

PRICE: BY CARRIER 65 CENTS PER MONTH

HENEY ACTS FOR OLDER

PROSECUTOR INVESTIGATES ARREST OF EDITOR

"KIDNAPED? CERTAINLY I WAS," SAYS NEWSPAPER MAN

Assistant District Attorney Likely to Appear in Los Angeles Court When Libel Case Comes Up for Trial

By Associated Press. SAN FRANCISCO, Sept. 30.—Assistant District Attorney Francis J. Heney may institute criminal proceedings against Attorney R. Porter Ashe and Luther Brown of the United Railroads for the part they played last week in the arrest of Fremont Older, managing editor of the Bulletin, and his removal from the city and county without privilege of bail.

Mr. Heney said today: "I am looking into the matter of criminal action. I find that an offense against the law was committed. I shall take legal action. I am not prepared to say more at this time."

Mr. Older said: "I have turned the whole matter over to Mr. Heney. He will decide whether criminal action shall be brought. The statement is being circulated that I was not kidnaped because I was legally placed under arrest and was removed from the county by officers of the law duly qualified. That is not true. I was arrested on a warrant by whom I was hustled to Santa Barbara. It was an employee of the United Railroads who poked a pistol in my ribs and threatened to shoot me if I made an outcry. I was being whirled in an automobile through the streets of San Francisco."

The announcement that Francis J. Heney will appear for Fremont Older when the latter is arraigned on the libel charge brought by Luther Brown caused considerable surprise at the court house yesterday. Heney has never practiced in the courts of Los Angeles county and his appearance in the preliminary will be watched with great interest by the local attorneys.

4 MURDERS IN DAY, CHICAGO'S RECORD

WAVE OF CRIME SWEEPS OVER THE CITY

Police Kept Busy Investigating Killings, Attacks and Suicides. Little Girl Victim of Negro

By Associated Press. CHICAGO, Sept. 30.—Chicago appeared yesterday to have been seized by a veritable wave of crime and when the last reports of the day were in the police were confronted with two hatting murders, one killing in which the murderer fled and left his victim to die later at the Alexian Brothers' hospital.

In addition there was another attack upon a white girl by a negro. The victim in the last case being a child 6 years of age.

As a result of the almost unparalleled criminal activity the police in every station of the city were given instructions to be unusually vigilant and to arrest all suspicious characters under the new vagrancy law.

Following is a summary of yesterday's crimes:

Body of unidentified man taken from the river; hands tied and clothing weighted with stones gives police new murder mystery to solve.

Body of Joseph Gensetti taken from the lake at foot of Twelfth street; police scout murder mystery and are investigating the death.

Ross C. Price murders wife because baby cries all night, then commits suicide.

John Goss struck on head with iron bar in quarrel; dies at Alexian Brothers' hospital; murderer escapes.

Hilda Anderson, 6 years, latest victim of attack by negroes and fifth to be reported to police within ten days.

Constables Subpoenaed Detective H. J. Hess of San Francisco arrived in Los Angeles yesterday with subpoenas for Constables Ben Cohn and J. R. Cochrane, summoning them before the grand jury at San Francisco to testify to their connection with the arrest of Fremont Older in that city Friday night.

"There is nothing illegal about this business," said Cohn after he had been served with the summons yesterday. "All I did was to receive the papers and have them properly indorsed when I got to San Francisco."

"I left the details of the arrest to Porter Ashe. He knew the men we wanted and there was no resistance. Anything of the sort. When Mr. Older got into the auto we went to Redwood city to avoid confusion in the crowded depot down town."

Elias Anderson Dead By Associated Press. REDDING, Sept. 30.—Elias Anderson, for whom the town of Anderson, aged nearly 81. He was the oldest pioneer in Shasta county.

Bishop at Washington's Tomb WASHINGTON, Sept. 30.—A distinguished party of Episcopalians, including the bishop of London and J. Pierpont Morgan, visited the tomb of Washington today as the guests of the regents of the Mount Vernon association.

HE HAS TWO HEARTS; THEY BEAT AS ONE

Private in Army Well Equipped with Vital Organs—Never Seriously Ill, He Asserts

INDIANAPOLIS, Sept. 30.—The X-rays have shown that Ira J. Salyards, a private in the army, has two hearts. They beat in unison and are in such perfect accord that they give him no trouble whatever.

In addition to this his liver and spleen are on the wrong side. Salyards did not know he was in any way abnormal till he enlisted at Terre Haute. The examining surgeon told him his heart was on the wrong side. He was sent to Columbus for closer examination and there two hearts were discovered.

He was subjected as tests to long intervals without sleep, long marches and violent exercise. There were no ill-effects accepted him. He says he never has had any serious illness.

FAST TRAIN JUMPS TRACK; TWO KILLED

"METEOR" GOES INTO DITCH IN MISSOURI

Engineer and Mail Clerk Perish—Passengers Escape Without Injury—Texas Limited Wrecked

By Associated Press. ST. LOUIS, Mo., Sept. 30.—The fast train on the St. Louis & San Francisco railroad known as the Meteor, due in St. Louis at 11:30 a. m., was derailed and wrecked near Dixon Hill, 135 miles southwest of St. Louis, at 7 o'clock this morning, and according to official advices received at the general offices of the railroad company here two persons were killed, one seriously injured and the passengers were badly bruised, but none killed.

The dead: ENGINEER CHAMBERS of Springfield, Mo. MAIL CLERK FRANK E. CRISSEY of St. Louis.

The injured: Fireman Stokeshill of Springfield, Mo. Dixon Hill is a steep grade sixteen miles in length. The engine jumped the track, tearing up a section of the track and ditching several cars. The cars caught fire and were destroyed.

STANTON, Mo., Sept. 30.—The southbound Texas limited train on the St. Louis & San Francisco road, which left St. Louis last night, collided with a freight train two miles from here shortly before midnight. Several persons were injured, three of whom may die. The freight train was loaded with cattle, and a large number of the animals were killed.

Both locomotives were demolished. The freight was trying to make a siding at Anacanda on short time when the passenger dished around a curve at full speed. The engine and both engines had barely time to put on the air brakes and jump.

One Killed, Three Hurt in Berlin Bicycle Race

American Rider Thrown from Machine and Rendered Unconscious. Is in Critical Condition

By Associated Press. BERLIN, Sept. 30.—One man was killed and three, including Bobby Walthour, the American rider, were seriously injured in a series of accidents yesterday on the Berlin bicycle track. During a 100-kilometer race a pacemaker's tire burst, throwing the rider, who broke his right arm and suffered other injuries.

An ambulance attendant who crossed the track with the intention of assisting the injured man, was instantly killed as the result of colliding with Walthour's pacemaker. Hoffman, who was thrown to the ground and caused Walthour to fall. The latter sustained a severe concussion of the brain and was taken to a hospital, where he remains unconscious and in a serious condition. The pacemaker was severely hurt when he collided with the ambulance driver.

FRATERNITY JOINS HUNT FOR CHESTER J. SILENT

Brilliant Stanford Student's Disappearance Thought to Be Indirect Result of Overstudy—No Clew is Found

By Associated Press. STANFORD UNIVERSITY, Cal., Sept. 30.—No trace has yet been found of Chester J. Silent, the Los Angeles student who disappeared so mysteriously a week ago last Friday. The fraternity of which Silent was a member has employed detectives and his parents have come from Los Angeles to assist in the search for their son.

Silent's fraternity brothers are at a loss to account for his disappearance. He had very little money on his person when he left the campus. The missing man was a brilliant law student and the theory which finds most favor is that he wandered away while his mind was temporarily deranged by overstudy.

Exposition Officers Resign By Associated Press. NORFOLK, Va., Sept. 30.—Authentic reports tonight disclosed the fact that a number of heads of departments will resign with Director General Barr of the Jamestown exposition. John A. Wakefield, chief of concessions and A. C. Sherwood, secretary of the state agricultural societies. It is reported that William Dixon, assistant director general and S. W. Bowles, director of publicity, have resigned.

Filcher is Appointed By Associated Press. SACRAMENTO, Sept. 30.—Governor Gillett this afternoon appointed J. A. Filcher, secretary of the state agricultural society, to be commissioner from California to the Alaska-Yukon exposition to be held at Seattle in 1909.

BORAH NOT IMPLICATED

PROSECUTION MUST CONNECT SENATOR WITH CASE

NO PROOF OF GUILT HAS YET BEEN PRODUCED

Federal Judge Announces That Defendant Must Be Shown to Have Had Part in Idaho Land Frauds

By Associated Press. BOISE, Idaho, Sept. 30.—Federal Judge Whitson, who is presiding at the trial of United States Senator William E. Borah, notified the prosecution today that the case had reached the point where some testimony connecting the defendant on trial with the alleged Idaho land fraud conspiracy must be presented.

The attorneys for the government, acting on this suggestion, said they would offer in evidence tomorrow the records of the county clerk's office, showing that scores of timber deeds had been admitted to record at the request of Senator Borah. "We thought that the matter was conceded when we allowed the deeds themselves to go into evidence without protest," put in Mr. Hawley, chief counsel for the defense.

Mr. Burch of the prosecution said he desired the county records in evidence, regardless of the admissions of the defense. Judge Whitson's notification to the prosecution came at the conclusion of the testimony of the government's two most important witnesses.

The trial went on this afternoon after an abandonment of the morning session because of the illness of one of the jurors, which was thought for a time to be of such a nature as to cause a serious delay in the conclusion of the case.

The testimony again had to do largely with the actions of former Governor Steunenberg in land dealings. Attorney Hawley protested against witnesses being allowed to give conversations with Steunenberg. He said they had no bearing on Senator Borah's case and tended only "to blacken the memory of a man who cannot answer."

Refuses to Produce Books The liveliest incident of the day was when L. G. Chapman of the Barber Lumber company was called to the stand as a government witness. Mr. Chapman brought many books and much correspondence which the government desired, but refused point blank to procure the company's account books showing the amounts paid for timber land, and to whom. He declared the information contained in the books could not assist the jury in the matter on trial, but might tend to incriminate Chapman as an officer and stockholder in the company.

The matter of requiring Chapman to procure the books was argued over for argument tomorrow. Chapman has his own counsel and Senator Borah's lawyers took no part in the controversy.

Two important witnesses of the day were E. E. Garrett, recently at the Boise office, and L. L. Sharp, the special agent of the federal land office, who was sent to Idaho by former Land Commissioner Blinger Hermann.

Talked with Borah Garrett said that Borah came to his house one evening and asked regarding some contested land claims as to whether clearings were to be had on them.

"I indicated to him that the claims were bad and told him he had better keep his hands out of them," said Garrett.

At this time the Barber Lumber company was not a party of record in the cases. Sharp, the special agent, said he was introduced to Borah in the latter's office by Receiver Garrett. He talked to the senator in a general way about allegations of persons living near the timber lands, that the land contained valuable mineral deposits and should not be given for the lumber that was on it. There was also a charge that the timber claims were not in good faith. One day Borah came to his office and asked what he intended to do about certain contested claims. Sharp told him the present case. He could not remember any of the conversations with Borah in detail.

GUARDSMEN'S CAMP DESTROYED BY FIRE

State Troops in Oklahoma Battle with Flames—Barracks of Regular Troops Are Endangered

By Associated Press. WICHITA, Kas., Sept. 30.—A special from Fort Reno, Okla., says that the camp of the Oklahoma national guards was destroyed by fire which endangered the barracks of the government troops. The loss is estimated at \$75,000. The fire originated in the prairie, which is covered with dry grass. The militiamen turned out with wet blankets and fought the blaze. Two soldiers were seriously hurt—Corporals Maraville and Rattline of End.

Pioneer Dies at Salinas

By Associated Press. SALINAS, Sept. 30.—David J. King, a pioneer Civil War veteran, a thirty-second degree Mason and past post commander of the G. A. R., died this morning of heart disease. He came to California in 1851, served in the navy for several years and later engaged in journalism.

Murder Trial is Begun

By Associated Press. SAN DIEGO, Sept. 30.—The trial of W. A. Doran, charged with the murder of George Ellison at the former's ranch near San Marcus a month ago, was begun today. The shooting occurred on a Monday morning and the defense claimed that Ellison, who had been drunk the night before, was quarreling about the place when he was at work and had attacked Doran.

Boxers Kill Missionary

By Associated Press. SHANGHAI, Sept. 30.—Details received here today in regard to the outbreak of boxerism in the province of Kiangsi last week say that the Chinese inland mission there were destroyed. A French priest was killed, but the other missionaries, including the Americans, are safe.

Odd Fellows at Santa Barbara

By Associated Press. SANTA BARBARA, Sept. 30.—Delegates to the I. O. O. F. grand encampment, which is to continue throughout the week, will arrive tonight on two special trains. One is coming from Los Angeles and the other from San Francisco. It is expected that 3000 visitors will be in the city during the week.



WARSHIPS HIT BY HARD GALE

ATLANTIC SQUADRON SEVERELY DAMAGED

Lieutenant John M. Puse of Illinois Thrown Against Hatch and Dies—Seaman Washed Overboard

By Associated Press. BOSTON, Sept. 30.—Wireless dispatches received today from the Atlantic squadron anchored at the head of Cape Cod bay, off the Barnstable skere state that two lives were lost, two vessels damaged and the entire fleet was given a severe shaking up in the storm which raged yesterday in the bay.

The fleet was anchored off a lee shore and only the strength of their ground tackle saved some of the warships from being thrown on the beach.

Lieutenant John M. Puse of the battleship Illinois was thrown against a hatch and so badly injured internally that he died today.

On board the Minnesota a seaman, name not known, was washed overboard and drowned.

The refrigerator ship Glacier dragged her anchor and collided with the cruiser Des Moines, necessitating sending both vessels to the Charlestown navy yard for repairs.

For more than twenty hours the great ships were tumbled about in the big seas which surged into the bay. On nearly every vessel some of the crew were bruised.

In the collision with the Glacier the Des Moines' stem was badly damaged and was raked along her starboard side.

Diamond Trust Tightens

By Associated Press. NEW YORK, Sept. 30.—The DeBeers Diamond company, called the diamond trust, and its principal independent competitors have formed a pool, according to cable advices. Some importers believe that the prices which in the cheaper grades had begun to sag will now be firmly maintained.

Murderer Requisitioned

By Associated Press. SACRAMENTO, Sept. 30.—A requisition for the return to Lincoln, Placer county, of John Spera, wanted there for the murder of Thomas Mastorakos, was issued by the governor on the state of Nebraska this morning. Spera was captured at Lincoln, Neb., and Sheriff George McAulay of Placer will go after the fugitive.

Shows How to Break THE BANK OF ENGLAND

Famous British Caterer Arrives in New York to Find Publishers for His Book, "The Master Crime"

By Associated Press. NEW YORK, Sept. 30.—James Lyons, a famous English caterer who provides the lord mayor's annual banquet and controls more than 100 restaurants, has arrived in this city to find a publisher here for a fanciful tale which is his pride. His story, "The Master Crime," caused a sensation in Great Britain when it was published. It purported to show how easy it would be to break the Bank of England.

Seven years ago Mr. Lyons caused some stir in the London restaurant world by opening a cafe in Piccadilly in which no tips were allowed. It was a great success.

Electrical Workers May Strike

By Associated Press. SAN FRANCISCO, Sept. 30.—J. C. Kelly, president of the Pacific district council of electrical workers, is quoted here this morning to the effect that he is about to call a general strike throughout this union in central California and Nevada. According to his statement 350 men will walk out Wednesday next.

Sails in Airship By Associated Press. FRIEDRICHSHAVEN, Germany, Sept. 30.—Count Zeppelin made another successful flight in his airship today. He was in the air for seven hours.

HOME FROM ABROAD MEN WEAR GREEN HATS

King Edward's Lead Followed by Americans Returning from Europe—Ties and Scarfs to Match

By Associated Press. NEW YORK, Sept. 30.—Green hats, such as King Edward wore during his visit to the continent recently, are now in vogue with certain returning American tourists.

Several voyagers on recently arriving steamers wore them and some completed the color scheme by wearing ties and scarfs of the same shade.

The fashion, the returning travelers say, is spreading over Europe.

PATHFINDER CRUISERS TO START THIS WEEK

ADVANCE VESSELS OF ADMIRAL EVANS' FLEET READY

Warships Will Go Over Identical Route Planned for Big Squadron and Will Keep Complete Logs

By Associated Press. NEW YORK, Sept. 30.—The armored cruisers Washington and Tennessee, which have recently been alluded to as the "pathfinders" of the battleship fleet, are expected to start on their voyage to the Pacific this week. The Washington, which is now at the navy yard here, will go tomorrow to Hampton Roads, where she will be joined by the Tennessee from Boston.

The cruisers will go over the identical route to be taken by the battleships under Admiral Evans, which will sail in about ten weeks, and the most complete log ever kept on board a ship will form a feature of the cruisers' voyage. At every port of call Admiral Sebree, who will command the cruiser squadron, will mail two copies. One will go to the bureau of navigation in Washington and the other to Admiral Evans to guide him when he sails just before Christmas.

FORECAST

For Los Angeles and vicinity: Fair Tuesday; light west wind.

TABLE OF TEMPERATURES. Min. Max. Los Angeles 52 78. Boston 44 52. Buffalo 54 58. Chicago 54 60. Cincinnati 54 60. Denver 32 48. El Paso 58 90. Fresno 32 76. Kansas City 54 60. New York 54 60. Omaha 48 54. Phoenix 52 80. Reno 36 62. St. Louis 52 66. Salt Lake 44 56. San Diego 56 70. San Francisco 52 70. Yuma 52 82.

CUBAN REVOLT IS SPREADING

BANDITS ACTIVE, RAILROAD MEN STRIKE

Governor Magoon Decides to Deal Harshly with Insurrectionists. Orders Rurales to Kill Them

By Associated Press. HAVANA, Sept. 30.—The small band of rebels which has been traversing the country in the vicinity of Mayari, in the northern section of Santiago province, has, according to late dispatches, again exchanged shots with the pursuing rurales. The latter are close on the heels of the bandits.

While there are signs of unrest in various parts of the island, the opinion prevails here that no serious disturbance is likely.

In commenting upon the situation the Diario de la Marina says: "A combination of unpleasant circumstances having no link, one with the other, appears to make the situation at first sight more serious than it really is. Each one of the problems that at present confront the administration—the yellow fever epidemic, the conspiracy of Para, Miret and Ducassi, the existence of bands of outlaws in the country and the railroad strike—is of an alarming character, but except for the tendency of the strike to become general and stop railway communication throughout the island, these events are of no great importance in themselves."

"The yellow fever has not spread, and there appears no danger of a general epidemic, as cases are comparatively few up to the present time."

Pioneer Dies at Salinas "The conspiracy was a very ridiculous one, and even if it had succeeded in inducing some fools to take the field it would have been nipped in the bud. The Mayari band of outlaws cannot be considered of more importance than many other previous bands of guerrillas who have occasionally appeared in Cuba."

"Even the strikers have not as yet committed any acts of violence. If their disagreement with the railway companies is not settled other men will be found short to run the train. In this case any attempt on the part of the strikers to resort to force will be prevented and punished according to law. The situation for all these reasons is not so grave and the government has ample means to cope with it."

Chicagoans may soon become the trouble zone. The waiters there are on strike and others plan to strike soon.

It is reported also that political trouble is coming in that vicinity, where conspirators have been active. Governor Magoon has determined to deal with outlaws and insurrectionists with a strong hand. The orders of the rurales, it is stated, are to capture, kill or drive them into the ocean.

WASHINGTON, Sept. 30.—The railway strikers in Cuba have declared that the movement inaugurated by them shall not interfere with the movement of the mails so far as they are concerned. This is the attitude ascribed by them in a dispatch received at the war department from Governor Magoon.

Gillett Names Delegates

By Associated Press. SACRAMENTO, Sept. 30.—Governor Gillett today appointed the following delegates to the Farmers' National congress, which is to convene at Oklahoma City October 17: Will Lovelaid, Sacramento; J. H. Hartog, Colusa; Daniel Flint, Colusa; James Clark Standiford, Oroville; George Pierce, Davisville; E. G. Gardner, Red Bluff; W. H. Ramsey, Red Bluff; J. B. Lankershim, Los Angeles; George C. Roeding, Fresno; A. B. Briggs, San Francisco; H. G. Helbron, Salinas.

Child Killed by Medicine

By Associated Press. OAKLAND, Sept. 30.—Laura Branner, aged 3 years, died late last night from the effects of poison contained in several pills which she took from a cough medicine bottle and swallowed during the absence of her parents.

OFFICE BOY IS STAR WITNESS

LAD TELLS OF RUEF MEETING RAILWAY OFFICIALS

FORD'S FAIR STENOGRAPHER IS DEFIANT

Girl Tosses Her Head and Smiles Scornfully at Heney—Lonergan's Wife Admits Getting Husband's Bribe Money

By Associated Press. SAN FRANCISCO, Sept. 30.—Charlie Hagerty, Abe Ruef's office boy; Miss Cecilia McDermott, "confidential stenographer" to T. L. Ford, and Mrs. Emma L. Lonergan, wife of ex-Supervisor Thomas F. Lonergan whom Ruef is accused of having bribed, were the most interesting of the various witnesses who testified today for the prosecution in the trial of the general counsel of the United Railroads and former attorney general of the state.

Young Hagerty told of a visit paid by United Railroads officials to Ruef's temporary quarters at 243 Pine street after the fire, when, desiring privacy, Ruef, Ford and Thomas McMillan retired into a bath room for a conversation behind closed doors.

This bath room, said Hagerty, served as Ruef's private office. Hagerty once carried a note from Ruef to Gen. Ford. It was sealed and he did not know its contents. This was soon after the emancipation of the Olver grand jury. In the summer of 1906 he observed Ruef enter his office with a shirt box under his arm. According to the prosecution it contained \$50,000 in small bank notes for the bribing of supervisors.

Stenographer Defiant Miss McDermott provoked much interest by her airy attitude on the stand. She tossed her head at each question put by Heney, pitched her voice in a haughty tone and allowed a scornful smile to play about her lips. The defense raising the objection that Miss McDermott could not divulge as a witness information gained in the pursuit of her duties as stenographer to Ford, the prosecution retorted that she had thrown no such protection around the relation when the commission of crime or fraud is involved. Judge Lawlor will rule on the point tomorrow.

Mrs. Lonergan verified her husband's confession of guilt by telling how he bribed her home and gave to her \$4000 alleged to have been paid him as a bribe by the United Railroads.

Glass Case Called Before the resumption this afternoon of the Ford trial Judge Lawlor called the untied cases of bribery remaining against Louis Glass. At the suggestion of Assistant District Attorney O'Garra they were continued to October 7, with the understanding that they or some one of them will then be set for trial. Judge Lawlor granted an additional two weeks delay of execution of the sentence already imposed upon Glass.

The first witness to be called in the Ford case was John Henry Meyer, a director of the United Railroads and a bandit in the case of the United Railroads.

Assistant District Attorney Heney's examination of Meyer was brief and for the purpose of showing that he as a director was not taken into the secrets of the alleged bribes.

"Did you ever know that Abraham Ruef was employed as a lawyer by the United Railroads?" Heney asked.

The witness replied negatively. He also declared ignorance of Patrick Calhoun's \$300,000 deposit in the local mint.

Mr. Meyer was not cross examined. Charles Holbrook, also United Railroads director, and one of the oldest and best known merchants in San Francisco, was called. He told of going with Ford and Treasurer Starr of the street car corporation to the mint, soon after the delivery of the sack of gold pieces was delivered to Mr. Starr and carried away in an automobile. He thought the sack would hold about \$50,000.

Mr. Holbrook said that at no meeting of the board of directors attended by him was any material supplied suggesting the passage of the trolley franchise discussed, nor did he learn of any such expenditures. He said he had never been informed that the corporation employed Ruef as a lawyer or in connection with the trolley franchise.

Heney brought out this testimony with intent to forestall the plea by the defense that the \$200,000 paid to Ruef was paid as a fee, he having been retained as a lawyer and that not a dollar was ever paid by the United Railroads to anyone as a bribe.

Ford Got \$1000 a Month Mr. Holbrook said he last saw Mr. Starr in New York last June. He did not know his present whereabouts. He said T. L. Ford's salary in 1906 as general counsel for the United Railroads was \$1000 a month.

In cross examination by Earl Rogers, Mr. Holbrook testified that after the fire no wearing apparel material supplied—suggesting expectation on the part of President Calhoun that the trolley franchise would be granted—was ordered.

"In 1906," asked Heney, "did an appropriation of \$300,000 or \$500,000 come up before the board of directors?"

Mr. Holbrook's answer was: "I don't remember any such sum."

The witness said he had no definite information but he had heard rumors before the fire of suit by Rudolph Spreckels against the United Railroads to prevent the transformation of the cable system. He also heard it rumored that Spreckels offered to build an underground system in the city to prove false the statement by Mr. Calhoun that such a system was not physically practical.

"By the way," said Rogers, "did you ever hear of the habit of Mr. Spreckels of sending his plants and water plants and getting public patronage by promises to maintain them, then selling them out? Ever hear of that habit of Mr. Spreckels?"

"Yes."

"Not Rudolph" "You don't mean to say you heard of Rudolph Spreckels running these things?" Mr. Holbrook's answer was: "I don't know."

"No, Mr. Rogers didn't say Rudolph Spreckels. He just said Mr. Spreckels. So I answered yes. I never heard of Rudolph Spreckels doing those things."

Victor H. Rosetti, chief clerk of the Wells-Fargo Nevada National bank, was called to testify to United Railroads deposits in that institution.

By him the prosecution offered to show that of the \$75,000 deposited in the Wells-Fargo bank to the credit of Thornwell Mully, assistant to the president, \$25,000 subsequently was turned into United Railroads' account and was legitimately used, the remaining \$50,000 did not go into the corporation account, but was transferred to the credit of T. L. Ford in the mint.