

WIFE CALLS LANE AWAY

Railroad Inquiry Is Adjourned to Feb. 25

Enough Evidence Taken to Confirm Worst Suspicions

Commissioner Says Any Further Testimony Would Be Merely Cumulative—Hearing to Be Resumed in New York

Interstate Commerce Commissioner Franklin K. Lane yesterday afternoon, during the second day's hearing of railroad affairs, received a telegram from Washington announcing the serious illness of Mrs. Lane.

At the closing of the session Commissioner Lane announced that the hearing would be adjourned until February 25 in New York.

Mr. Lane left last night for the bedside of his wife, whose health has been precarious for some time.

Before his departure the commissioner stated to The Herald that the hearing in Los Angeles had been highly satisfactory from the commission's standpoint, and that, although the hearing had not continued as long as had been planned, all the material points which had been suggested by the counsel for the commission had been covered and other testimony which might have been secured only would have been cumulative.

Mr. Lane also said that the railroads showed no disposition to hold back desired evidence.

Testimony given at the closing day's session of the hearing only tended further to increase the certainty that the Harriman interests absolutely control the policies of the Salt Lake and that the fruit growers of Southern California cannot hope to receive better treatment at the hands of the railroads.

It was shown that the Southern Pacific and the Santa Fe had stopped the development of the Salt Lake line by giving it a share of the orange business, and it was reluctantly admitted by the general manager of the Salt Lake that the freight service inaugurated by the road last year was discontinued after complaint had been made by the Southern Pacific, although the witness afterward declared that the service was stopped owing to the expense and danger to the fact that the motive power of the road had become inadequate.

Thomas E. Gibbon, former counsel for the Salt Lake, gave details of the manner in which the Harriman interests secured control of the Salt Lake.

Two representatives of the fruit associations complained of the lack of cars and of the excessive rates.

Mr. Clark Again Testifies

Mr. Clark, accompanied by Judge Kelly, T. E. Gibbon and Mr. Dunne, came into the room smiling at the opening of the morning session.

"We will resume," said Commissioner Lane. "Mr. Clark, will you please take the stand."

After he had resumed the seat he had occupied four hours on the previous day, Commissioner Lane asked if there were any further questions to be propounded.

Mr. Clark's answer was in the negative, as also did Judge Kelly and Mr. Dunne, evidently to the surprise of the commissioner and his attorney, as it was at the request of Mr. Clark's representatives that Mr. Clark was to again occupy the stand at the opening of the second day's hearing.

Mr. Clark had in his hand a copy of a contract with the Armours for 3000 refrigerator cars, which he handed to Mr. Severance.

In reply to a question Mr. Clark said that these cars had been supplied, but that there had been difficulty in securing their return, which had occasioned a shortage at times.

Mr. Clark then was excused.

Tom Gibbon on the Stand

"Call Mr. Gibbon," said Mr. Severance, and the former counsel of the Salt Lake road took the witness stand.

Mr. Gibbon told of his part in the organization of the company. He was vice president until 1906, and also was general counsel. He also had been vice president of the old terminal company previous to its purchase by the Salt Lake company.

As far as he knew no Harriman man was interested in the terminal company or the formation of the Salt Lake company.

Mr. Gibbon told of the company's ownership of frontage on the east side of the inner harbor at San Pedro. Sugar owners were the Southern Pacific and several lumber companies. The Salt Lake has not added to its holdings, but he believed the Southern Pacific had. Both companies had built docks and otherwise improved the property.

Turning to the question of the construction of the Salt Lake, Mr. Gibbon said that there were a number of small contractors. He did not know of advertisements for bids for construction of the line from Salt Lake to Los Angeles.

Mr. Severance dwelt at length upon the question whether the Utah Construction company did any portion of the construction work for the Salt Lake, but to all questions Mr. Gibbon referred him to the engineering department.

Coming to the famous contract between Harriman and Clark, Mr. Gibbon said that the contract was made in 1903.

At that time the service of a car can be used by a procrastinating shipper and much of the present trouble will disappear.

(Continued on Page Three.)

LEVEE BREAKS AND SEVERAL THOUSAND ACRES ARE FLOODED

By Associated Press. SACRAMENTO, Cal., Feb. 8.—A break occurred in the levee on the Yolo county side of the Sacramento river this morning at the ranch of Edward Kripp, one mile and a half below the town of Washington.

A portion of the town of Washington has been flooded to a depth of four feet, the water being confined to the south side by the Southern Pacific railroad embankment.

Edward Kripp, owner of the ranch where the break occurred, claims the levee was cut.

A section of the railroad between this city and Davisville has been washed out.

At dark tonight the break in the levee, a mile and a half below the city on the Yolo side, was 300 feet wide. The back levee of the small district broke in three places, resulting in the straining and water receding from the town of Washington.

State Engineer Nourse was at the break today and does not believe repairs can be made until the water in the river goes down below the crevasse.

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FRAZIER SAYS RACES SHOULD BE SEPARATED

Thinks Japanese Ask Too Much

Senator from Tennessee Scores President Roosevelt and Outlines His Ideas of the School Question

By Associated Press. WASHINGTON, Feb. 8.—Federal encroachment on state rights with the Japanese school question as the principal illustration was the subject of an address to the senate today by Senator Frazier of Tennessee.

Mr. Frazier said that this was not a question that concerned California, but concerned the right of every state to control its domestic affairs.

If the federal government by treaty could rob a state of control of its own school system the last stronghold of local self-government was destroyed.

If a treaty could force Mongolians into the white schools of California a treaty could force the negroes of Cuba, Santo Domingo, Haiti and the Congo into the schools of Tennessee, in defiance of the laws for the separation of the races.

He expressed the highest admiration for the Japanese, but said that the action of California furnished no pretext for a quarrel with that country.

The school board of San Francisco had simply executed a state law providing for the education of white and Japanese children in separate schools.

It had been decided over and over again that states had a perfect right to make such separation, that California was but exercising a legal and constitutional power.

For many years the general public has understood that the selling of lottery tickets in this country was stamped out by the decision of the United States supreme court which prevented the New Orleans lottery making use of the mails to send tickets or prizes.

Does Enormous Business

Recently, however, an offshoot of the old New Orleans lottery, generally known as the Honduras Lottery company, has established itself in this country and has succeeded in doing an enormous business.

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CONGRESSMAN-ELECT IS INDICTED ON A CHARGE OF MURDER

By Associated Press. BATON ROUGE, La., Feb. 8.—Congressman-elect George Favrot was today indicted by the grand jury on the charge of murder for shooting Dr. Harry Aldrich, one of the leading physicians of Baton Rouge.

Dr. Aldrich was Mrs. Favrot's family physician. Favrot is one of the leading jurists of Louisiana and was judge of the civil court at the time of the shooting, but resigned immediately.

It is a notable coincidence that before the shooting he had appointed the grand jury which today indicted him.

Strange Package Explodes

His father rested the package on the desk and pulled the end of the strap to ward him so as to loosen the tongue of the buckle.

The moment he did so there was an explosion.

A hole six feet square was torn in the floor and the desk was driven down into the cellar and torn to pieces.

The boy was hurled into the corner and seriously injured and burned.

Judge Cortez was found behind the doorway. Both legs and both arms were broken, his face and body was torn and lacerated and his back apparently broken.

A mass of flesh was torn from his back. He was removed to St. Joseph hospital, where his antemortem statement was taken.

Judge Cortez had been a justice for twelve years. He was shortly to be appointed a sergeant of detectives in recognition of the active work he had done in aiding the police in running Italian and other criminals down.

Only a short time ago he tracked a foreigner who had robbed his father of \$1300 and caught him in a Pennsylvania town. He brought him back here and the man was sent to state prison for fifteen years.

Two others were concerned in the robbery, but have not been located. Cortez had a wife and eight children.

It was believed that the sender of the machine sought revenge.

LARGEST DRY DOCK IN THE WORLD TO BE BUILT

By Associated Press. SAN FRANCISCO, Feb. 8.—The largest dry dock in the world, with a stone and concrete basin big enough to hold any two of the battleships of the United States at one time, is about to be constructed at Hunter's Point by the San Francisco Dry Dock company at a cost of \$1,250,000.

The land has already been surveyed adjacent to the two docks that the company already has in operation, and the work will be started as soon as completion. The new dock will be 1600 feet in length, 170 feet longer than the famous dock at Glasgow, and 225 feet longer than the Alexandria dock in Belfast harbor.

WILEY'S ACCOUNTS ARE ABOUT \$15,000 SHORT

By Associated Press. MARTINEZ, Cal., Feb. 8.—A shortage of about \$15,000 has been discovered in the accounts of G. A. Wiley, late treasurer of Contra Costa county, who committed suicide on February 4.

His money in the results was counted January 2 and the amount found to be correct. It was to have been again counted on February 1, but Wiley had the time postponed until February 4, on which day he shot himself.

The treasury funds were counted today by the supervisors, district attorney and auditor.

One Killed, Three Injured

By Associated Press. CHICAGO, Feb. 8.—In a head-on collision today between two freight trains on the Chicago, Lake Shore & Eastern railway at Ninety-fifth street and Ewing avenue one trainman was killed and three others fatally hurt.

The accident was caused by a misunderstanding of signals.

To Tax Express Offices

By Associated Press. AUSTIN, Tex., Feb. 8.—The senate today passed a bill providing that a special tax of \$5000 be assessed against railway express offices in the state handling shipments of liquor. The bill already has passed the house.

Takes Red Cross Property

By Associated Press. PARIS, Feb. 8.—A dispatch from St. Petersburg announces that Japan has confiscated the Russian Red Cross property at Port Arthur.

Shots Favors Contract Plan

By Associated Press. WASHINGTON, Feb. 8.—Chairman Shonts of the Isthmian canal commission today unqualifiedly expressed himself in favor of building the canal by contract.

TABLE OF TEMPERATURES

City. Weather. Temperature. Los Angeles, clear. 58 64

St. Paul, clear. 6 18 Chicago, snow. 12 24

Omnibus, clear. 16 28 Pittsburgh, clear. 16 28

Boston, cloudy. 16 24 New York, threatening. 18 24

Cincinnati, snow. 20 24 St. Louis, pt. cloudy. 22 28

Atlanta, rain. 24 36 Little Rock, clear. 28 42

Denver, clear. 30 62 Deaver, clear. 30 62

Spokane, rain. 38 52 San Francisco, clear. 52 64

JUDGE OPENS PACKAGE AND MEETS DEATH

Infernal Machine Is Set Off

Paterson, N. J., Justice of the Peace Killed Because He Prosecuted Several Italian Offenders

By Associated Press. PATERSON, N. J., Feb. 8.—Justice of the Peace Robert Cortez was injured in his office tonight by the explosion of an infernal machine set him by express, and died at 12 o'clock.

The office was wrecked and the detonation could be heard for blocks.

The judge had actively aided the police in the capture of Italian law breakers recently.

He had been home to supper this evening, leaving his son Robert in charge of the office. It was the younger man who had received the infernal machine, which came from Newark, and was delivered by an American Express wagon. The charges were paid and the boy accepted it.

When Cortez reached the office the boy handed the package to him. The outside wrapping was of paper, tied with string. Mr. Cortez removed this paper. Inside was another wrapping made fast with straps such as boys use to put around school books.

Robert said he watched curiously to see what the little box contained.

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NINE ARE KILLED IN EXPLOSION OF FRENCH NAVY BOAT

By Associated Press. LORENTE, France, Feb. 8.—As a result of an explosion on board torpedo boat No. 339 of the French navy today 9 are dead and two are injured.

Torpedo boat No. 339 was launched but a short time ago, and at the time of the accident she was undergoing, prior to being placed in commission, her full power steam trial in the roadstead.

A complete crew was on board at the time. The trial was successful but as the boat was returning to her anchorage a safety tube forming part of the evaporation apparatus burst and a mass of flame was forced into the stoke hole where the engineer, a quartermaster and nine stokers were at work.

The engineer and eight of the stokers were instantly burned to death. Their bodies were practically reduced to cinders. The other stoker was severely injured.

The reason for the accident is that the automatic doors that should have closed to prevent the return of the flames to the stoke hole did not work.

Some of the Lawmakers at Washington Think Army Officers and Families Should Ride Free

By Associated Press. WASHINGTON, Feb. 8.—The senate today passed the Indian appropriation bill. Senator Frazier made an address on the subject of states' rights, after which the army appropriation bill, carrying a total of \$31,500,000, was taken up.

The army measure was partly read for approval of committee