINE COMIC OPERA SUCCESS. LITTLE CHRISTOPHER. Every Evening at 8:15—25c, 35c, 50c, 75c. Matinees Saturday and Sunday at 2:15—25c, 35c. STARTING MONDAY NIGHT—"SAID PASHA."

SIMPSON AUDITORIUM. THE GREAT PIANO EVENT OF THE YEAR. TODAY AT 2:15—FAREWELL CONCERT. RAOUL PUGNO. THE EMINENT FRENCH PIANIST. CONSIDERED THE EQUAL OF PADEREWSKI—THE PERL OF RAIER, ROSINIANI, AND HOFMANN. Reservations now on sale at Birke's Music Store. Prices \$2, \$1.50, \$1, 75c and 50c. Phones, Home 8277; Sunset Main 8667. Special rates to students, teachers and schools.

MOROSCO'S BURBANK THEATER. Sixth and Main. Phone 1270. MATINEE TODAY—PERFORMANCE TONIGHT—LAST TIMES OF "THE IMPERIAL HIGHWAY." Week Starting tomorrow (Sunday) afternoon, 7:30. William Gillette's Great Farce Comedy. Matinees Every Sunday and Saturday, 10c and 25c. Evenings, 10c, 25c, 35c, 50c.

CHUTES PARK. Under New Management. FREE RIDE DOWN THE CHUTES AND ON THE MINIATURE RAILWAY. Seats Free! Chiapparelli's Italian Band. Seats Free! Concert every afternoon except Monday. Evening concerts Tuesday, Friday and Sunday. MARCH 25TH—SOUVENIR SUNDAY IGORROTE VILLAGE—MARCH 25TH DR. CARVER'S DIVING HORSES EVERY SUNDAY. (Performances 2:30-3:40.) Admission 10c.

NOVELTY THEATER. 525 SO. MAIN ST. Bet. 5th and 6th. WEEK OF MONDAY, MARCH 19TH. Back to Vaudeville—Only the Best Acts Booked. HE SHE, OR IT. The Unusual Mystery PHROSO The Eight MALTESE Comedy Company. Six Other Big Features Acts and Two Reels of Moving Pictures. Matinees Tuesday, Thursday, Saturday, Sunday. Matinee Prices 10c and 15c. Night Prices, 10c and 20c. Boxes, 25c. Evening Performances 7:30 and 9 o'clock.

Two Thousand Miles of Panorama. Fifty Miles of Mountain Trolley Travel. \$2.00 to Mt. Lowe. Special Saturday and Sunday excursion rate for the most beautiful and wonderful journey in the world. Through cars leave 6th and Main at 8, 9, 10 a. m. and 1 and 3:30 p. m.

The Pacific Electric Ry. FLIP-FLOP FOR A BRIDAL RIG. PUPIL WRITES UPSIDE DOWN. Carriage Horses Somersault at Joker's Rope—Following Teams and Vehicles Piled on Top. Special to The Herald. CHICAGO, March 23.—Miss Gerlach, teacher in the fourth grade of the Perkins Bass school, has discovered that one of her pupils, Glen W. Heckelman, 10 years old, son of William Heckelman, a butcher, 1114 West Sixty-seventh street, writes backwards and upside down.

In all other respects Glen is an ordinary boy, and he thinks it strange that excepting should be taken to his style of writing. After two weeks' trial he said: "I just can't learn to write any other way."

When seen at his residence yesterday afternoon he gave an exhibition of his penmanship by writing, with exceptional rapidity, for a boy of his age: "This is a fine day," beginning with the "y" in "day" and finishing with the capital "T" at the beginning of the sentence. All the words were written upside down.

General Thayer's Funeral. By Associated Press. LINCOLN, Neb., March 23.—The body of General John Thayer was today removed from the capitol, where it had rested in state for twenty-four hours, to St. Paul's Methodist Episcopal church, where funeral services, participated in by all the military organizations of the state, were conducted.

SERVES HIM RIGHT, TOO. Flip Chicago Masher Is Kicked Daffy and Then Brave Girl Runs Home. Special to The Herald. CHICAGO, March 23.—"You ought not to be out at night alone. You have brought this on yourself."

"That is what a masher said to Miss Plath, as she seized her white she was on her way home. Miss Plath let her right fist fly out, and followed with a muscular kick. Down went the masher with a crash on his face. Miss Plath kicked him until he was insensible and then, fearing that she had killed him, ran home. The attack occurred at One Hundred and Second street and Ewing avenue. Later she reported the affair to the police, timidly asking if they had found the man's body."

Miss Plath says she is an expert on the punching bag.

Does Your Heart Beat. Yes, 100,000 times each day. Does it send out good blood or bad blood? You know, for good blood is good health; bad blood, bad health. Ask your own doctor about taking Ayer's Sarsaparilla for thin, impure blood. He knows all about this medicine. We have no secrets! We publish the formulas of all our medicines. J. C. Ayer & Co., Lowell, Mass.

The Fascinating Tone of the KROEGER PIANO. Reveals the skill which is displayed in the drawing of its "scale." The scale is the soul of the piano—it is to the piano what the foundation is to a building; if the foundation is wrong the building will show it; if the scale is unbalanced the piano must show it. KROEGER PIANOS have a high reputation among teachers and musicians; more than 45,000 are in constant use. We have the sole agency. Those who desire may purchase a Kroeger on moderate payments.

Southern California Music Co. 332-334 S. Broadway, Los Angeles. San Diego Riverside San Bernardino