

MONTANIAN SWINDLED OF \$2,200

Says 'Sure Thing' Game Played on Contractor by His Friend

AVERS BET NOT MADE

Pretended Tip on Certain-to-Win Horse Alleged to Have Been Given

TRICKERY SUSPECTED

Cousin of Marcus A. Daly Claims He Gave Sum to Be Wagered

CHARLES F. DALY, a cousin of the late Marcus Daly and a prominent contractor of Butte, Mont., who arrived at Los Angeles several weeks ago for the purpose of submitting bids for constructing a section of the Owens river aqueduct, was swindled Saturday afternoon out of \$2,200 by the old time certain-to-win tip on a horse race.

Daly and Garland became acquainted shortly after Daly's arrival. Garland roomed at Hotel Afton, 533 1/2 South Spring street, where Daly also stayed. The men became good friends. Both are enthusiastic race followers and visited the track several times.

Saturday morning Garland sought Daly and, according to what the police say, confided to him that he had a tip on a sure winner, and asked Daly to go in with him on the deal. He is said to have explained to the contractor that the horse on which the money was to be placed would enter the race at a price of 5 to 1.

The police continue to assert that he declared the horse could not lose, and that if Daly would put up enough money he could make a small sized fortune. To convince him Garland is said to have represented to the contractor that \$100,000 had been telegraphed to outside bookmakers to be placed on the horse, and there absolutely was no possibility of the animal failing to come in winner.

Daly, although a capable and shrewd business manager, yielded to the smooth talk of the man and it is said gave him \$2,200 to put on the horse in question. According to the alleged agreement Garland was to place the money with different bookmakers to avoid exciting suspicion. He was to dress as a farmer and by playing ignorant try to make all the money.

Daly becomes suspicious. Garland is said to have left the hotel and to have sent \$100 to his wife in Oklahoma City, Okla. He never returned to his apartments and Daly was unable to find him.

The matter was reported to the police and Detective Chapman was detailed on the case. He visited the Hotel Afton and learned that Garland had not relinquished his room and his belongings were still there. The place was watched and shortly after 5 o'clock Garland entered the hotel, secured his effects and was on his way to the Arcade station when placed under arrest.

When searched at the police station \$318.20 was found in Garland's possession. Daly left the Afton several days ago. He told the landlady he was going to stay with some friends on Twenty-first street. His address could not be located last night, but it is believed he will press the case.

PHILADELPHIAN DISCOVERS NEW FLEA IN CALIFORNIA

Recently Found Specimen of Insect in Proctor Proves Athletic Abilities as a High Jumper. Has Six Teeth

PHILADELPHIA, Dec. 28.—Dr. Carroll Fox of this city, who has been investigating the bubonic plague situation in San Francisco, has discovered a new species of flea, according to word that has reached medical men here. During his work on the coast he found in his experiments with the bodies of rats infected with the plague were the mediums of transferring the disease to human beings. This naturally led to a close scrutiny of the flea. The physician was interested to ascertain that a new species was apparent, being without eyes and having a row of six teeth. In color the newly found flea is lighter than the ordinary variety. It is noted also for its ability as a high jumper, greatly exceeding the ordinary flea in this characteristic.

MISSIONARIES AIDED BY HAIRCUTS TO GET FOOTHOLD IN JAPAN

CHICAGO, Dec. 28.—Hair cuts helped Christianity to maintain a comfortable foothold in Japan, where, previous to the Japanese-Russian war it had been hardly tolerated. It was through the work of the Y. M. C. A. that the Japanese changed their opinion of the Christian religion to a marked degree, according to C. V. Hibbard, who has charge of the Y. M. C. A. work with the Japanese army. In an account of how the supply of bibles and tracts gave out after the battle of Mukden and attention was diverted to the care of the wounded, Mr. Hibbard says: "It was a little awkward for us at first, but we soon got so that we could cut about fifteen heads of hair an hour. We devoted our entire time to cleaning the wounded soldiers, shaving them and cutting their hair. They used to wake us up in the night, begging for a trim, and finally our ability became so widely advertised that we had to give out numbers of tickets and the men would have to wait until it was their turn, often going without meals."

FATALLY SHOT BY A FOOTPAD

D. Minano, a young Japanese student living on Turner street, was shot in the neck and probably fatally wounded by a masked highwayman this morning about 3 o'clock, while walking in Marchessault street. The unfortunate man was found lying in the street by a garbage collector, who notified Patrolman Miller. The police ambulance was summoned and the wounded man was hurried to the receiving hospital, where the police surgeons state his wound is serious. Minano was walking along the street when he was accosted by the foot pad. A struggle ensued and the Japanese was shot.

Ten Men Meet Death

BIRMINGHAM, Ala., Dec. 28.—Ten men were killed and several injured by a cave-in at the furnace plant at Ensley tonight. But two bodies have been recovered. Gas pouring into the excavating from the furnace makes rescue work difficult. The men were excavating for the gas fluo which is to connect the blast furnaces with the new battery of boilers. The end of the old gas fluo had been temporarily bricked up.

THE NEWS SUMMARY

FORECAST For Los Angeles and vicinity: Fair Tuesday; light northeast wind. Maximum temperature yesterday, 67 degrees; minimum, 43 degrees.

LOCAL Municipal league writes letter to Mayor Harper urging city executive to select another man in place of chief of police for board of public works.

County attorney for county in Washington "buts in" on a street brawl and is arrested. Charge is dismissed.

Chances given by state to its Christmas day guests are presented at stores in exchange for substantial articles.

Holidays offer much in soliciting votes for teachers' trip to Seattle to be given by Herald.

Courts say sales of title or dissemination of information on form or condition of race horses is unlawful, in a decision in which city ordinance against such dissemination is said to be unconstitutional.

No heir to woman who died intestate and left \$100,000 is found so court appoints public administrator to care for estate.

Fondness for collie dog, pet and guardian of his children, prompts master to rescue animal from burning building.

Young man who works as contractor's work on Grand avenue is not up to specifications.

Chicagoan proves his aeroplane will raise itself from the earth and demonstrates to his satisfaction his theories regarding aviation are efficient.

Chicagoan will come to Los Angeles bringing his bride and his honeymoon in the air above Southern California.

Auditor of board of education advocates changes in the system of auditing accounts of the schools.

Burglars break into saloon and attempt to steal proprietor's safe but are frightened away.

Swearing matron with gun causes consternation in police circles.

Increased number of tramps in city causes authorities much anxiety.

HOLDUP MEN CRUELLY BEAT THEIR VICTIM

SALESMAN ROBBED OF CASH AND GOLD WATCH

HIGHWAYMEN TRY VAINLY TO STIFLE HIS CRIES

Attempt to Conceal Property Makes Desperadoes Furious, and Blow After Blow is Rained on Luckless Prey

W. L. CLEVELAND, 52 years old, a machinery salesman living at 320 North Soto street, was held up by four men shortly before 8 o'clock last night, robbed of \$50 and a gold watch valued at \$100, and beaten brutally. The robbery occurred within a block of Cleveland's home. He was walking south on Soto street, having just alighted from a Brooklyn avenue car. As he approached Michigan avenue he saw four men cross the street and walk toward him. As they came up the men separated, two walking on each side of him. Then one of them wheeled and faced the victim, drawing a revolver in his face with the remark: "Throw up your hands you..." Cleveland obeyed the order, and while the leader of the gang covered him with the weapon the others searched his pockets.

The men appeared careless in their search and Cleveland thought he could save his watch. He lowered his head and attempted to draw his watch from his vest pocket and throw it to a place of safety. This move was detected by the man with a gun, who cursed the victim and struck him a heavy blow in the mouth with the revolver.

As soon as he was struck Cleveland began to yell for help. This seemed to anger the robbers, and they began to beat him on the head, evidently trying to render him unconscious and hush the noise.

The men had made a thorough search of Cleveland's pockets by this time, and finding they were unable to knock him out, fled across the street. There they separated, two going toward Brooklyn avenue and the others continuing down Soto street.

Although Cleveland continued to cry for help no one came to his aid, and he hurried home and telephoned the police station. Motorcycle Patrolmen Humphrey and Coe were sent to investigate. They made the trip from the station to the scene of the holdup in record time, but when they reached there could find no trace of the men.

Cleveland boarded a car and went to the receiving hospital where Police Surgeon Quint sewed three lacerations in his head and a cut on his finger.

Cleveland told his story to the detectives and gave them a good description of the man who held the revolver. "I do not mind losing the money so much as I do my watch," said Cleveland. "It was given to me by my father, who is now dead. It was presented to him many years ago by employees of the Central City Railway company at Peoria, Ill., and was highly prized by him. The robbers even took a pocket knife that had been given to me by my son for a Christmas present."

PASTOR CUTS HIS THROAT WHILE WORSHIPERS WAIT

Congregation Discovers Minister Dead with Razor in Hand—Left a Ramping Note—Was Despondent

FARGO, N. D., Dec. 28.—Falling to arrive at the church where his congregation had assembled for Sunday worship, a searching party was formed to locate Rev. R. D. Dougherty, pastor of the Congregational church at Buchanan, N. D., and on visiting his apartments the minister was found lying in a pool of his own blood. He had committed suicide.

A razor, with which he killed himself, was gripped in the hand of the victim, while a rambling note was found on a table.

His actions had been watched for some time by the people of Buchanan, who were not satisfied that he was in his right mind.

Rev. Dougherty was the son of Rev. James G. Dougherty of Kansas City, Kan. Members of his family today said they believed the young preacher had taken his life following a mental breakdown due to ill health and over-study.

Rev. James G. Dougherty, his father, was the first of the leaders in Kansas to take up the fight against lotteries, gambling and the liquor traffic.

FOUR MEN ARE ACCUSED OF DIVERTING BIG SUMS

Editor and Three Others of Chicago Face Charges of Misappropriation of Mexican Plantation Funds

CHICAGO, Dec. 28.—Charges that D. W. Marklay, Editor J. W. Graves, Joseph B. Welcome and Leo Mattie diverted large sums to themselves from the Mexican plantation are made in a petition for a receiver for that association, filed in the circuit court today by Joseph Sanders.

Sanders alleges the affairs of the association have been dominated by Marklay et al, and that an effort is being made to discharge the trustees of the property and transfer it to the Mexican Plantation company, incorporated, a new organization in which he, as holder of two certificates in the original association, has no interest.

A large number of school teachers throughout the country are said to have been among the stockholders.

Pinchot Goes to Canada WASHINGTON, Dec. 28.—Bearing invitations from President Roosevelt to President Diaz of Mexico and Premier Laurier and Lord Grey of Canada, to appoint delegates to the national conservation conference, to be held here February 13, Gifford Pinchot left today for Canada and Mexico.

Ethel Roosevelt and Some of Her Friends Who Attended 'Coming Out' Ball in Capital



MEET IN MADRAS TO QUELL RIOTS

INDIAN INTERNATIONAL CONGRESS IN SESSION

Leader Whose Candidacy for Election as President Caused Fight Discusses Present Situation

[By Associated Press.]

MADRAS, Dec. 28.—The first session of the Indian International congress today was entirely harmonious and the meeting this year promises to clear the air and put a damper on the activities of the agitators who recently caused much anxiety.

At the last meeting of the congress, just a year ago, opposition to the election of Dr. Bhabhi Ghosh as president resulted in a free fight and caused the congress to be indefinitely postponed.

Referring to the Bhabhi returns, Dr. Ghosh declared today that they had broken up the sinister clouds that had hung over India for the last twelve months, and he said they would give India something like a constitutional government instead of the unpopular autocratic regime.

Continuing, Dr. Ghosh criticized all repressive legislation. He said British sovereignty could not be shaken by a few flasks of picric acid, or a few pounds of gunpowder, and he hoped that the genuine co-operation of the Indians with the British government would lead to the obtaining of colonial self government.

The reform proposals referred to in the foregoing dispatch, which were outlined by Lord Morley, secretary of state for India, in the house of lords on December 17, are, briefly, as follows:

1. To increase the membership of both the judicial and the viceregal council by nomination and election, giving the different classes of the community each its representative.

2. To repeal the prohibition against the legislative councils discussing matters of general importance.

3. To increase the executive councils of Bombay and Madras from two to four members each.

4. To give the lieutenant governor an executive council of two members.

5. To adopt a device to secure an official majority.

BLAZING CURTAIN SETS FIRE TO CHILD'S COFFIN

Corpse Barely Saved from Cremation. Mother May Die from Shock of Horror—Candle Caused the Blaze

NEW YORK, Dec. 28.—A blazing curtain, wind-tossed into a candle flame, in a Williamsburg flat, set fire to a white coffin yesterday in which lay the body of 8-year-old May O'Conner.

In an adjoining room Mrs. Mary O'Conner, the dead child's mother, saw the first flames, but being an invalid, was unable to leave her bed. She screamed in terror, then lost consciousness.

Edward O'Conner, the husband, assisted by his brother-in-law, finally put out the fire after being summoned from a nearby barber shop by neighbors.

The child's body was saved from cremation and the invalid mother carried from the apartments.

Seriously ill when the fire occurred, the shock so aggravated her condition that it is feared she cannot survive. The child was buried late in the day in Calvary cemetery.

ETHEL ROOSEVELT MAKES HER DEBUT AT WHITE HOUSE

YOUNGEST DAUGHTER OF THE PRESIDENT MEETS 400

East Room Presents Attractive Picture—Debutante Wears White Satin Trimmed with Crystals

[Special to The Herald.]

WASHINGTON, Dec. 28.—President Roosevelt's youngest daughter, Ethel, tonight made her formal bow to society, preceding the dancing in the east room of the White House, which began at 10 o'clock.

Mrs. Roosevelt and Miss Roosevelt received the guests in the blue room. Miss Roosevelt's gown was of white satin trimmed with crystals, while that of her mother was a dark blue satin.

Seldom has the east room presented a more attractive picture. The invited guests numbered about 400, only unmarried members of the younger set participating in the dancing.

Among those present were: Mrs. William S. Cowles and Mrs. Douglas Robinson, the president's two sisters; Mr. and Mrs. Nicholas Longworth; Mrs. J. E. Roosevelt; Mrs. Simpkins; Mr. and Mrs. Robert Bacon; Mrs. Charles A. Munn; Mrs. Richard Wayne Parker and Mrs. Herbert Wadsworth.

At midnight, the music ceased and the guests partook of a supper which was served at small tables arranged along the lower corridor.

Maidens Who Were Present Among the prominent young women who were in attendance were Miss Cornelia Loudell of New York, at whose debut Miss Roosevelt assisted early in the fall; Miss Fredrica Morgan; Miss Ethel's chum; Miss Elizabeth Mattie, another debutante; Miss Clara Wright; Miss Gatewood; Miss Carrie Louise Munn; Miss Martha Bacon and Miss Janet Alexander. Frau v. Livonius, the charming young wife of the military attaché to the German embassy, one of the most beautiful women in Washington society, also was one of the chief figures at the ball.

Proceeding the ball, Miss Roosevelt was the guest of honor at a dinner given by Assistant Secretary and Mrs. Bacon. Covers were laid for sixty, the whole party going later to the White House.

Mrs. and Miss Roosevelt are entertaining a house party for the dance. The party includes Miss Josephine Osborne, Miss Ellen Rogers, Miss Cornelia Loudell of New York, Miss Virginia Murray, Suydam Current, Harry Holt, Jr., Barclay Saur, Randall Clifford, H. Fairfield Osborne, Jr.; Stephen L. Lander, Edmund Rogers, Miss Robinson, Robert Porter, Charles Emory and Norman Armour. They arrived at the White House shortly after luncheon.

PIONEER CAPITALIST DIES IN SAN FRANCISCO, AGED 71

SAN FRANCISCO, Dec. 28.—Another pioneer business man and capitalist, Adolph Roos, died in this city today. Mr. Roos, who was head of the firm of Roos Bros., was a native of Alsace-Lorraine, aged 71 years. He came to California, nearly half a century ago, and in 1850 the firm bearing his name was established.

Following an operation for cancer, eighteen months ago, Mr. Roos suffered an attack of illness from which he never fully recovered. For two months past he had been confined to his bed and hope for his recovery was abandoned by physicians some days ago.

Arrangements for the funeral have not yet been made.

HAINS SCORES FIRST VICTORY

TWO WITNESSES TESTIFY IN FAVOR OF AUTHOR

Sales Agent on Stand Almost Sobs When Blaming Himself for Having Sent Brothers to Wharf

[By Associated Press.]

FLUSHING, N. Y., Dec. 28.—The defense scored two material points in the evidence today in the trial of Thornton J. Hains, in which the defendant's counsel assert disprove the charge that the author was a principal with his brother, Captain Peter C. Hains, jr., in the killing of William E. Annis at the Bayside Yacht club in Little Neck bay.

An exhaustive cross examination of the two witnesses for the defense left the main points of their testimony unshaken.

Testimony that Thornton Hains did not go to Bay City to kill Annis, but to look at property, was given by Charles Weaver, sales agent of the Hains Concrete Mixer company, who further declared it was at his urgent invitation the Hains brothers, August 15, postponed a trip to Sandy Hook and went to Bayside to inspect real estate.

Weaver almost sobbed on the stand when he said he felt responsible for sending the Hains brothers on the journey that ended in the death of Annis. The mental condition of Captain Hains previous to the shooting was testified to by Mr. Weaver, who asserted that from the actions of the army captain he believed him to be irrational.

The second material point brought out by the defense today was drawn from John Tierney, a garbage collector, who said he was a witness to the tragedy.

Tierney declared Captain Hains had ceased firing before his brother ran down to the boat and the defendant did not draw his revolver until Charles Roberts, a club member, advanced toward Captain Hains with the captain's revolver in hand.

Tierney said Thornton Hains did not point his revolver at any one on the boat, but called for an officer to arrest his brother.

He did not see Mrs. Annis on the boat. A severe cross examination did not make Tierney waver in any essential.

BLACK TAXICAB RUNS BY NIGHT RIDERS' TRIAL IS DELAYED BY AN ILLNESS

NIGHT WITHOUT A DRIVER

NEW YORK, Dec. 28.—Running almost noiselessly and without lights, a black taxicab whizzed by Policeman John Holland at Sixty-sixth street and West End avenue last night while Holland shouted in vain for the chauffeur to stop and explain why he had no lights.

The mystery was cleared up a few moments later when the taxicab struck a freight car standing on a spur track of the New York Central and turned a complete somersault.

When the angry policeman viewed the ruins, expecting to find a mangled chauffeur, he found no semblance of human form.

The cab had been running without a driver, evidently having been turned adrift by some thief who had stripped it of robes and fittings.

Villages Have Vanished

It is reported that the villages of Favo and Ganzirri, adjoining Messina, have disappeared.

The effects of the earthquake were aggravated through an explosion of gas. The flames swept along several streets, adding terror upon terror.

In Calabria the region around Monteleone was most affected. The village of Stefanetti, the inhabitants of which number 25,000, was virtually destroyed. Only five persons were killed, but many were injured. Monsignor Morabito, the bishop of Mileto, who distinguishes himself as a statesman.

HUNDREDS PERISH BY TEMBLORS

3 Provinces of Italy Laid Waste by Terrific Seismic Force

SHIPS SUNK BY WAVES

Thousands of Homes Destroyed and Whole Cities in Ruins

FLOODS TAKE BODIES

Appalling Extent of Disaster Prevents Complete Details

ROME, Dec. 28.—The three provinces of Cosens, Catansaro, and Reggio di Calabria, comprising the department of Calabria, which forms the southwestern extremity of Italy, or the "Toe of the Boot," were devastated today by the earthquake, the far-reaching effects of which were felt at most every point throughout the country.

The town of Messina, in Sicily, was partly destroyed and Catania was inundated. In Messina hundreds of houses have fallen and many persons have been killed.

Owing, however, to the fact that telegraphic and telephonic communications were almost completely destroyed, it is impossible to obtain even an approximate idea of the vast damage done.

Have Appalling The fate of the entire regions within the zone of the earthquake is unknown, but reports received here up to a late hour tonight indicate the havoc has been great and the destruction to life and property more terrible than Italy has experienced in many years.

The uncertainty of the situation for many thousands has filled all Italians with deepest distress, and they all have felt that the day may come when that part of the country which seems to have been most blessed by nature will be destroyed by the blind forces of that same nature, which nearly nine centuries ago overwhelmed Pompeii and Herculaneum.

All reports show that the present catastrophe embraces a larger area than the earthquake of 1905.

Tidal Wave Sinks Ships The tidal wave which followed the earth shocks on the eastern coast of Sicily sank and inundated the lower part of Catania.

It is known that a number of persons were killed at that place, but the rushing of waters carried everything before them and caused such an indescribable confusion that it will be impossible for some time to estimate the damage and the lives lost.

For a while the town of Messina and the whole province of Reggio were completely isolated through interruption to the telegraph and telephone and by landslides that obstructed the railroad.

Absolutely nothing was known of Reggio through the day, while the first news from Messina came in the form of a dispatch which a torpedo boat, flying at full speed along the coast of Sicily, brought from the station point, always finding the wireless down until it reached Nicotera, where the telegraph lines were found to be intact.

Situation Desperate From this point the dispatch was sent. It briefly stated that the situation was desperate, and after summarizing the immensity of the catastrophe ended with the announcement that Capt. Passino, commander of the local station for torpedo boats, was buried under the debris after having with other officials performed heroic work in trying to save others.

The Italian government proceeded energetically to relieve the widespread distress, concentrating at the points of greatest need troops and engineers.

Members of the Red Cross were dispatched to various places and camps with provisions were immediately prepared, all available railway lines and warships being used for their transport.

The city of Messina has suffered probably more than any other place, the latest information coming directly from that quarter stating that several thousand persons killed.

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