

GOVERNOR TO ATTACH SIGNATURE

Gillett Is Willing to Sign Removal Measure

Declares He Sees No Use in Thwarting Will of Majority

Large Fund Now Being Raised at Sacramento to Carry on Active Campaign Throughout the State

SACRAMENTO, March 4.—Governor Gillett will sign the capital removal bill. Whatever doubt there may have been on this point was set at rest when in an interview today the governor practically signified his intention of signing Senator Lukens' bill as soon as it reaches him, which will probably be tomorrow.

"I have not given the matter any official consideration," said he, "and have not definitely decided one way or the other, but can see no good reason for not placing my signature to the measure.

"It would avail nothing to veto it, as the bill was passed by more than a two-thirds majority in the legislature, and by the same vote would pass over my head, regardless of my disapproval.

"The advocates of a change of the seat of government to Berkeley have won in the legislature and I do not believe that I should attempt to thwart the will of so great a majority of the lawmaking body.

"The bill is a question that sooner or later will crop up again and must be voted upon by the people some time, and it will cost the state nothing to vote upon it and settle it now.

Gillett is Neutral So far as my stand on the question has been concerned I have remained strictly neutral and have taken neither side or the other. Parties from both sides have been to see me and have sought to draw me into the controversy, but I have steadfastly refused to allow my name to be used or to exert any influence one way or the other. It is but a formal matter to sign the bill and submit it to the people of the state, who will decide the question of where they want the capital.

"It is said that a large fund is being raised in Sacramento to carry on a systematic campaign in all parts of the state against the removal of the capital. The assembly this morning refused to reconsider the passage of the bill. O'Brien of Sacramento wanted to postpone the matter of reconsideration until tomorrow, but Walsh of Oakland demanded that it be settled once for all, and forced the issue to a vote. It stood 41 yeas and 17 nays.

ANTI-RACE TRACK WILL NOW CONSIDERED TO BE DOWN AND OUT

SACRAMENTO, Cal., March 4.—The senate today practically killed Eshleman's anti-race track measure by refusing to recall it from the committee on public morals, and defeated a debate which took up almost the entire forenoon session.

The senate also refused to reconsider the passage of Wright's bill making it a felony for newspapers to criticize juries and comment upon criminal trials while in progress.

Senator Bell attempted to force the anti-race track bill onto the senate floor by introducing a resolution recalling it from committee. The resolution was refused adoption by a vote of 11 yeas and 22 nays, which practically means that the measure is dead.

Bell stated that Chairman Irish of the committee on public morals had promised to report the bill out, but had failed to do so. He then saw the ranking senator of the committee (Leavitt), who said that there was no use in calling a meeting of the committee and told Bell to go ahead and "put in your resolution."

Bell Reads Resolution Wolfe made a point of order that Bell was talking on the merits of the bill instead of on the policy of withdrawal from committee. There was a disposition shown to shut Bell off, but the latter persisted and read a resolution adopted by the Los Angeles republican county convention instructing their senators to work for the passage of the bill.

Leavitt contented himself with remarking, "It's an old chestnut. Everybody understands that I am opposed to the withdrawal of the bill."

Senator Miller this morning called up his car bill, a counterpart of the Texas car law, providing a penalty of \$25 a day on railroads for failure to furnish cars after they had been ordered and the same penalty for shippers who failed to unload cars within forty-eight hours. A long debate followed.

Miller stated that in times of car shortage the railroads took their cars to the states which provided such a penalty, cited an instance when the Southern Pacific took 200 oil cars from Bakersfield to Texas when oil men in Bakersfield could not get cars.

Charges Discrimination He charged the railroad with discrimination by furnishing the Associated Oil company, fifty-one per cent of which is alleged to be owned by the Southern Pacific, with cars when the independent oil producers could get none.

That hundreds of carloads of fruit had rotted because the railroads had

ATTORNEYS MAKE NEW MOVE TO KEEP ABE RUEF OUT OF PRISON

SAN FRANCISCO, March 4.—In what his accusers decry "an effort to accomplish indefinite delay in the criminal proceedings against him," Abraham Ruef today caused his bondsmen to surrender him to the sheriff and then went before Superior Judge Hebbard with an application for a temporary writ of habeas corpus in the matter of the five felony counts returned against him by the grand jury.

The writ was granted and made returnable at 1:30 o'clock in the afternoon.

At that hour Judge Hebbard denied the writ and remanded Ruef to the custody of the sheriff, but granted the defendant's application for a writ of error. This had the effect of staying the trial in the superior court and enabling an appeal.

Judge Hebbard fixed new bonds in the total sum of \$50,000, and they were at once furnished by the sureties who earlier in the day had surrendered Ruef to the sheriff.

This done, Ruef's attorneys made application to the United States supreme court through the clerk of the United States circuit court here for a permanent writ of error—which, should it be granted, would relieve the accused from further prosecution of the felonies on which he stands indicted.

The necessary preliminary papers were issued by the circuit court clerk, and Ruef now has sixty days, or until May 2, in which to prepare the record on appeal and forward it to Washington.

Ruef bases his appeal to the highest court in the land on the constitutional contention, already denied by Superior Judges Dunne and Hebbard in distinct proceedings, that one of the members of the grand jury which indicted him was disqualified as a grand juror because he had served as a petty juror the preceding year, and that therefore the indictments are technically void.

IN GREAT GAME ADAMS ONLY A PAWN

WALLACE, Idaho, March 4.—"Steve Adams is only a pawn in the great game that is being played. The prosecutors in this case do not believe Adams is guilty. They never did believe it."

So declared Judge E. F. Richardson today in his plea to the jury to acquit Steve Adams of the crime of killing Fred Tyler. He based his plea upon the theory that the state is only making use of Adams for the purpose of convicting others; that this trial is but a minor issue in the great fight between the Mine Owners' association and the Western Federation of Miners.

A feature of Judge Richardson's address this morning was his severe denunciation of detectives in general and the Pinkerton agency as represented by McPartland, in particular.

"The Pinkerton detective agency," he declared, "is not an organization that is known to the law.

"It is a private interest, working for private ends, or perhaps obeying the behest of some one holding private position, who employs it," he said.

Judge Richardson denounced the methods used by McPartland in obtaining the confession, working on his feelings and affection for his wife and babies.

JAPANESE EDITOR SOUNDS WARNING

Advices Government to Take Steps to Counteract What He Terms an Outrage Against Japan

TOKIO, March 5.—The Nichi Nichi, in a leader this morning, protests against the "persistent determination of the people of California to persecute and exclude the Japanese from that state."

In the proposed law limiting aliens to a five years' ownership of land, the Nichi Nichi can discern but one intention—to deny the land owning right to Japan.

The paper advises the government to take steps to counteract such an outrage against the Japanese, and expresses an opinion to the effect that an efficient solution may be reached by removal of the disability of Japanese to attain naturalization in the United States.

GRASPS A LIVE WIRE AND DIES INSTANTLY

STOCKTON, March 4.—George Harp, a young man, was killed tonight at Sonora by coming in contact with a live wire of the Tuolumne Electric Light company.

The wire was broken and he took hold of it. Death was instantaneous, but the fingers of one hand were burned off before he was found.

Falls Headlong to Death

SAN FRANCISCO, March 4.—William Summerville, 18 years of age, was killed today by falling headlong down an open elevator shaft of a hotel building in course of erection at Mission and Fourth streets. Summerville was at work on the seventh floor of the structure.

Mother Abandons Children

SAN FRANCISCO, March 4.—The police of this city have been asked to look for Mrs. Bertha Millien, mother of two grown children, whom she is alleged to have abandoned in Portland and who is reported to be in San Francisco with Frank Sievers, a boy of 16 years.

A REAR END COLLISION WRECKS TWO ELECTRICS

SCORE ARE INJURED IN CAR WRECK

Collision Occurs on Long Beach Line

San Pedro Car Runs Into Rear End of Flyer

Pacific Electric Officials Try to Keep Information of Disaster from Friends of Injured and Newspapers

A rear end collision on the Pacific Electric railroad at 6:15 o'clock last night wrecked two cars and injured twenty-one persons. The Long Beach flyer, checking speed when trolley left the wire, was overtaken by San Pedro car No. 264 at Forty-seventh street and Long Beach avenue. The Long Beach car was running nearly twenty miles and hour and its pursuer almost twice that speed. Both cars were thrown from the track and the 150 passengers were taken from the splintered ruins of the walls of the cars, the seats and the windows. The wreck is said to have been caused by the failure of Conductor C. H. Herndon of the Long Beach to display tail lights, or to signal with his lantern when his car began to slow down, after the trolley left the wire.

The names of the injured were gathered with great difficulty, many of the victims having left the wreck without any of the representatives of the company inquiring their names.

Wait Long for Relief According to several who were injured, more than half an hour passed before relief or medical aid arrived. Most of the injured persons were in the rear car, the San Pedro car being more heavily crowded than the flyer.

Herndon was trying to connect the trolley and apparently did not see the approaching San Pedro car. O'Shea set the brakes, but the rails were slippery with the rain and the uncontrolled car, jerching with renewed speed down a slight grade, hurled itself against the other. The rear platform was torn off. The heavy frame work of the car, driven with frightful impact, tore through the rear of the Long Beach car. Although both cars were derailed neither was overturned, which probably accounts for the lack of fatalities.

Tears Shirt for Bandages In the rear car every seat was torn loose, as well as the cash register and all the inner panels of the walls. After the uninjured passengers had recovered from the numbing effect of the shock the work of taking out the cut and bleeding victims was begun. R. J. Friedmann of San Pedro led the rescue work, tearing his shirt in shreds to help stay the flow of blood of those most severely injured.

Conductor Packard, who was the least dangerously injured of the train crew, telephoned immediately to the Pacific Electric hospital for help. Messages were sent for nearby physicians, but there was a long delay before any arrived, said by the passengers to have been half an hour. Those of the injured who had not already left or had been taken home by friends were placed on a relief car and taken to the Pacific Electric hospital in the station.

At the scene of the wreck, at the company's hospital and at the emergency hospital, where a number of the injured were taken, every possible effort was made to suppress information regarding the wreck. At the station employees were stationed to withstand inquirers. When a man's injuries had been attended to he was taken from the place in charge of an attendant and no place was allowed to speak to him. It required the time of two men nearly two hours to keep inquiring reporters from J. P. Spaulding of San Pedro, but when Spaulding was hidden away on a car and spirited away a reporter was by his side and got his story.

Agent is Silent Inquire of whom were seeking to have been in

ENTIRE MOUNTAIN IS SLIPPING INTO VALLEY

NAPLES, March 4.—The mountain in the province of Potens, near Monte Murro, which is slipping into the valley, began again today to move after remaining quiescent Saturday.

The roaring of the avalanches was heard for a considerable distance. Trees were uprooted and the whole country was devastated. Five thousand persons are homeless and the scene is one of desolation.

It is feared that the whole village will be covered over.

BONA, Algeria, March 4.—Eighty-five persons have been buried by a landslide of about fifteen square miles upon the mountainside near Sedrata.

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PASSENGERS ROBBED; ONE SHOT DEAD

Two Bandits Loot an Entire Train in Kansas

Traveling Man Resists and Receives Leadan Missile

Switch Engine Carrying Posse Bent on a Lynching Bee Starts for the Scene of the Holdup

TOPEKA, Kas., March 5.—Missouri Pacific passenger train 310, eastbound, was boarded by two robbers at Pittsburg, Kas., tonight and the passengers were held up and robbed while the train was in motion between Pittsburg and Cornell, the next station.

The robbers commenced their work as soon as the train was out of the Pittsburg yards.

Lou Jess, a miner from Camp 21, was shot and killed while resisting the bandits, and a traveling man from Kansas City named Westlake was wounded.

There were few passengers on the train and the robbers secured only a little over \$100 in cash and a few watches and revolvers.

They left the train as it was slowing down for Cornell and made their escape.

A telephone message from Pittsburg says that a switch engine carrying a posse has left that city, but so far the robbers have not been captured.

The country surrounding Pittsburg is thickly settled and is dotted with scores of villages and mining camps. It is reported that the news of a miner being killed by the bandits has spread rapidly and that the miners are aroused and will make an attempt to capture and lynch the men.

MANY NOMINATIONS REMAIN UNCONFIRMED

WASHINGTON, March 4.—When Congress ended today there remained about 160 nominations by the president that had not been confirmed.

Of these three were appointees as United States attorneys, and confirmation was objected to by senators from the districts to which the appointments were made.

They were William C. Bristol, for the district of Oregon, opposed by Senator Fulton; James D. Elliott, for the district of South Dakota, opposed by Senator Kittredge, and O. R. Hundley, for the northern district of Alabama.

The remainder of the unconfirmed nominations were postmasters.

GOLDEN GATE EXCURSION REACHES PACIFIC COAST

SAN DIEGO, March 4.—The annual "Golden Gate" excursion of the Pennsylvania railroad arrived this afternoon over the Santa Fe.

The train consisted of four sleepers, an observation car, diner, day coach and baggage car, all fitted with every convenience, and is touring the coast and will go from here to Los Angeles, San Francisco and Portland before returning east via the northern route.

THE DAY'S NEWS

FORECAST For Southern California: Showers Tuesday; brisk southerly winds. Maximum temperature in Los Angeles yesterday, 59 degrees; minimum, 49 degrees.

- 1—Governor to attach signature. 2—Roosevelt lends a helping hand. 3—Take no action on utility rates. 4—Dramatic news. 5—Will not accept statue of Tilden. 6—Editorial. 7—Sports. 8—City news. 9—Southern California news. 10—Classified advertisements. 11—Markets. 12—Shoots his way around the world.

EASTERN Two bandits rob passengers of Missouri Pacific train in Kansas, kill one man and wound another. Fifty-ninth congress adjourns. Dr. Evans proves more than a match for District Attorney Jerome.

COAST Governor Gillett intimates that he will sign capital removal measure and put important question up to the voters. Abe Ruef's attorneys make new move to keep the "burly boss" out of prison. Stage driver's child drowns in Ventura river.

LOCAL Twenty are injured in rear end collision on Long Beach line. Supervisors will investigate themselves. Boundary lines of some wards may be changed. Board of public works wants outfall employees exempt from civil service. Council demands that all rubbish wagons must be licensed.