

NAVY IN FUTURE; FEELING RUNS HIGH

TOYO KISEN KAISHA AFTER PACIFIC MAIL ABSORPTION EXPECTED IN A SHORT TIME

NEGOTIATIONS UNDER WAY, IS REPORT

Japanese Line's Manager in San Francisco—Schwerin's Disgust, Expressed in Speech, Regarded as Corroboration

Special to The Herald. SAN FRANCISCO, Dec. 26.—The absorption of the Pacific Mail Steamship company by the Toyo Kisen Kaisha, the largest Japanese line running to America and one of the foremost of the island kingdom, is a development declared to be not only possible but extremely probable by authorities in the transportation world.

General Manager McKay, the recently promoted head of the Toyo Kisen, formerly agent of the Pacific Mail in Japan, but who severed his connection with the American company upon his advancement, is here now, having arrived recently, ostensibly in search of relaxation. His presence in the United States, however, is regarded as significant.

The recent announcement of General Manager Schwerin of Harriman's string of transpacific steamers that upon the expiration of the present franchises in April the company would withdraw from the field did not come as a surprise to those who know the sentiments of the Napoleon of finance and his lieutenants, but materially strengthened the reports that had already been put into circulation.

The deal, if consummated, will not only be one of the most important of recent years from the commercial standpoint, but may be a serious factor in the relations between Japan and America.

The Toyo Kisen Kaisha, believed to be "in accord" with the Nippon Yusen Kaisha, the principal Japanese steamship company, has in hand remarkably as a result of the liberal subsidy policy of the milkado, but the steamer passenger trade on the westward Pacific run is a plum that, could sufficient influence be swung in the Japanese government, might lead to a swerving from the announced policy of restriction of immigration.

Bars Cause Disgust From Schwerin's attitude, expressed in his speech, the principal grievance of the Pacific Mail seems to be not the lack of subsidies, although that has rankled, but the bars put up against the yellow man.

That the Toyo Kisen has long desired to greatly increase its fleet and facilities has been known, and new vessels have been built as rapidly as has been permissible. The taking over of the entire Harriman line is in accordance with the policy of the Japanese managers.

Prices and the terms of sale discussed so far have been carefully guarded, but it is not at all improbable that Harriman would be willing to dispose of his line at a swiftness of small figure. Even if the transaction reach a successful termination the figures will probably never be given out.

It is rumored that the Toyo Kisen is desirous of taking over the Oceanic line also, which would give it practically a monopoly of the oriental trade, there being but one other line running from San Francisco. It is not thought that the Oceanic could be secured, however.

At any rate, few are so close to the announcement before summer of the disposal of the Pacific Mail.

IMPORTANT TESTIMONY GIVEN AT GEORGETOWN

Howard Clean Shaven on Day Goebel Was Shot, Declares Sheriff White—Youtsey Agitated After Slaying

By Associated Press. GEORGETOWN, Ky., Dec. 26.—A number of witnesses gave important testimony in the Caleb Powers trial today. Sheriff White testified that the day he went with him to Frankfort, which was the day Goebel was shot. Both White and his brother, John, also testified that Howard went to Frankfort in response to a letter from John G. White, advising him to see Taylor if he wanted a partner for killing Ulan Baker at Manchester before the contest was decided in favor of Goebel.

John G. White also testified to seeing Howard at the Board of Trade hotel, where Howard claims he was when Goebel was shot.

S. A. Thomas, an attorney of Frankfort, testified that Youtsey after his arrest told him he did not know James Howard at the time Goebel was assassinated.

Howell Scott testified to meeting Youtsey in the hall of the executive building twenty minutes before Goebel was shot and that Youtsey acted strangely.

MARK TWAIN LEADS APPEAL TO LIBERATE NOTED NIHILISTS

Russian Premier Asked by Prominent Americans to Treat Leniently Couple Known for Philanthropic Work

By Associated Press. NEW YORK, Dec. 26.—Prominent Americans have united in a cable to Premier Stolypin of Russia, urging leniency in the cases of Nicholas Tschalkovsky and Mme. Catherine Breshkovskaya, recently arrested in St. Petersburg for alleged complicity in the revolutionary movement.

The petition is headed with the names of Mark Twain, former Mayor of New York, Mayor Busse of Chicago, Bishop Gros, George Foster Peabody and Morgan J. O'Brien. It is similar to that recently forwarded to Baron Rosen, the Russian ambassador to Washington.

It sets forth the sympathy in the United States for Tschalkovsky and Mme. Breshkovskaya, in view of the troubles of the former in this country and the reputation of Mme. Breshkovskaya in the philanthropic and charitable work, and adds that the release of the two prisoners will be interpreted as "an act of friendship by a host of American citizens who are warm friends and well wishers for the welfare of Russia."

When asked tonight what the course of the miners would be in face of this latest move of the opposition, Mahoney said:

"An injunction of this kind, if issued, will mean that there is nothing left for the miners to do but to go jump into the sea."

"Had the petition been for a writ restraining the miners from picketing or boycotting, I would not have been surprised, but in the bill of complaint, as I understand it, there are two new points. One of these is the prayer for an order of the court prohibiting the miners from continuing their organization on the ground that it is a nuisance.

The other point that is new is the request that the Goldfield union be dissolved. Any judge who set of men who subvert the Goldfield miners will submit mildly to such procedure are greatly mistaken. I would favor ignoring any such order from any court. Injunctions have come to be a joke to the American people and this one would be the biggest of them all. We shall fight it with every weapon at our disposal. There would be nothing else for us to do.

"I assume that the watchers or examiners suggested in the bill of complaint mean deputy United States marshals. These would tend to embitter the elements to this controversy more than federal troops."

Charles S. Mackinnon, president of the local union, declared that the union would fight the injunction.

The miners are expecting to hear at any moment that Governor Sparks has decided to call an extra session of the legislature to adopt new laws looking to the organization of a body of constabulary or police to preserve law and order in case of trouble over the outcome of the dispute, which now threatens to be long drawn out.

Delay Granted Depositors—Barnett Must Raise \$200,000 in Real Estate for Bail, Decision of Court

By Associated Press. SAN FRANCISCO, Dec. 26.—A suit filed against J. Dalsell Brown by the Central Counties Land company shows that the banker was preparing to realize a large amount of money on his country place in Lake county when he was taken into custody. It appears that Brown owed on the place \$38,500 to Helme Springs, from whom he purchased it. This he refused to pay when demand was made during the recent legal holiday period. Meanwhile, on September 2, he sold 1700 acres to the Central Counties Land company at a price of \$67,000. Of this \$30,000 was to be paid in gold and \$37,000 in debentures.

December 14 he sold the remaining 250 acres for \$20,000. The Central Counties Land company now asks to be allowed to pay Brown the \$50,000 less \$28,500, due to Springs, and the \$37,000 in debentures and assume title to the property.

The depositors' committee of the California Safe Deposit and Trust company and the stockholders appeared before Judge Coffey this morning and asked a further stay of proceedings in the appointment of a receiver for the defunct bank for a period of ten days. Judge Coffey granted the delay, saying that he was willing to give all the time necessary for the depositors and stockholders to devise some plan by which the business of the bank could be closed out more profitably than by a receiver.

Walter J. Barnett has not yet succeeded in securing the \$200,000 bond required to obtain his release.

This morning Judge Dunne called Assistant District Attorney Hoff Cook into conference and asked him if a bond in which several parties were held separately responsible would be approved. Mr. Cook said it would not and the district attorney would insist on a joint and separate responsibility.

Judge Dunne agreed with Cook and told him that he would accept no bond which had not been first approved by him. This means that Barnett's friends must raise \$200,000 in real estate, as Cook will not accept stocks or bonds as securities.

NEW YORK FACES MONSTER STRIKE OF BUILDERS

Decrease in Wages Refused by Carpenters' Union and Conferences Are Watched by Construction Workers

By Associated Press. NEW YORK, Dec. 26.—There is a possibility that New York may within a short time experience a widespread building strike.

Recently the Master Carpenters' association announced that wages of carpenters would be reduced from \$5 to \$4.50 a day. The Carpenters' union has refused to accept this cut in wages, and committees from both organizations are now trying to reach a compromise. Other building trades are waiting the outcome of the conferences between the carpenters and employers.

INJUNCTION A JOKE, SAYS MINERS' HEAD

"WE WILL FIGHT IT," IS ULTIMATUM

CONTESTS AT GOLDFIELD WILL BE LONG DRAWN OUT

"If Owners' Plea Were Granted We Could Only Jump into the Sea," Is Mahoney's Declaration

By Associated Press. GOLDFIELD, Nev., Dec. 26.—Late this afternoon officials of the miners' union and C. E. Mahoney, vice president of the Western Federation, who is here to effect a settlement of the strike, learned of the plan of the mine owners of Goldfield to secure an injunction through the federal courts preventing picketing and bringing about the dissolution of the Goldfield miners' union.

When asked tonight what the course of the miners would be in face of this latest move of the opposition, Mahoney said:

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"Had the petition been for a writ restraining the miners from picketing or boycotting, I would not have been surprised, but in the bill of complaint, as I understand it, there are two new points. One of these is the prayer for an order of the court prohibiting the miners from continuing their organization on the ground that it is a nuisance.

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CARRY 240-POUND MAN, DYING, DOWN 18 STORIES

Chicago Grain Elevator Watchman, in Hunt for Pigeon for His Little Daughter, Falls—Succumbs at the Hospital

By Associated Press. CHICAGO, Dec. 26.—Down a narrow winding stairway from the eighteenth floor of Illinois Central elevator "B," four policemen carried a dying man last night, and at every step they took their own lives were endangered. There was a burden of 240 pounds.

The man they carried had risked his life to obtain for his little daughter a pigeon from a cote at the pinnacle of the building. He had fallen in the attempt and had remained helpless until the police came. He was Bernard Krzwdensky, watchman at the elevator. He died soon after he was conveyed to the emergency hospital.

It is supposed that Krzwdensky was trying to grab a pigeon in the dark and fell from the platform to the eighteenth floor, twenty feet.

Drowned in Bath Tub

By Associated Press. OAKLAND, Dec. 26.—Mrs. Annie Loague, mother of John Loague, amateur boxer, and of the late Charles Loague, who was shot and killed at the Hastings hotel in Emeryville a year ago, was found drowned in the bath tub at her home, 24 Helen street, today.

Mrs. Loague was last seen alive about 7 o'clock last night. Her body was discovered about midnight by her son on his return from Mare Island, where he is employed.



BROWN TRIED TO TURNLAND INTO CASH

SUIT REVEALS DEAL OF INDICTED BANKER

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AMERICA GOOD FIELD FOR THE ART FORGER

New York, Chicago and St. Louis Centers of Fakers, Says Advocate of Bill to Remedy the Evil

By Associated Press. NEW YORK, Dec. 26.—That America is as good a field for the art forger as is any country of Europe, is the statement made by Charles E. Cookman, who advocates the passage of a bill by congress to make the forging of an artist's name after his death a crime. Art forgers, Cookman says, are carrying on an extensive business in New York, Chicago and St. Louis, where thousands of forgeries are turned out which find a ready market among buyers in America who are not well enough versed in art to detect the forgeries.

Many young and struggling artists, Cookman says, are induced, sometimes by actual want, to do this sort of work, and dealers reap the benefit from the deception.

UNITED STATES ENGINEERS TO VISIT CALIFORNIA

By Associated Press. SAN FRANCISCO, Dec. 26.—Advices have been received by the River Improvement and Drainage association of California that the invitation extended by it to the United States board of engineers in charge of rivers and harbors to visit California has been accepted, and that members of the board, including Daniel W. Lockwood, colonel corps of engineers, U. S. A., and chairman of the board, will be here early in January.

STRICKEN SUBMARINES CAN RING UP CENTRAL TO SEND ASSISTANCE

Experiments to Reduce Danger Lead to Order for Installation of Telephone Buoys in French Flotilla

By Associated Press. PARIS, Dec. 26.—Following elaborate experiments to prevent the recurrence of accidents to submarine vessels, the minister of the marine has issued orders that all submarines be fitted with detachable telephone buoys, which in case of accidents, will permit of communication with the surface.

FAIRBANKS CHOSEN AT INDIANA FEAST

Governor Hanley Introduces Resolutions Urging Vice President's Candidacy—Sen. Beveridge, Presiding, Makes Address

By Associated Press. INDIANAPOLIS, Dec. 26.—Resolutions were adopted today at the biennial love feast of Indiana Republicans, urging the nomination of Vice President Fairbanks for the presidency. The resolutions were introduced by Governor Hanley and were adopted with a round of cheers by the 1000 or more active party workers of the state who were present.

United States Senator Alfred J. Beveridge of Indiana presided and made the principal address.

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WOMAN SAVES SCORES FROM AWFUL DEATH

LONG BEACH MATRON PROVES A HEROINE

Rushes from Bedroom at Midnight and Drags Heavy Ties from Track in Time to Avert Catastrophe

Special to The Herald. LONG BEACH, Dec. 26.—A woeful termination to Christmas joys was averted by the prompt action of a woman shortly after midnight yesterday, and because of this woman's courage scores of Long Beach families are today singing her praises—praises which hold a note of thankfulness to heaven for the sparing of loved ones from injury or death.

The woman is Mrs. A. Marsh, who lives in a pretty little home between Fifteenth and Sixteenth streets on American avenue, and in front of which hundreds of cars on the Pacific Electric line pass daily.

A few minutes before midnight Mrs. Marsh was startled from slumber by sounds in the street.

The woman arose, drew aside the curtain of her bedroom and looking out on American avenue saw, almost directly in front of her home a number of ties lying across the rails of the street car track. In the dim light of a street lamp she saw the disappearing form of a man.

From the distance Mrs. Marsh could hear the sound of an approaching car. Hurriedly dressing, the woman ran to the tracks, where she found the rails covered with ties placed in such a position that only her desperation gave sufficient strength to her arms to throw and drag off the obstacles.

Mrs. Marsh had just succeeded in dragging away the last heavy piece of timber when two cars, heavily laden with laughing, cheerful Christmas merry-makers returning from Los Angeles, dashed by. None of those on board the cars saw the woman standing near the track, her face pale and with hair streaming in the midnight breeze, and none knew how near death all on board had been.

Before returning to her home Mrs. Marsh notified the police of the affair, and it was in this way her brave deed was made known.

PROMOTERS OF SPANISH BULLION MINES SENTENCED

For Using Mails to Defraud, Eleven Are Fined and Imprisoned by District Judge Lewis at Denver

By Associated Press. DENVER, Dec. 26.—Promoters, mining engineers and other persons convicted of using the mails to defraud in connection with the sale of stock in the Spanish Bullion Mines company were sentenced by Judge R. E. Lewis in the federal district court here today as follows:

George S. Dubois, Lee Dubois and O. L. Blackwell thirty days in jail and \$1000 fine each.

William H. Wilson, W. B. Cameron, A. E. Keables and Arthur Lawrence fifteen days imprisonment and \$500 fine each.

Arthur Levan and E. W. Sebben \$100 fine and costs amounting to \$200 each.

R. C. Hunt and Danton Pinkus \$50 fine and \$150 costs each.

DISPUTE TO BE SETTLED BY CONGRESS

MAY AFFECT ADDITIONS TO FLEET

AFFAIR PREJUDICIAL, OPINION OF OFFICERS

Department Must Present United Front to Secure Appropriations and Bickering Will Not Aid Plans

By Associated Press. WASHINGTON, Dec. 26.—Not since the day preceding the passage of the personnel law ten years ago has the feeling between line and staff of the navy been so acute as it is today as the result of a refusal of Admiral Brownson to transmit orders from his superior officer, the president of the United States, assigning a surgeon to command a vessel in the navy.

In the case of the personnel act, it was Mr. Roosevelt, then assistant secretary of the navy, who acted the part of a pacificator and succeeded in bringing two warring factions together in spite of the legislation, which for a decade past, though a makeshift, had served to maintain peace between the two factions in the navy.

In the present instance, however, the efforts of the president to reconcile the surgeons and the line officers has failed and it is probable that the whole controversy will be thrashed out on its merits in congress.

This is much deprecated by conservative officers in both line and staff, as likely to prove prejudicial to the navy's interests as a whole, for they believe that in order to succeed in securing from congress the four great battleships, the cruisers, scouts and submarines which form a part of the year's naval estimates, in addition to large legislation that will better the lot of naval officers personally, the navy must present a united front, which cannot be done if just at the beginning of a session, line and staff are to engage in a fierce strife.

Physicians Heard

Through the published statement of Surgeon General Rixey, the merits of the doctors' side of the case in this instance have been clearly set forth. Line officers believe that in common fairness they should also have a hearing.

But they are in an exaggerated position in that respect. Admiral Brownson preceded his resignation by a cold, clear, logical presentation of the reason why he objected to the assignment of a physician to command a naval ship, even though that vessel was exclusively devoted to hospital work. The statement was submitted to the president, and notwithstanding the staff has had its say in print, applications at the White House for this letter are met with refusals.

Now it is clearly impossible for Admiral Brownson or any of his line officers to make public a copy of the letter without incurring the risk of a court-martial on charges of disrespect toward their superior officer, the president of the United States, so they can only look for the congressional investigation which will develop all the facts.

It may be stated in the absence of the text of Admiral Brownson's letter that his objection to the execution of the president's order to place a surgeon in command of the hospital ship Relief was two-fold.

Believe Subordination Bad

In the first place, like every line officer, he believed that the subordination of any line officer, no matter how low in grade, to a staff officer on shipboard was a matter of the most serious discipline. But a stronger objection in his mind was that the proposed action was clearly illegal inasmuch as it is forbidden by law or naval regulation to assign a staff officer to command ships. It is only fair to state, however, that this is a debatable ground and that it would not be difficult to construe the naval laws and regulations in either way.

So it is not to be doubted that when the subject comes before congress for consideration the lawyers in that body will furnish material to support either contention.

There were no developments today in the controversy, owing to the absence from Washington of a commandant of the hospital ship Relief has been called into question, it is proper to state that the reliance of the line officers is upon a provision in section seven of the naval personnel act of March 3, 1899. That section, among other things, was designed to clear up doubt that existed as to the right of staff officers to assume the title of a line officer of a corresponding grade in the matter of pay and emoluments and insignia of service. Up to that date staff officers had enjoyed what was called "relative rank," with which they were not satisfied; so in section seven the word "relative" was stricken out so that all sections of the revised statutes which authorized things to be done by officers in positions in the navy, containing the words "relative rank," were amended so as to read "the rank of," etc.

To this provision the following important qualification was attached: "But officers whose rank is so defined shall not be entitled in virtue of their rank to command in the line, or in other staff corps."

Engineers Barred

Line officers understand this to mean that no surgeon or engineer, if there shall ever be again commissioned an engineer or paymaster or constructor, shall be placed in a position on board ship where he may command the movement

(Continued on page two)