# OUT OF REACH OF SUBPENAS

## D. Edward Collins Fails to Appear to Give Deposition.

### Opponents Refuse Consent to Postponement and He Leaves for South.

Oakland Office San Francisco Call, 1118 Broadway, Feb. 4.

D. Edward Collins' deposition was to have been taken to-day to assist the case of Dr. George C. Pardee, Henry P. Dalton, G. B. Daniels and other members of the Enquirer Publishing Company, which he is suing for an accounting, but when that gentleman's name was called at 10 o'clock in William Lair Hill's office, where Mrs. Sarah M. Steele, a notary, was ready to proceed, there was no response. The reason for Mr. Collins' nonappearance was that he had not been served with a subpena and had more pressing business at Pasadena, where he is a delegate to the State convention of the Young Men's Christian Associations.

J. B. Richardson and Henry Ach, Mr. Collins' attorneys, were notified a week ago by William Lair Hill, the commissioner, that the deposition would be taken to-day. On behalf of their client they asked that the taking of it be postponed until after his return from the convention, but according to the attorneys this request was denied. But in the meantime Mr. Collins was not served with a subpena, so he was not bound to attend this morning.

"I think the other side thought the notice to the attorneys representing Mr. Collins was sufficient," said Mr. Richardson in explanation, "and forgot about the subpena. We'll be ready, however, after his return from the south."

William Lair Hill corroborates Mr. Richardson in regard to the refusal to postpone, but says that he could not consent to the proposition. He says he proposed to take the deposition last week, but that this was not satisfactory to his opponents. He says also that he tried to serve a subpena, but couldn't.

Mr. Collins, who is president of the local Y. M. C. A., left with Mrs. Collins, the Rev. E. E. Baker, Mr. and Mrs. H. J. McCoy of the San Francisco Y. M. C. A. and Mr. and Mrs. Kling on the morning train for Los Angeles.

## MRS. REEVES ATKINSON OFFERS STRONG DEFENSE

### Witnesses Testify to Having Heard No Unusual Noises at Her Sanitarium.

Witnesses for the defense in the case of Mrs. Reeves Atkinson, charged with maintaining a nuisance in the shape of a private sanitarium at 1815 Sutter street, were heard yesterday afternoon by Judge Fritz.

Mrs. Mary Smith, a servant at the institution, whom Mrs. Alma Keith said she had seen dragged around the yard by the hair of her head, testified that no such thing had occurred. She testified that she had always been treated with the utmost kindness. She further said she never heard any unusual noises.

Charles Worthington, James Ross, Mrs. M. Patenaude and Mrs. Bertha Walsh testified to having visited friends or relatives in the institution at different times and never heard any unusual noises. Mrs. Patenaude said her son had been at St. Mary's Hospital and the sisters had recommended the defendant's institution to her.

Policeman J. F. Welch testified that he had known the defendant for twenty-two years. He said that complaints had been made of loud noises in the sanitarium and he had been detailed to watch the place carefully. He had done so for an hour or half hour at a time and never heard any unusual noises. He used to hear Mrs. Guggenheim's parrot making considerable noise during the day. The case will be continued February 17.

## ARMY TRANSPORT GRANT IS ORDERED TO MANILA

In accordance with orders received from the War Department the transport Grant will sail from Manila next Saturday. The only troops who will leave for the Philippines at that time are 300 casuals, now on temporary duty at the Presidio. The officers who will accompany the detachment are Lieutenant Colonel Charles H. Noble, Sixteenth Infantry; Captain F. P. Siviter, quartermaster of the Twenty-eighth Infantry; H. D. Blasland, Twenty-sixth Infantry; Lieutenant H. D. Blasland, Twenty-sixth Infantry, and Lieutenant A. J. Woods, Sixth Cavalry. The Grant will make a three days' stop at Honolulu.

Major W. W. Gilbert of the paymaster's department has been assigned to duty in this city.

Major Robert J. Gibson, United States army inspector, has been appointed examiner of recruits, with headquarters in San Francisco.

The following named officers have arrived at the Presidio from Eastern stations and assigned to temporary duty with recruits pending their departure for foreign service: Captain W. H. H. Chapman, Twenty-fifth Infantry; Lieutenants H. L. James, artillery corps; G. W. England, Sixth Infantry; R. W. Thompson, First Infantry; M. M. Keck, Twelfth Infantry; A. J. Booth, Second Infantry, and Franklin S. Leisenring, Eleventh Infantry.

### Expectorators in Court.

Another batch of men charged with expectorating on the sidewalk appeared in the Police courts yesterday. As it was their first offense they were all discharged, but warned that a second offense would entail a fine or imprisonment, as the ordinance would be rigidly enforced. Abraham Cohen, one of the defendants, was arrested while standing looking at a sign in the window of an employment office on Commercial street warning people against violating the ordinance. He pleaded that he could not read.

### Failed to Remove the House.

P. G. Somps filed suit yesterday in the Justices' Court to recover $90 50 damages from H. S. Smith. Sumps alleges in his complaint that Smith agreed to remove a building from the corner of Twenty-second and Mission streets, but neglected to complete the work within the time required by the contract.

POSTUM CEREAL.

WASN'T CURED.

Didn't Get Well of Anything.

"I spent three weeks with a friend in Dayton last winter. She was using Postum Coffee exclusively as a beverage at meals. I said, 'I thought you were so fond of coffee that you could not be induced to give it up?' 'Well,' my friend said, 'we got to liking this Postum Coffee, for it serves as a food as well as a beverage, and we have all felt so much better since leaving off the old coffee.'

"I learned to make the Postum and made it fine, so when I went home I began to serve it to my husband instead of the old-fashioned coffee. About a week afterward I asked him how he liked the coffee, and told him I had been trying a new kind. He says, 'I think it is most excellent. Is it Mocha or Java or a mixture?' I told him that it was the famous Postum we had read so much about and he most jumped from his chair in surprise, but the change has become a fixture and he will never give up Postum and go back to the old-fashioned coffee, for we not only like it better, but we feel so much better in every way." This lady's name given by Postum Co., Battle Creek, Mich.

# PICTURE ADORNS POLICE ALBUM

## Paul Ford Proves to Be a "Social Highwayman" and Impostor.

### Clever Eastern Schemer Cuts Wide Swath in Local Society Circles.

Society has received an awful shock to its refined sensibilities. Discussion is rife at teas over the fact that Paul Davis Ford, alias H. F. Davis, alias Frohman, alias Jules Harvey Ford, and many other aliases, who is well known to the police of the large Eastern cities, had been received and dined by the first families of this city. Society discovered too late that the suave young Easterner, who ingratiated himself into the good graces of matron and belle, and partook of hospitality willingly extended, had been in prison for various offenses and that his picture reposed in the rogues' gallery of the Indianapolis police.

The expose of this "social highwayman" has created a sensation in social and club circles. Although Ford has been here but three months he has by suave address and abaundant nerve formed acquaintances among the leading set of this city. Ford made his first appearance here on November 7 last. He arrived in the company of D. Beeman of chewing gum fame and took up quarters at the Palace. He posed as a graduate of Cornell and gave out the information that he had played end on his college team. The Olympic Club was looking for strong material for its eleven and Ford was quickly engaged. He proved a good player and was picked to go to Hawaii with the team, but unfortunately for him the trip fell through.

At the Palace Ford posed as a New York business man. He made himself affable to all with whom he came in contact and it was not until he was accomodated with a loan of $80 by a young Southerner, a tourist from Tennessee, that the slightest suspicion fell upon him. He failed to return the sum and left the hostelry.

On November 10 Ford registered at the Eugene House, on O'Farrell street, informing the proprietor that he had been engaged to appear at the Orpheum. On the strength of that assertion he was allowed to run up a bill of $30.

On December 19 he registered at the exclusive Knickerbocker Hotel, on Van Ness avenue, giving as references the names of several highly connected people of the city. During his residence at the Knickerbocker he was enabled to run up a bill with Kelly Brothers, the liverymen. It was in consequence of his indebtedness to them that trouble ensued and he was told by Mrs. Robinson that his room was required. Ford left a two weeks' bill behind him.

Ford's method of operating in Indianapolis was to secure an introduction to some prominent society women, usually married, and after securing a ring or jewel from her pawn it. His dupes never dared call him to account for fear he would compromise them. He was arrested at one time and but for the aid extended him by a rich relative would have suffered long imprisonment. His picture was taken at that time and duplicates were sent over the country. A set adorns the archives of the local police department.

As a member of the football team Ford was accorded the privileges of the club and was entered on the books as an "athletic member." As soon as the board of directors learned Ford or Davis' true character they expelled him for "non-payment of dues." Ford has cards for other clubs, but will not be able to use the magic pasteboards to gain admission to the exclusive organizations. He created a wide swath in local society on nothing. Whenever he desired to dine out or attend a cotillon he had to hire a dress suit. The following day he would dispel his dream of happiness by returning the clothes. Those gentlemen who stood sponsor for Ford will have a nice time explaining their conduct.

# JUDGES GAIN HIGHER SALARY

## Senate Acts in Matter of Compensation Increase.

WASHINGTON, Feb. 4.—After brief discussion to-day the Senate passed the bill providing for a 25 per cent increase in the salaries of United States Judges. All amendments were voted down, including one to increase the salaries of Cabinet officers from $8000 to $12,500 a year.

During the remainder of the day's session the urgent deficiency appropriation bill was under consideration, the Philippine tariff measure being laid aside temporarily.

Hansbrough of North Dakota made a spirited defense of Judge Arthur H. Noyes of the District Court of Alaska, and Alexander McKenzie, upon whom an attack was made in the Senate yesterday. This precipitated a long discussion of the Noyes case, legal and technical, rather than personal. No action could be taken on this subject, but the discussion will be continued to-morrow under the latitude allowed when appropriation bills are pending.

John F. Dryden was inducted into office as the successor of the late Senator William J. Sewell of New Jersey.

Debate on the oleomargarine bill continued in the House to-day and the prospects are that a vote will not be reached earlier than Thursday. The opponents of the bill are making a strong fight so far as the presentation of argument is concerned. The speakers to-day were Tompkins, New York; Robb, Missouri; Knapp, New York; Bates, Pennsylvania; Davidson, Wisconsin; Driscoll, New York, and Hepburn of Iowa in favor, and Cowherd of Missouri, Lanham of Texas, Grosvenor of Ohio and Kleberg of Texas against the bill.

### Policeman Crackbon's Trial.

The trial of Policeman Crackbon, the officer who shot and killed John Pedro in the Mission on the night of January 24, was commenced last night before the Police Commissioners. Several witnesses were examined. Attorney O'Connor appeared as counsel for the defendant. Chief Wittman prosecuted Lieutenant Anderson's charges that Crackbon fired the fatal shot when his life was not in any danger. The witnesses examined last night testified to the finding of the body and to statements made by Crackbon to them after the shooting. The case went over until next Thursday afternoon at 3 o'clock.

### Outside Schoolrooms Unsanitary.

The Board of Health sent a communication to the Board of Education yesterday recommending that the auxiliary rooms of the Hearst Grammar School, on the corner of Steiner and Herman streets, be closed for a period of thirty days. Health Officer O'Brien says that notwithstanding the repeated fumigation of the rooms sickness has increased among the pupils.

### Nordica a Very Sick Woman.

Mme. Nordica is still a very sick woman. At a late hour last evening the following bulletin concerning her condition was issued:

"I hereby certify that Mme. Nordica, who is under my professional care, is in such a condition as to make it impossible for her to appear in public for at least ten days. JAMES W. WARD, M. D.,
"Attending Physician."

The management of her concerts announces that all money paid for seats will be refunded at Sherman & Clay's music store.

# LARGE EXHIBIT FOR ST. LOUIS

## Harriman Will See That California Is Represented There.

### Money Is Appropriated by Southern Pacific for the Purpose.

The Southern Pacific Company, through the generosity of President E. H. Harriman, intends to make a splendid exhibit at the St. Louis fair which will be of great benefit to California, and especially to San Francisco. W. H. Mills, land agent of the company, will have charge of the exhibit. He says of the matter:

The Southern Pacific Company has received a very liberal appropriation from President Harriman for the St. Louis Exposition, which opens in April of next year. We have already made application for two spaces in the exposition. One will be for an exhibition in a pavilion, showing the resources of the States and Territories that the Southern Pacific passes over; the other space will be used in making a good representation of San Francisco's position in the commercial world.

You must understand that San Francisco is the western terminus of the Harriman system of roads and it is the wish of the president to give all visitors an idea of the importance of this city. In the State and Territory exhibit California, Oregon, Nevada, Texas and Louisiana will be represented.

For the St. Louis exhibit Texas has appropriated $750,000 and Colorado $700,000, the latter spending it all for a splendid mining display.

### Typical San Francisco Scene.

The Southern Pacific Company has already dispatched a representative to Manila to collect specimens of cabinet woods from the Philippine Islands. The great fault with California at the present time is the dearth of cabinet woods. We feel, however, that when a conservative trade is established between this country and Manila San Francisco will be the great cabinet wood center of the United States.

We intend to have a large globe made, which will show the great importance of San Francisco as a commercial port, and owing to our liberal allowance we intend to have some large maps made also. We have as an exhibition splendid biograph pictures of the ferry-boats on San Francisco Bay and our street-car systems. We will also take fine pictures of the splendid forests of California and moving pictures of scenes in Golden Gate Park. On a special day we will ask the residents of San Francisco who own private equipages to assemble in Golden Gate Park and we will take a biograph picture of the scene to let the Eastern people know that we are not behind the times.

### County Exhibits Desired.

We have the finest forestry specimens in the world, and owing to St. Louis being so near to us we will take live specimens back with us and place them in the exhibition. One specimen will be a sugarpine twelve feet in diameter. We would have liked to have taken specimens of forestry back to Paris, but it was impracticable. St. Louis being so near we will have no difficulty in making a splendid showing in forestry there.

There is only one more remark I would like to make: The California Legislature does not meet until January of next year and it will then be too late to make an appropriation. What we would like now is for counties to make appropriations to boom their districts. Should they spend money in this way we will have all that more left to spend in other channels. Several counties have already communicated with me and have appropriated handsome sums toward the exhibition. I am also very anxious to get horticulturists and others to make donations.

I think a splendid advertisement for the State would be a luncheon every day with California fruit and California wines served.

## OF INTEREST TO PEOPLE OF THE PACIFIC COAST

### Army Officers Ordered to the Philippines and More New Pensions Granted.

WASHINGTON, Feb. 4.—The Postoffice Department to-day issued the following: Postmaster commissioned: Washington—Cora E. Dunn, Winona.

Army orders announce that Second Lieutenant William McE. Walton of the Thirteenth Infantry is ordered to Fort Slocum for duty with recruits to the Philippines via San Francisco, and contract Dental Surgeon George H. Cassaday, now in San Francisco, to duty in the Philippines. Captain James Canby, paymaster, is relieved from temporary duty at San Francisco and is ordered to St. Louis.

These pensions were granted: California: Original—George W. Williams, San Francisco, $8; William Dougherty, Santa Rosa, $6; David L. Murdock, San Diego, $10. Increase—Jacob E. Van Ostrand, Soldiers' Home, Los Angeles, $8; William I. Trillson, Veterans' Home, Napa, $17; Harmon S. Hogoboom, Hollywood, $8. Original, widows—Laura Oblinger, San Francisco, $8; Mary A. Newhouse, Arcata, $8.

Oregon: Increase—Christian Confer, Victor, $10.

Washington: Increase—James R. Thomas, Cleelum, $8. Widow, Indian wars—Penina Cardwell, Pataha City, $8.

Ex-Governor Budd of California appeared before the House Committee on Foreign Relations to-day in advocacy of the proposed Chinese exclusion law.

These patents were issued to-day: California—William Borrowe and J. Lumly, San Francisco, Borrowe assignor to M. E. Borrowe, Sausalito, machine for molding plastic materials; Edward F. Carr, Los Angeles, display box; Bee B. Clawson, Oakland, hydrocarbon composition; Ira G. Hoag, Los Angeles, train order box; Fred S. and W. D. Jacks, San Francisco, latter assignor to former, carburetor; Edwin F. Leilich, San Francisco, mechanical movement and bed motion for cylinder printing machines; Francis T. Leilich, San Francisco, button sewing machine; Andrew W. Livington, San Francisco, soldering machine; Jose Lombardero, assignor one-half to M. Garcia, San Francisco, music leaf turner; William H. Niemyer, Los Angeles, bicycle lock; George W. Price, assignor one-half to G. E. Harpham, Los Angeles, wrench; Henry B. Rudgan, Redlands, assignor to F. Stebler, Riverside, fruit brusher; Peter H. Russell, Comptonville, current waterwheel; Joseph C. Sala and G. Stabile, San Francisco, windmill; James E. Seeley, assignor to W. W. Sweeney Company, Los Angeles, artificial limb; Leo Stumpf, Covina, assignor to W. W. Sweeney Company, Los Angeles, stump socket for artificial limbs; John A. Swenson, San Francisco, mining dredge; Albert L. Towne and E. F. Clough, Fresno, acetylene gas generator; Nathan White, assignor to G. White, Pasadena, and S. Rosseau, Sierraville, power transmitter and speed controller; Clay G. Woodmansee, assignor one-half to R. C. Hamlin, Los Angeles, blowpipe torch.

Oregon—Otto Hoffmann, Portland, grass catcher, attachment for lawn mowers; Rudolph Joost and B. T. George, Gates, insect destroying apparatus; James R. Thompson, Portland, combined electric switch and spark blowout mechanism.

Washington—Albert G. Critchfield, Alto, fan or blast regulator; Naaman D. Hopkinson, pneumatic protector; William Scharnweber, assignor one-half to A. S. Gross, Seattle, knob attachment.

### Boxer Dies of "Athletes' Heart."

VICTORIA, B. C., Feb. 4.—Yokohama papers report a fatality in connection with Boxer Jack Slavin's visit to that city. The ex-champion gave a boxing exhibition in which one of his opponents was a colored man named E. F. Padmore. So unequally matched were the pair that Slavin told Padmore to "hit harder" and on his part did nothing more than deal what appeared to the spectators to be playful taps. At the end of the bout Padmore showed no signs of punishment, but toward midnight he became weak, complaining of chills and numbness and a pain in the region of the heart. Dr. Taylor of the United States Naval Hospital and two other doctors were called in, but in spite of their efforts he grew worse and died at 1:30 a. m. A post morten resulted in the cause of death being declared what is popularly known as "athletes' heart."

### Former Business Man Dies.

OAKLAND, Feb. 4.—Thomas M. Humphrey, formerly a well known business man of this city, died to-day at his home, 126 Athol avenue. A widow, son and daughter survive him, the latter being Miss Pearl Ola Humphrey, the actress. The deceased was 56 years old and a native of Minneapolis. He was a former member of the firm of C. F. Weber & Co. of San Francisco.

# HIS SUFFERINGS END IN DEATH

## Moses A. Hearne, a Well-Known Miner, Dies at His Hotel.

### Leaves a Valuable Estate to a Son, Who Resides at Redding.

Moses A. Hearne, one of the best known mining men in this State, died early yesterday morning at the Golden West Hotel. He had been ailing for several months, and his death was not unexpected.

Hearne was a living thermometer. He lived for years at Nevada City and worked as an amalgamator and assayer until his system absorbed so much mercury that his final years brought frequent pain. He was keenly sensitive to changes in the weather and in winter suffered acutely with rheumatism of his joints. In warm weather he raised erect to his full six feet 2 inches. On a cold day he could hardly move about and his whole nature was at the lowest ebb. He declared that he absolutely reflected the size and dropping of the mercury in his system.

Moses A. Hearne was 69 years of age. He had followed mining for many years and with success. He died owning property in Delamar, Nevada City and other places, and with $40,000 cash in a local bank. The heir to all this property is his only living relative, a son, John F. Hearne of Redding and Dunsmuir. Twelve or fifteen years ago Hearne went to Shasta County and located the Hearne group of copper claims near Kennett. The Shasta King is the principal mine of the group. The entire group was sold to the Trinity Copper Company about a year ago for $30,000.

# TAFT ADVISES SHARP ACTION

## Civil Governor of the Philippines Tells of the Warfare.

WASHINGTON, Feb. 4.—Governor Taft to-day continued his narrative before the Senate Committee on the Philippines concerning conditions in the Philippine archipelago. Referring to his testimony of yesterday, he said he feared he had given a wrong impression concerning the part the army had played in bringing the insurrection to an end, but if so this was due to the fact that he could not present a correct impression of the whole situation from one point of view.

Then, in order to give the army its just due, he took up and analyzed its work in the islands. He recalled that as soon as General Otis had received reinforcements sufficient for his purposes the Philippine army had broken up and scattered into guerrilla bands. On this point Aguinaldo and Luna had differed, Luna advocating the continuance of the war on the old lines. So sharp was this difference, he said, that Aguinaldo had directed and secured the assassination of Luna, thus leaving the way open for the carrying out of his own plans. He would not, he said, report the incident if it had not been positively reported to him by General Funston.

Aguinaldo said that if he did not kill Luna, Luna would kill him. Indeed, the custom was to order a man's death in his absence and have him killed upon his return. The presence of these guerrilla bands rendered it necessary to place garrisons everywhere, there being at one time as many as 500 of them. This rendered the work before the army very arduous, and the activity, the skill and the bravery of the American troops were such as to soon render the enemy tired of warfare. Speaking of the military policy in the Philippines Governor Taft said:

"The war has been all over in these islands, and that which remains is a crime against civilization. It is also a crime against the Filipino people to keep up a state of war under the circumstances. They have worn out the right to any treatment but that which is severe and within the laws of war."

Governor Taft also said that the great majority of the people of the islands desire peace, and that the insurrectionists were by their acts preventing the mass of the people from settling down and earning a quiet living. Instead of being allowed to do this they are kept under a system of terrorism, which should be stopped.

The condition of activity continued until the last Presidential election in the United States, said the Governor. The insurgents believed that if Bryan should be elected there would be a change of policy and the islands surrendered, placing those who were in insurrection in charge, but when McKinley was elected there was a feeling that there would be an indefinite retention of the archipelago and that the system then in force would be continued.

Discussing the effect of the guerrilla warfare Governor Taft said it often resulted in the murder of the Filipinos themselves.

"I venture to say that there is not a Filipino general or commanding officer who could not be convicted of responsibility for the killing of their people."

This led him to speak of the triats of the Filipinos, one of which he said is cruelty. He had been told by the American army officers of many instances of mutilation of the corpses of our soldiers. This being true, it was not surprising that there had been some retaliation on the part of some of the small bands of soldiers. He had heard no charge of mutilation, but there were probably some cases of unnecessary killing, some cases of whipping and some cases of what is called the "water cure," a method of punishment consisting of pouring water down the throats of men until they would swell up, and becoming frightened would tell what they might know, as, for instance, to where guns could be secured. In this connection he called attention to the orders of General MacArthur as to these practices, which were, he said, very strict. When these infractions of propriety had occurred he was sure they had been in the face of direct orders to the contrary.

### CONFERENCE IS SUGGESTED.

#### Senator Hoar Asks for Suspension of Hostilities in Philippines.

WASHINGTON, Feb. 4.—Senator Hoar to-day presented a petition signed by a number of distinguished citizens of this country for the suspension of hostilities in the Philippines and asking that an opportunity be given for a discussion of the situation between the Government and the Filipino leaders.

The following are among the names attached to the petition: Carl Schurz, George F. Edmunds, Judson Harmon, J. Sterling Morton, George S. Boutwell, Charles F. Adams, W. D. Howells, Samuel Clement, the Rev. G. H. Parkhurst, W. Bourke Cockran, Robert Treat Paine, Bishop Huntington, Bishop Vincent, Anson Phelps Stokes, John Burroughs and William Lloyd Garrison. Included in the list are the names of thirty-six professors in the Chicago University and a number of other educators.

### Licensed to Marry.

OAKLAND, Feb. 4.—Licenses to marry were issued to-day to Frederick T. Larsen, 21 years, Alameda, and Eugenie T. Heron, 21, San Francisco; Elisha B. Carrier Jr., 28, Covina, and Edith Youngs, 28, Berkeley; Fred Schultz Jr., over 21, and Emma Walter, over 18, both of Oakland; James W. Berry, 48, Sierra Valley, and Elizabeth M. Newton, 40, Berkeley; Albert E. Hall, 25, and Harriet M. Moore, 24, both of Haywards; Henry N. Cooper, over 21, Oakland, and Fannie M. Strong, over 18, Berkeley.

# ORDERS SPENCER AWAY TO PRISON

## Then Judge Harrington Relents and Rescinds Commitment.

### Lawyer Boyd's Plea Prevents Jailing of Aged Counsel for Modoc Men.

Special Dispatch to The Call.

ALTURAS, Feb. 4.—Lawyer John E. Raker's persistency in endeavoring to have placed on record several portions of Jervus Kresge's testimony before the Grand Jury resulted this afternoon in his associate, E. V. Spencer, being sent from the courtroom and later being sentenced to several hours in jail for contempt of court. Afterward Judge Harrington rescinded the jail order, merely humiliating Spencer to the extent of excluding him from the courtroom for a short time.

As soon as court opened this morning Raker precipitated the usual row by making application to the court to be permitted to read from Jervus Kresge's testimony before the Grand Jury. Judge Harrington ruled that the defense might question the witness only on such matters as might explain any discrepancy between the testimony given on the stand and that given before the Grand Jury. Incidentally he remarked that the court was as strong as the Rock of Gibraltar and when once a ruling was made it could not be changed by any sophistries and tricks by Raker to inject into the case old questions under new covers.

Raker continued to argue, and the court threatened to dismiss the jury from the room if he did not cease.

After the court had ruled Post explained that the prosecution did not desire to shut witnesses off from making statements in explanation of any testimony given in the present case before the Grand Jury or at the Coroner's inquest. Raker protested that the question had been closed and that the remarks of Post were out of order.

Post—Mr. Raker can't see the difference between my statement and an argument.

Raker—That is a nice remark to come from the Attorney General's representative—a nice remark to come from such a legal mind.

Post—It does not go to a legal mind, however.

The Court—Some members of the counsel before this bar should be transported to Dahomey to learn something.

#### Quarrel Is Later Resumed.

Post brought out the fact that the witness had testified before the Grand Jury that he had been advised by his attorneys that "if they (the Grand Jury) pin you too hard tell them you will not answer until you have consulted with your attorneys."

When the afternoon session began Raker again attempted to introduce the Grand Jury testimony.

Post—If this case ever goes to the Supreme Court we will meet you on the point of your trying to introduce such testimony.

Spencer—And we will meet you. You can't shut us out with your Sacramento laws.

Sturtevant—Sacramento laws, yes; because the Legislature made them there.

Spencer continued his sarcastic reflections and was cut off by the court threatening him with punishment for contempt.

Spencer—I'll talk as long as he does. I won't be shut off from replying to his remarks.

The Court—Mr. Sheriff, take Mr. Spencer from the room.

Spencer—Jail is a palace compared to this court. Take me out of the presence of this court and I'll be happy.

The Court (excitedly)—What's that? What's that? Call him back.

And addressing Attorney Boyd for the prosecution the court said:

Mr. Boyd, please get the remarks of Mr. Spencer from the reporter and write out a commitment. Mr. Spencer will go to jail until 6 o'clock to-night.

Raker begged the indulgence of the court and asked him to revoke his order. The court said he was sick and tired of the insults that had been piled upon him by the attorneys for the defense; that just as the affairs of court settled down to a calm basis some one of the attorneys for the defense had to throw fat on the fire and rekindle the flames; that there was a limit to patience; that his every action had been construed by the counsel for the defense as opposed to the defendant, "Jim" Brown, and that he would not stand any further insults and abuse.

#### Boyd Pleads for Spencer.

Boyd of the prosecution, who is from Lassen County, arose and asked the court to revoke the order for imprisoning Spencer, as he was an old, gray-haired man. He said that in Lassen County Mr. Spencer was looked upon as the "daddy" of the bar and that he (Boyd, being one of the younger members of that bar, took the liberty of asking Judge Harrington to let Mr. Spencer's offense pass.

Judge Harrington revoked the order and permitted Judge Spencer to return to the courtroom.

James B. Stobie, a resident of Klamath County, Oregon, was called to the stand and asked as to "Bob" Courtwright's reputation in Oregon, but the questions were ruled out. The witness was then asked if on the 15th of May last he had not seen John Hutton on the road near Tule Lake (on the border line between Oregon and California). The prosecution objected and an argument which lasted all the afternoon followed. Both sides introduced many authorities to support their claims, and the question had not been decided when the court adjourned.

## WEDDING THE SEQUEL TO STAGE ACQUAINTANCE

LOS ANGELES, Feb. 4.—Ida Gertrude Banning, daughter of Mr. and Mrs. William L. Banning of this city and Gilbert E. Gardner were married this afternoon. Although both have a wide circle of friends in Los Angeles, the bride having been born in this city. The ceremonies were simple and only relatives of the two families were present.

The bride comes from one of the oldest and most prominent families in Southern California, being a granddaughter of General Phineas Banning, a pioneer shipowner, and, in the early days, owner of a stage line operating between this city, San Pedro, San Diego and Arizona. The town of Banning was named after him.

Ida Gertrude Banning was educated in Los Angeles, graduating from Hanna College. She had considerable histrionic ability and adopted the stage as a profession. At her first public appearance, four years ago, when she essayed the juvenile part in "The White Squadron," put on the boards here by the Alcazar Stock Company of San Francisco, she met Mr. Gardner. The latter was spending his summer vacation with his parents in this city and filled a vacancy in the company during its engagement here. Mr. Gardner is at present juvenile man with the Morosco Stock Company in San Francisco.

Mr. and Mrs. Gardner left on the Owl for San Francisco, where they will reside during the remainder of the groom's engagement. When asked if she would still follow the profession in which she has gained considerable favorable notice, the bride replied:

"Not unless I may join Mr. Gardner's company."

### Neill and Donovan Fight a Draw.

LOS ANGELES, Feb. 4.—Al Neill and Mike Donovan fought twenty rounds tonight to a draw. Neill did not perform as well as he did in his previous matches, being slower and not in perfect condition. Donovan was in fine shape and made a fast and determined fight. Neill jabbed Donovan a thousand times with his left, closing his left eye tight, but Mike was there all the time and ready for more. After the sixteenth round Neill tired somewhat and lost some of his speed. Donovan forced him about the ring for a time and evened up matters enough to get a draw. The attendance was 4000.

Pyrography Outfits

And all kinds of Artists' Materials, Paints, Brushes, Canvas Studies and Skins and Wood to burn. We are agents for Winsor & Newton, makers of the best Artists' Materials in the world. Come to headquarters for everything wanted in the Artists' Material line. Sanborn, Vail & Co., 741 Market street.

# FALLING WALLS CRUSH FIREMEN

## Ten Men Killed and Many Injured at St. Louis Blaze.

### Friends of the Victims Search for Bodies in the Ruins.

ST. LOUIS, Feb. 4.—At least ten men were killed and as many more injured at a fire which broke out to-night in the seven-story stone and brick building at 314 Chestnut street, occupied by the American Tent and Awning Company. The building suddenly collapsed and the half dozen men were caught in the crash. Search is being made for the bodies by friends of the men. The dead are:

**AUGUST THIERRY, first assistant chief, caught in the ruins.**

**MICHAEL KEHOE, assistant foreman Company No. 13, caught in ruins.**

**DANIEL STEELE, foreman of No. 12 Company, caught in ruins.**

**WILLIAM DUNDON, pipeman.**

**CHARLES K. KRENNING, pipeman.**

**PATRICK BERGEN, assistant foreman.**

**Three pipemen, names unknown.**

The injured are: Frank Lingo, driver of No. 6 aerial truck, thrown from truck while working forty feet above the ground, seriously injured; Monroe Moore, inspector for the Imperial Electric Light Company, badly injured by falling through a shaft; Patrick McCarthy, engineer company No. 6, caught by falling walls, seriously hurt; William Julieb, Marshal Thierry's driver, caught by falling wall, seriously hurt; William Wand, foreman company No. 23, severely injured by falling walls.

The building in which the fire originated was located in the old business section of the city and was about fifty years old. The blaze, which proved a hard one for the fire department to master, had been got practically under control, when suddenly the building collapsed. Three pipemen, at work on the second floor, had had difficulty in managing a line of hose and Assistant Chief Thierry was on his way with three of his men to lend them aid. The men went down with tons of twisted iron, brick and wooden columns enveloping them.

Following is a list of the losses: American Tent and Awning Company, $25,000; McLean & Tate, loss on building, $35,000; Herman Ruppelt, job printer, $10,000; scattering, $5000.

## VESSEL RUNS ASHORE NEAR JAPAN'S COAST

### Steamer Knight Companion, Well Known at Portland, Will Be a Total Loss.

PORTLAND, Feb. 4.—A cable dispatch to the Oregon Railroad and Navigation Company says the steamship Knight Companion is ashore in the China Sea near Idzumi, Japan. All the crew and passengers were saved. The Knight Companion is one of the regular line of steamers of the Portland and Asiatic Steamship Company, which ply between Portland and the Orient in connection with the Oregon Railroad and Navigation Company. Her gross tonnage is 4062.

LIVERPOOL, Feb. 4.—Advices received here to-day say that the British steamer Knight Companion, ashore at Inuboye Saki, Japan, will probably become a total loss.

# CHINESE FAIL IN PERIL'S HOUR

## Senate Committee Advised About Conduct of Crews.

WASHINGTON, Feb. 4.—The Senate Committee on Immigration to-day heard further arguments on the subject of Chinese exclusion, ex-Governor James H. Budd of California appearing in behalf of the Mitchell-Kahn bill, which he said was simply a codification of the statutes in existence. He said there was nothing radical in it.

Andrew Furuseth, on behalf of the seamen, spoke of the unreliability of the Chinese sailors in time of emergencies on shipboard. He cited the collision between the City of Chester and the Oceanic at the Golden Gate. The former vessel, manned by American seamen, was sunk, but the Oceanic's Chinese crew rendered no assistance, having become terrorized, and it remained for some of the American sailors of the Chester to go to the Oceanic, man her boats and enter upon the work of rescue. He also cited the case of the United States transport Lennox, disabled in the Pacific, whose Chinese crew refused to man the boats to bring assistance.

Furuseth, in answer to Penrose, said that the ship subsidy bill as it stands now would not have a tendency to bring more sailors aboard ships or to ameliorate or improve their condition. He declared that he had obtained information from an official in the Bureau of Navigation of the navy that during the war with Spain we had only six properly manned warships. This led to considerable questioning and Fairbanks wanted to know the name of that official who gave this information, but Furuseth could not recall it, saying, however, it could easily be ascertained.

Asked to name the warships he had referred to, he could recall but five and mentioned the Oregon, Iowa, Texas, New York and Brooklyn. In response to questions by Clay and Fairbanks, he said his remarks applied to skilled seamen, regardless of nationality. On one occasion, he said, he visited a Government ship at the Washington navy-yard and out of twenty-one men aboard her only one was a native American.

After fifteen years of careful study, he said, it was his firm conviction that the United States lost her seamen because of the treatment she gave them and he concluded by saying it was not safe to put the merchant marine of the Pacific into the hands of the Chinese.

President Gompers, speaking in behalf of the Federation of Labor, said he desired to correct the impression that Chinese exclusion was desired solely by the Pacific Coast States. He said it was asked for by all the organized wage-earners, regardless of the section from which they hail.

## CLEVER SNEAK THIEF RIFLES CASH DRAWERS

### Shoe Dealer and Produce Merchant Lose Their Coin While Away From Their Stores.

The till in the shoestore kept by M. Goldman at 128 Ninth street was robbed yesterday morning by a daring thief, who secured $110 50 and made his escape. The thief rifled the till while Goldman was next door talking with a neighbor. Goldman had intended using the money to pay the shoe bill.

Ernest May, a produce dealer, was robbed in much the same manner last Saturday morning. May stepped into the yard in the rear of his store at 118 Ninth street and when he returned a few minutes later he discovered that $15 had been abstracted from the cash register. It is believed by the police that both robberies were committed by the same thief.

# WOMAN PLEADS FOR A FAVOR

## Companion of the Biddles Asks for Change of Venue

### Mrs. Soffel Is Penitent, but Will Not Make Disclosures.

BUTLER, Pa., Feb. 4.—Realizing that she has ruined her husband, Mrs. Soffel does not wish to bring further disgrace and humiliation upon him. She now desires a change of venue when she faces justice.

In tears and piteous pleading she made this request to Assistant District Attorney Robb of Allegheny County in the hospital here to-day. She said she would go anywhere to have the punishment meted out to her for her crime. She is willing to meet any fate the law may place upon her, but does not want the punishment administered in the Courthouse across the street from her old home. She begged and pleaded with Robb for almost two hours to grant her this much. She begged in the name of her husband, who is Robb's friend, and told him that her husband was in no way to blame for her shameful conduct.

Robb told her he was a friend of her husband and would like to lighten the burden of his sorrow and disgrace, but could not make any definite promise to her at this time. When she had finished her pleadings Robb questioned her with particular reference to the places where the party took refuge in their flight. She listened, but refused to make any reply that would incriminate those who were connected with the plot.

PITTSBURG, Pa., Feb. 4.—From 9 to 12 o'clock to-day the bodies of John and Edward Biddle were exposed to public view at an undertaking establishment and several thousand persons passed before the coffins. In the crowd were probably as many women as men. The burial will take place to-morrow morning in one large grave in Calvary Cemetery. No arrangements have as yet been made for the attendance of a priest or minister.

On the caskets of the Biddles were sprigs of fern and white carnations sent for the purpose by some woman whose identity is unknown. The flowers were sent to the undertaker, with the request that they be placed upon the caskets, and that it be known everywhere that they were the gift of a woman.

The crowd about the undertaking establishment became so great that the doors were closed by the police on account of the crush. Thousands of people, mostly women, were unable to gain admission to view the bodies, and for several hours after the closing of the doors hundreds lingered about the place, hoping that the doors would be opened again. Many women carried flowers for the dead, which they left with the undertaker to be placed on the grave to-morrow.

## PLANNING ADJUSTMENT OF RAILWAY RATES

### Suggestions Are Made by the Interstate Commerce Committee of the Senate.

WASHINGTON, Feb. 4.—Senator Elkins, chairman of the Interstate Commerce Committee, to-day introduced a bill making a number of changes in the interstate commerce law, the most important of which are the following: Giving the Interstate Commerce Commission authority under certain conditions to fix railroad rates and legalizing pooling.

The provision with reference to the fixing of rates authoriz