

# ORANGE GROVE AS GARDEN PROPOSED

## Final Negotiations for Panama Concession Are Begun.

### Treaty Will Be Ready to Be Acted Upon When Congress Meets.

#### State Department Is Assured That France Will Not Interfere With Transfer of Title.

Special Dispatch to The Call.

WASHINGTON, July 9.—The Panama canal is already as good as purchased and the concessions from Colombia secured. The whole negotiations will be completed before the close of the year and the treaty with Colombia sent to the Senate at the beginning of the short term of Congress next December. The State Department this morning began final negotiations with the representatives of the new Panama Canal Company and the Colombian Government looking to the transfer of the property of the canal company to the United States and the grant of new concessions to this Government by Colombia.

The State Department has assurances that France will not interfere with the transfer of title from the new Panama company, and Colombia will grant necessary concessions for the canal to be owned and controlled by this Government.

The Spooner canal bill was called a compromise before it became a law by act of Congress. It is no longer regarded as a compromise. It is an act for the construction of a canal. There is no probability of the Nicaragua route receiving further consideration. The advocates of the canal for the purpose in having the Nicaragua route named in the act. That was to influence Colombia in not making extravagant demands for the canal concession. But all other questions are settled.

#### PAPERS ARE EXAMINED.

The final negotiations for the conclusion of the definite treaty between the United States and Colombia, which is to authorize the construction of the Panama canal, began at the State Department today at a meeting between Secretary Hay and Mr. Cromwell, the representative of the Panama Canal Company, and the Colombian legation here. At the same time, in order that the settlement of the canal negotiations connected with the transfer of the canal company's property to this Government might run concurrently with the diplomatic settlements between the United States and Colombia, Cromwell, at Secretary Hay's instance, laid before the Department all the papers which in his possession calculated to assist the Attorney General in his work of settling the title.

After conferring verbally with Cromwell Secretary Hay turned over to him a mass of papers, which the Consul examined carefully. While a definite conclusion was not reached to-day it is said that a distinct advance was made toward the end. Some correspondence must be had with the Colombian Government, but this can be done by cable, and it is believed that the treaty can be signed within a week.

#### COLOMBIA ACTS PROMPTLY.

Concha, the Colombian Minister here, has received advice from the Government, which Cromwell transmitted to the State Department, to the effect that the Colombian Government had decided to appoint a non-partisan commission to rearrange the electoral and provisional districts of Colombia, and it was believed that the way being clear for new elections the Congress could be elected and assembled within the next few months and the body could proceed at once to ratify the canal treaty, which is to be concluded here.

It is inferred from this statement that an arrangement has been reached between the Colombian Conservative party and the Liberalists for the termination of the revolution, which has now lasted more than two years.

Charles W. Russell, the special attorney of the Department who has been delegated to proceed to Paris to examine the title of the new Panama Canal Company, left here this afternoon for Atlantic City, where he will hold a final consultation with Attorney General Knox. Judge Russell probably will sail within a week for France. The date of the departure of the Attorney General, who will join Russell in Paris to make the final examination of the title, has not been definitely fixed, but it probably will be early in August.

#### Supreme Judges Are Renominated.

SPRINGFIELD, Mo., July 9.—The Democratic State Judicial Convention completed its work at 7 o'clock this morning after being in continuous session since 9 o'clock last night, nominating the following for Justices of the Supreme Court: Gavon C. Burgess, of St. Louis; Justice; Leroy B. Valliant of St. Louis, and James D. Fox of Fredericktown. Burgess, Burgess, Valliant are members of the present court.

#### DR. PIERCE'S REMEDIES.

"Shut your eyes, open your mouth and see what luck will bring you."

The mother smiles at the childish game, and doesn't realize that it is a game she as a woman has perhaps played for a great many years.

Many a woman is weak and sick, nervous and discouraged. She suffers from headache, backache and other ills. She wants to be well, but all she does is to shut her eyes and open her mouth for medicine and trust to luck for results.

She "doctors" month after month, often a year, in this same blind, hap-hazard fashion, and receives no permanent benefit.

Women take Dr. Pierce's Favorite Prescription with their eyes open to the fact that it cures womanly ills. It cures the irregularity. It dries debilitating drains. It heals inflammation and ulceration and cures female weakness. There is no trusting to luck by those who use "Favorite Prescription."

"My disease was displacement and ulceration of the uterus, and I was in a terrible condition with pain and weakness and had given up all hopes of ever being well again," writes Mrs. Harry A. Brown, of Orono, Penobscot Co., Me. "I had doctored with four different doctors within four months, and instead of getting better was growing weaker all the time. I decided to try your 'Favorite Prescription.' Golden Medical Discovery," and 'Pleasant Pellets,' as I had heard of the many cures resulting from their use. I bought five bottles and felt so much better after taking them that I kept on until I am as well as ever in my life, and to Dr. Pierce all the praise is due. I cannot say enough in favor of his medicines. I began to gain weight and my weight only weighed one hundred and twenty pounds. I now weigh one hundred and sixty pounds. I gained forty pounds in six months. I shall do no more with home doctors, as I still waste so much money. I am now in perfect health, thanks to Dr. Pierce's 'Favorite Prescription.'"

Dr. Pierce's Pleasant Pellets clear the sandy complexion.

# FLOODS IN IOWA CASE BIG LOSS

## Nearly All the Streams in State Are Out of Their Banks.

### Bridges Are Destroyed, Crops Ruined and Livestock Swept Away.

#### DES MOINES, July 9.—The Des Moines River reached the high water mark of 1892, which was twenty feet at midnight. At this hour the levee on the north side of town broke, flooding a large residence section. Most families removed earlier in the evening. A small break occurred in the Raccoon River levee just after midnight, and a large force of men is attempting to hold the flood in check. Two Rock Island eastbound passenger trains due here to-night are held at Commerce, twenty miles west of here, where the tracks are covered with water. Trains on other roads, though late, keep in motion.

The Des Moines River dam is weakening. If it goes out it will endanger the four city bridges and all the railroad bridges. The false work of the new Sixth-avenue bridge, which went out last night, today swept away to the west end of the Chicago and Great Western Railroad bridge over the Des Moines. South of the junction of the Des Moines and Raccoon rivers is a three-mile wide fan of sandy mud, and is destroying crops and drowning livestock.

The continued rains have forced nearly all Iowa streams from their banks, and the destruction of crops, livestock and other property is assuming immense proportions. It is impossible to estimate the damage from the indefinite reports received. The damage is especially great in the western and southwestern parts of the State. The valleys of the Sioux and Maple rivers are flooded, and Woodbury and Monona counties are under water. The Iowa River at Marshalltown is the highest since 1881. Many country bridges have been destroyed, and houses and barns have been drowned in large numbers in the Iowa Valley. At Cedar Rapids 5.4 inches of rain has fallen since July 7. The Cedar Rapids River is out of its banks and many families have been forced from their homes. Numerous bridges have been swept away in Linn County. The Skunk River and Squaw Creek are out of their banks, and near the confluence near Story County thousands of acres are flooded and crops practically destroyed.

The continuous rains are paralyzing business at Fort Dodge, and the railroads are almost out of business. The west end of the city is inundated and families are moving out. The Des Moines River is up six feet at that point. Because of the saturation of all the insulation on the wires electric power has been shut off, and the town is in darkness.

Near Oxford in Johnson County, in a windstorm last night Jacob Burkhardt was crushed to death by the falling of a barn on the farm of Wesley Frush. Half a dozen barns were destroyed in the same neighborhood. Near North Liberty the residence of Jacob Neidinger was wrecked and the family had a narrow escape. All over Johnson County the storm destroyed windmills and barns. The damage in the county is estimated at \$50,000.

A deluge visited the town of Exira last night, and the trains on the Audubon branch of the Rock Island could not pass that point to-day. The town is under four feet of water.

The Raccoon River at Adel, after being stationary all day, began rising steadily to-night. It shut off the electric light plant, and is doing great damage.

#### CLONBURST IN COLORADO.

### Great Damage to Railroads and Mines in Fremont County.

PUEBLO, Colo., July 9.—Accounts are coming in to-night of a cloudburst which swept the Wet Mountain Valley, the Grape Creek region and other portions of Fremont County. Water was four feet deep in a portion of Florence.

The Santa Fe Railroad lost two iron bridges and 150 feet of track. It is reported that Chandler Creek ran into the Chandler coal mine and filled it, but this may be exaggerated. Crops in the Wet Mountain Valley were washed out. It is feared that Grape Creek, the most dangerous stream in the country in time of freshets, will do damage to an irrigation system there, which supplied orchards and nurseries around South Canon. The Arkansas River rose six or eight feet here, but has done no damage as yet.

#### NEBRASKA'S LOSS BY FLOOD.

### Conservative Estimate Places It at More Than a Million Dollars.

OMAHA, July 9.—A conservative estimate places the loss from floods in Nebraska at more than \$1,000,000, and some estimates exceed twice that sum. The rainfall that began last evening continued up to noon to-day. Reports received to-day show the conditions in the flooded districts to be worse than at first reported.

At Superior, Neb., the Burlington Railroad lost 100 feet of track, which slid into the Republican River, and the Santa Fe was blocked last night by a foot of water running over the roadbed for a mile west from that point. At Blair, a quarter of a mile of the Northwestern's track was washed out, and the town of Herman is still in the midst of a lake.

#### MISSOURI RIVER IS RISING.

### Rain Continues and the Danger Point Is Near at Hand.

KANSAS CITY, July 9.—The rainfall at Kansas City thus far in July is four inches in excess of the normal fall for the whole month. Rain fell generally to-day in Kansas, Nebraska and Western Missouri. Many trains arrived here late because of inundated tracks.

The Missouri River is rising steadily to-night and will reach the danger point before morning. Rain is falling to-night, and a clear weather comes the river will fall as rapidly as it rose. The only damage done so far is by the flooding of cellars in the bottoms.

Andrew Erickson, a farmer, was drowned in the Kaw River at St. Marys, Kans., to-day.

#### TRAIN GOES THROUGH BRIDGE.

### Fireman Is Killed and Engineer Fatally Injured.

PEORIA, Ill., July 9.—A terrific electric and rain storm swept Peoria and adjacent country last night. A Lawrence and Western freight went through a bridge at Harmdale, six miles from here. In the bottom of Farm Creek. The engineer was fatally injured, and the fireman lies dead by the engine. The Toledo Peoria and Western passenger train due here last evening struck a landslide twelve miles east of here, and the engine was derailed. The damage to the timothy and oat crop is very heavy.

#### Ancient Dams Washed Away.

MONTREY, Mexico, July 9.—A special from Parras, State of Coahuila, says: A cloudburst covering an area of fifty square miles to-day did damage to the extent of \$400,000. The big Patagiana dam, the largest in Northern Mexico, broke with all the floodgates open and was destroyed. The San Lorenzo dam, which had been standing for more than 200 years, also was washed away. This dam was built of solid masonry about 1575.

#### Fields of Grain Destroyed.

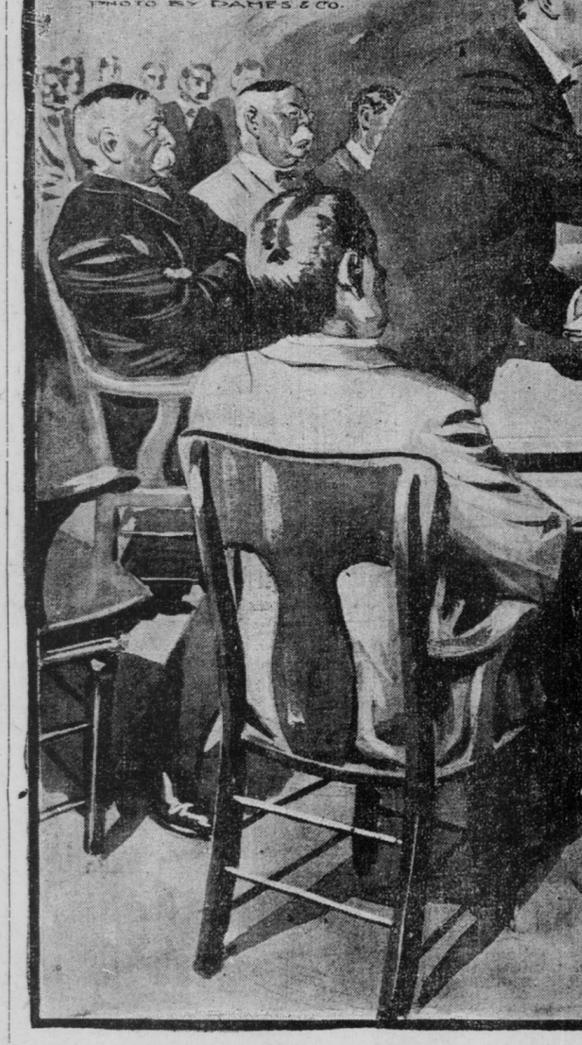
EASTON, Pa., July 9.—A cloudburst in the Upper Bushkill district of Northampton County last night did a vast amount of damage. Only meager details are obtainable, owing to washouts and the destruction of telegraph and telephone lines. Charles Abel, a farmer, was killed by lightning. The Bushkill Creek overflowed its banks and many fields of grain were destroyed.

# LEGAL TRICKERY ON PART OF GAGE PREVENTS HEARING OF LIBEL SUIT

## Judge Fritz Is Estopped in Trial by Writ of Prohibition and With Exception of R. M. Fitzgerald, None of Subpoenaed San Quentin Officials Answer Law's Mandate



R. M. FITZGERALD, PRESIDENT OF THE BOARD OF PRISON DIRECTORS.



ONLY OFFICIAL CONNECTED WITH SAN QUENTIN PRISON WHO OBEYED SUMMONS TO ATTEND TRIAL OF LIBEL SUIT AND SCENE IN COURT WHEN ATTORNEY CAMPBELL ASKED THAT WITNESSES BE INSTRUCTED TO BE PRESENT WHEN THE CASE IS NEXT CALLED.

Mr. District Attorney, as to the time? Mr. Whiting—Well, I suppose as the writ is returnable on Friday, the witnesses are there will not be a decision for four or five days after that—two or three days at least. The matter had better be continued a week from to-day.

The Court—A week from to-day. Mr. Whiting—Monday, Tuesday or Wednesday.

Mr. Campbell—A week from to-day. The Court—A week from to-day at 10 o'clock.

Mr. Campbell—If your Honor please, there were a large number of subpoenas issued for witnesses in this case. A great number of them have not been found, some have. I would like to have those who have been returned found called and ordered to return here one week from to-day at 10 o'clock.

The Court—Very well, if you will give the names to the bailiff.

Mr. Campbell—There is R. M. Fitzgerald—all those who have been served, Mr. Bailiff, J. A. Edgar. Here is the other one, Hunter, Burns.

(Bailiff Dougherty retired to the courtroom door and called the witnesses.) Bailiff Dougherty—None of these gentlemen answer.

Mr. Campbell—Mr. Fitzgerald is in court. Bailiff Dougherty (interrupting)—Is John Doe Oliver in court?

Mr. Campbell—Well, we will take an order on the witnesses that are present, if your Honor

# CHICAGO STRIKE TO END TO-DAY

## Curran Agrees to Terms Proposed by the Railroads.

### Settlement Is Hastened by Lukewarm Attitude of the Men.

Special Dispatch to The Call.

CHICAGO, July 9.—The strike of the freight handlers is virtually settled. Meetings of the strikers will be held to-morrow.

Mr. Curran said to-night after a conference with the general managers of the railroads that he had agreed to their terms because the majority of his men were "going back" on him, there is little doubt the terms will be accepted at the mass-meeting of the strikers to-morrow.

By the terms of the settlement the strikers accept the schedule of wages offered them by the railroads on July 1. This schedule was emphatically refused by the strikers at the time it was made. It offered an average increase of 20 per cent for all classes of labor connected with the Freight Handlers' Union. The demands of the men would have made an average increase of about 30 per cent.

The railroad companies at the time of offering the increase on July 1 said that under no circumstances would they recognize the union of the freight handlers to the extent of allowing the officers of the organization to make terms for the men with the officers of the railroads by which they were employed. The officers of the chief reasons for the strike, the men insisting that the union should be fully recognized. The railroads have won a complete victory on this point. The attitude of the roads toward the Freight Handlers' Union is the same as that toward the union of the freight handlers demand something that no other organization of railroad employees in Chicago had asked, and the managers announced that under no circumstances would they agree to this.

Sub-committee of the Freight Handlers' Union said after the meeting with the general managers to-night that he practically had no choice but to accept the terms of the settlement.

"Two-thirds of them would have gone to work in the morning," said the sub-committee. "and it was simply a question of doing the best possible under the circumstances. The strikers are not going back on their own men to accept the terms of the roads."

The action of the teamsters was a pointed factor in settling the strike. They took issue with the freight handlers, and intimated that no assistance could be expected from the strikers. The strikers and freight handlers had struck against the advice of the Chicago Federation of Labor.

#### IMPORTING NON-UNION MEN.

### Union Pacific Slowly Replacing Cheyenne Strikers.

CHEYENNE, Wyo., July 9.—The Union Pacific is slowly importing non-union men to replace the Cheyenne strikers and now claims to have 275 men at work. The strikers say the figures are exaggerated in the hope that they will grow disheartened. So far the strikers have offered no violence to the non-union men, and leaders say the new men will not be molested.

GALESBURG, Ill., July 9.—The Chicago, Burlington and Quincy Railway has shipped 140 cars of mixed freight from Chicago to be sorted here and reshipped to different parts of the country. A squad of extra men assisting the division force in assorting the freight and reshipping it.

#### Strikers Gain an Advantage.

CHARLESTON, W. Va., July 9.—The cause of the strikers was strengthened to-day when the agents of the operators were advised by the Chesapeake and Ohio Company that it could not haul the coal offered pending the settlement of the strike. The Rothermel and Goochett Engineers will not transport coal taken out of the mines while the union men are on a strike and has so notified the company.

#### Strike Without Knowing Why.

BEAUMONT, Tex., July 9.—The employees of the Santa Fe machine shops here have walked out on telegraph orders from the heads of the union. The leaders of the men here declare that they do not know why they were ordered out, unless it is in connection with the grievances complained of by the strikers at Cleburne, Tex. There has been no trouble of any nature.

#### Apply for Old Positions.

PAWTUCKET, R. I., July 9.—The street railway employees, who last night declared their strike off, to-day applied for their old positions and signed contracts agreeing to work eleven hours in twenty-four at the rate of 18-23 cents an hour. The strike was for a ten-hour day, with pay at 25 cents an hour.

#### New Things in Cameras.

New cameras, new films, new plates, new papers. Full lines of fresh goods at correct prices. Also printing and developing. Sanborn, Vail & Co., 741 Market.

#### Morley Signs a New Pitcher.

LOS ANGELES, July 9.—Manager Morley of the Los Angeles ball team has signed Pitcher James St. Vrain, at present with the Memphis club of the Southern League. St. Vrain commenced the season with the Chicago American League team.

# DR. KILMER'S SWAMP-ROOT. IS IT AN EPIDEMIC?

## Vital Statistics Show an Alarming Increase in an Already Prevailing Disease—Are Any Exempt?

At no time in the history of disease has there been such an alarming increase in the number of cases of any particular malady as in that of kidney and bladder troubles now preying upon the people of this country.

To-day we see a relative, a friend or an acquaintance apparently well, and in a few days we may be grieved to learn of their serious illness or sudden death, caused by that fatal type of kidney trouble—"Bright's disease."

Kidney trouble often becomes advanced into acute stages before the afflicted is aware of its presence; that is why we read of so many sudden deaths of prominent business and professional men, physicians and others. They have neglected to stop the leak in time.

While scientists are puzzling their brains to find out the cause, each individual can, by a little precaution, avoid the chances of contracting dreaded and dangerous kidney trouble, or eradicate it completely from the system if already afflicted. Many precious lives might have been, and many more can yet be, saved by paying attention to the kidneys.

It is the mission of The Call to benefit its readers at every opportunity, and therefore we advise all who have any symptoms of kidney or bladder trouble to write to-day to Dr. Kilmer & Co., Binghamton, N. Y., for a free sample bottle of Swamp-Root, the celebrated specific which is having such a great demand and remarkable success in the cure of the most distressing kidney and bladder troubles. With the sample bottle of Swamp-Root will also be sent free a pamphlet and treatise of valuable information.

Don't make any mistake, but remember the name, Swamp-Root, Dr. Kilmer's Swamp-Root, and the address, Binghamton, N. Y., on every bottle.

# RUSSELL SAGE'S QUEER BLUNDER

## Figures as the Plaintiff Against Himself in a Suit.

NEW YORK, July 9.—Russell Sage said this afternoon that the use of his name in connection with the proceeding at Newark against the United States Steel corporation was unauthorized.

"I am one of the company's largest stockholders," said Mr. Sage, "and I would not attack my own property. I gave my proxy and voted for the bond conversion plan, and so cannot appear as a complainant in an action to prevent it."

Later Mr. Sage was in conference with Frank S. Eklus, his attorney, for more than an hour. The closing of the conference Mr. Eklus gave out the following statement:

With reference to the statement that Mr. Sage did not authorize my firm to have him intervene as a party defendant in the action brought by Mr. Hodge and others against the United States Steel Corporation, Mr. Sage informs me just now that he did authorize us to take the necessary proceedings to withdraw his name as plaintiff in the suit, and to institute the proceeding was given to me personally by Mr. Sage and he confirms it. Mr. Sage has written me the following letter:

"Dear Mr. Eklus: Yours of the 9th inst. received, informing me that I have been made a plaintiff in the suit brought by Hodge and others against the United States Steel Corporation, enjoining the issue of \$250,000,000 bonds, seems to me to be entirely unexpected. I fully authorized you to act as you did. I know that you acted in good faith, believing that I fully authorized you to act as you did. I find that I gave my proxy to Mr. Morgan and vote for the issue of these bonds, and therefore do not want to be a plaintiff in a suit. I hereby request you to take the necessary proceedings to withdraw my name as a plaintiff. RUSSELL SAGE."

#### LIEUTENANT HICKMAN TO BE COURT-MARTIALED

### Accused of "Ducking" Filipinos as a Means of Obtaining Information.

MANILA, July 9.—General Chaffee has ordered Lieutenant Edward A. Hickman of the Tenth Cavalry to Manila for trial by court-martial on the charge of cruelty to natives of Tayabas province. It is asserted that Hickman "ducked" two natives in a stream in order to obtain information. He is further charged with having "ducked" a third native, who died from maltreatment.

The defense of the Ryan court-martial closed to-day. The arguments will be heard Saturday. The defense offered much testimony and many documents to show that the charge of insubordination existed at Jimenez, and that Captain Ryan was justified in using force to obtain information, protect his command and pursue the enemy.

#### Sculptor Sues Mrs. Stanford.

SAN JOSE, July 9.—Rupert Schmid, the sculptor, who is now engaged in preparing the McKinley monument for San Jose, has brought suit in the Superior Court against Mrs. Jane L. Stanford for recovery of \$3,225, alleged to be due for extra labor performed upon the frieze of the memorial arch at the Stanford University.

over for a convenient time, and the case was set for next Wednesday morning at 10 o'clock.

Attorney Campbell desired that all the witnesses who had been subpoenaed should be instructed by the court to attend next Wednesday morning.

#### WITNESSES ARE ABSENT.

R. M. Fitzgerald, president of the Board of Prison Directors, was the only witness summoned who was in attendance. Warden M. G. Aguirre, his brother, J. A. Aguirre, general overseer; Commissary Francis Foley, Assistant Commissary Victor Gillardin and Shipping Clerk E. McDougall, all officials of San Quentin prison, who have been served with subpoenas, failed to put in an appearance and treated the mandate of the law with contempt.

The arguments on the writ of prohibition secured by Governor Gage will take place to-morrow morning before Superior Judge Sloss. A decision is likely to be given within a few days, and a ruling is also expected from Superior Judge Carroll Cook as to the residence of Governor Gage.

When these decisions are handed down the wheels of justice will move more rapidly. The Governor is of opinion that the only court in which his reputation can be vindicated is the one situated in the town of San Francisco, California, where it will be almost impossible to secure the attendance of witnesses and the production of the public records.

The Governor has used the machinery of the law to prevent the hearing of the evidence possessed by the Call on which the charges against the administrator of San Quentin prison and Gage are founded. The people of the State of California demand that the suit for criminal libel be speedily tried. The people are the real judges in the suit between Governor Gage and the Call, and as judges they will form their own conclusions as to why Governor Gage refuses to come into a court of competent jurisdiction, where witnesses and public records can easily be presented.

#### CASE GOES OVER.

The following is a report of the proceedings before Police Judge Fritz yesterday morning:

The Court—Any motions, Mr. District Attorney? Mr. Whiting—None, so far your Honor.

The Court—People vs. John D. Spreckels and W. S. Leake. I suppose you gentlemen are aware of a writ of prohibition was issued in that matter and that I have already heard of it. Mr. Campbell—I presume, that being the fact then, the case had better be continued until such time as we may have a reasonable case to suppose that the Superior Court will render a decision upon that question. What do you say, please.

The Court—I will make the formal order, the same to apply to all witnesses in order to have them here. All witnesses in the case of the People vs. John D. Spreckels and W. S. Leake will return to this courtroom next Wednesday, July 16, at 10 o'clock a. m., without further notice.

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From a value standpoint they are most remarkable, for suits as good as ours made to your measure cost elsewhere from \$12.50 to \$15.00.

From a style standpoint, they are all you could wish for. They are cut in the very latest styles and fit like high-price garments.

We could go on and tell you about the all-wool material, the patterns, the workmanship and other features, but you may count on their being all right when we offer you your money back if you are not pleased.

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