

DEATH COMES SUDDENLY TO HIGH OFFICIAL

WASHINGTON, June 29.—News has been received here of the death at Delta, Ohio, of Colonel Joseph H. Brigham, Assistant Secretary of Agriculture.

FORMER SENATOR DIES.

John L. Mitchell Succumbs After a Languishing Illness. MILWAUKEE, Wis., June 29.—Former Senator John L. Mitchell died at 7 o'clock to-night after a lingering illness.

Auburn Loses Prominent Citizen.

AUBURN, June 29.—Albert W. Kenison, one of Auburn's most prominent citizens, died this evening at his home in this city.

Aged Native Daughter Passes Away.

SALINAS, June 29.—Mrs. Peregrina Pinto Rodriguez, a native of Santa Cruz, aged 73, died at Monterey last night.

Mrs. Emily G. Glover Dies.

SANTA CRUZ, June 29.—Mrs. Emily Glover died last night from injuries received three weeks ago by being thrown from a carriage.

Death of Mrs. Mary S. Turrill.

SAN JOSE, June 29.—Mrs. Mary S. Turrill, widow of Joel Turrill, United States Consul to Hawaii from 1846 to 1859, died at Los Gatos to-day.

Sudden Death of Santa Cruz Woman.

SANTA CRUZ, June 29.—Mrs. Isabelle Rutherford, prominent in fraternal and church work, died suddenly to-day.

ADVERTISEMENTS.

THE NORTH-WESTERN LINE The Only Double-Track Railway Between the Missouri River and Chicago.

The Overland Limited The Most Luxurious Train in the World. Electric Lighted Throughout.

AGREE TO STOP DIGGING ON TELEGRAPH HILL.

Gray Brothers to Cease Excavating Pending Supreme Court Decision on Bond Issue.

Believes Riley Was Held Up.

Detective Harry Braig last night stated that from evidence gathered he was more than ever inclined to believe that Harry Radcliffe, who murdered Andrew Riley last Saturday night, killed him up.

UNCLE SAM'S BEST laundry work in this man's town is assured by the United States Laundry.

UNITED STATES LAUNDRY 1004 MARKET STREET. Telephone South 420.

SECOND YEAR OF ACTIVITY

California Historic Landmarks League Meets and Elects Its New Officers

MEMBERS ARE ADMITTED

President Knowland Exhibits Slides Displaying Work on San Antonio Mission

By Laura Bride Powers. Two years old last night, but a mighty lusty infant! The California Landmarks League celebrated its birthday as a corporate body last night at the Mark Hopkins' Institute of Art.

The candidates were those who have borne the brunt of the battle since the league entered upon its work. The roster of the Californians who have thus undertaken to remove the "blot on the scutcheon," are as follows:

President, Joseph R. Knowland; first vice president, J. L. Davidson; second vice president, Frank H. Powers; corresponding secretary, Mrs. Laura Bride Powers; financial secretary, James A. Devo; treasurer, William M. Abbott; board of directors, Joseph R. Knowland, J. J. Lerman, Charles H. Turner, James D. Whalen, Mrs. George Law Smith, Mrs. Louise Shepherd Chase, Miss Eliza D. Keith, A. L. Mann, Mrs. Alice Morse, William B. Latham; advisory board—Dr. David Star Jordan, Archbishop P. W. Riordan, Dr. Eli McClah, Edwin Deakin, Rev. Robert E. Kenna, Loring P. Rixford, William Langdon, Dr. Benjamin Ide Wheeler, A. Altman, William D. Shea, James L. Gallagher, Charles Rolla Peters, Newton Tharp, James D. Fiehan, Lewis F. Blyntton.

The election over, a communication was read from James D. Whalen, grand president of the Y. M. I., announcing the determination of that body to present a joint entertainment at an early date to augment the funds of the league.

The business dispatched, Senator Knowland presented upon a screen the old mission San Antonio de Padua, showing it in the days of its prime, dusky children wandering through its corridors, its gardens, fair to gaze upon, its tile-roof over the cloister and chapel unbroken to the elements.

The next picture showed the interior of the once beautiful old chapel piled high with debris, the beams from the roof lying upon the graves of the founders, the whole grass grown and the habit of the lizard and the birds of the night.

The next view presented the chapel cleared of the debris—tons of it; then came the picture of the chapel with the scaffolding in place and the men at work rebuilding the walls that the winters rains had disintegrated.

The speaker threw several more interesting views upon the screen, showing the bronze tablet placed by the league upon Fort Gunnysbags a year ago; views of the Mission La Purissima, which the league at some remote day hopes to save from complete ruin; Colton Hall, the Custom-house and many structures that are now in proper hands and being saved from destruction, thereby redeeming the name of our State from the stain of apathy.

The lumber lies without the mission doors. Where is he who is willing to help lift it to roof the sacred places wherein lie the founders of Western civilization?

The Supervisors' Street Committee yesterday resumed its investigation into the complaint of property owners that Gray Brothers are violating their promise not to remove any more rock from Telegraph Hill and that homes are endangered thereby.

Witnesses testified that their homes are endangered by the excavations of Gray Brothers and that Calhoun, Green and other streets had been graded below the grade.

Assistant City Engineer Morser stated that Gray Brothers could remove all the loose dirt southerly 114 feet northerly from Green street up to the solid rocks without disturbing any building on Telegraph Hill.

The petition of the Independent Messenger Company for permission to install electrical wires across Ellis, O'Farrell, Mason and Powell streets was denied. The attorney of the company was informed that the wires would have to be laid underground, but to this he would not agree.

The committee directed the Department of Electricity to enforce the ordinance requiring wires to be placed underground in certain districts.

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GILBERT RULES

Temporary Injunctions Are Granted Against Council and the Supervisors' Board

NO DECISION ON MERITS

Spring Valley and Contra Costa Will Work Under the Former Rate Schedule

United States Circuit Judge William B. Gilbert yesterday handed down a decision granting the temporary injunction asked by the Spring Valley Water Works against the City and County of San Francisco to restrain the Board of Supervisors from enforcing the water rates ordinance of March 7, 1904.

The amount of the general reduction in rates was shown to be seven per cent except in the hydrant rate, which was reduced fifty per cent, thereby reducing the monthly revenue from hydrant service from \$2 per month to \$1 per month. The water company alleged that its plant was of the value of \$50,000,000, and that the rates as established by the ordinance would not afford the company a just or reasonable compensation for its services.

Judge Gilbert also granted the temporary injunction asked for by the Contra Costa Water Company restraining the Oakland City Council from putting into force the water rate ordinance adopted by that body for the ensuing fiscal year. The water company claimed that its plant is of the value of \$8,500,000, and that the rates should allow an income of seven per cent over and above operating expenses and taxes. The defendants deny that the plant is worth more than \$4,000,000, and aver that the rates complained of will allow six per cent net upon \$4,700,000. In the Contra Costa case Judge Gilbert said:

There is nothing in the facts shown to justify the charge in adopting the resolution the Council acted arbitrarily or vexatiously for improper motives, or by any purpose save to do what their judgment was right between the complainant and the city and its inhabitants.

REMARKS ON SPRING VALLEY.

Judge Gilbert, however, did not pass upon the merits of the case. He required the water company to furnish a bond of \$100,000. The following are extracts from Judge Gilbert's opinion in the Spring Valley case:

It appears that the Board of Supervisors took pains to obtain the information available to it, and gave every opportunity to the complainant to present its evidence and to examine the witnesses in support of its board action. Nothing is disclosed in these proceedings, nor is anything shown in evidence on this hearing, which tends to indicate that the board acted otherwise than in good faith and with an honest purpose to arrive at a fair valuation of the complainant's property and to fix a reasonable rate of compensation for its water and service.

The opinion reviews the affidavit of A. Wenzelburger, a public accountant, who had been engaged in experting the water company's books and who found the total of tangible properties of the complainant as shown by its trial balance on December 31, 1903, to be \$25,558,100. The expert found also certain items charged to operating expenses which, in reality, went into part of the permanent improvements of the company and that the amount so erroneously charged to operating expenses for three consecutive years was \$217,337 87, and that other items which should have no place in operating expenses brought the aggregate to \$236,769 66.

JUDGE MORROW A MODEL.

The opinion goes on to say that in the case of the Spring Valley Water Works vs. San Francisco, decided a year ago in the United States Circuit Court by Judge Morrow, the total value of the water plant was fixed at \$26,752,500, and five per cent per annum was declared to be a just compensation for the use of the water by the city and its inhabitants. The opinion proceeds:

Since the date of that decision the property of the complainant has increased in value to such an extent that the value of the property exceeds that which was shown to be invested in the former case by \$80,767 01; that the value of the property shown in the trial balance of those shown in the former hearing by \$180,000, and that its operating expenses will exceed the operating expenses of \$217,337 87, and that its income from hydrants will be \$48,500 less than its income from the same source under the ordinance of March, 1904.

On the face of these figures it is apparent at a glance that the net income of the complainant will be less than the net income of the defendant for the public use of the water property, and to be such a taking of the property of the complainant for public use in violation of constitutional provisions as would justify its temporary injunction.

It is urged that since the hearing of the defendants the defendant has added expense, carefully examined, investigated and estimated the value of the properties of the complainant and has demonstrated by the affidavits which they have presented that large portions of such properties are not actually in use for the production of water for the city of San Francisco, and that a state of facts is now shown to the court different from that which was shown on the hearing of the former case.

Without attempting finally to pass upon the new evidence, or to prejudice its effect when it shall be submitted to the final hearing, all the matters therein involved shall be fully investigated. It is sufficient to say that the showing made at the present time is not convincing that the property so specified is not in use and is not necessary to the production of the water supply for the city and county of its purity and its delivery to the city, nor does it convince me that the estimate placed by the court upon the value of all the properties in the former case was erroneous, or exceeded their actual value.

The defendants and the inhabitants of the city can suffer but little injury in this case from the enforcement of a temporary restraining order, since all the consumers of water will be protected by a bond furnished by the complainant. On the other hand, if the injunction were refused and it should be finally determined that the ordinance complained of should be enforced, the complainant would be subjected to great inconvenience by reason of its inability to collect just rates from a considerable portion of the consumers of the water. All the questions involved in this litigation ought to be speedily and finally determined.

So reason is there in the course of the proceedings bearing upon the issues involved may not be presented within the time permitted by the rule of the court. A preliminary injunction will be allowed as prayed for, restraining the defendants pending the trial, or until the further order of the court, from enforcing the ordinance of March 7, 1904, and the complainant will be required to give a bond in the sum of \$175,000 to answer for the return of the property of the complainant or any person injured by reason of the injunction, and to pay the costs of the proceedings. A final decree herein the said ordinance shall be sustained.

MAYOR OLNEY TALKS.

OAKLAND, June 29.—Mayor Warren Olney, who was of counsel for the

1904 CARPETS 1880 AND DRAPERIES. Last three days of our First Clearance Sale in 30 years—the greatest home furnisher's opportunity San Francisco has ever known.

- REMNANT RUGS Yard to a yard and a half long. These are our remnants cut from the most desirable patterns of carpets. Made into rugs, 60c In Axminsters and Velvets for \$1.00. In Brussels.... 60c SMYRNA RUGS 27 by 56 inch, fringed, double faced Smyrns. Scores of patterns. A rug that is always useful in any part of the house. \$1.95 INGRAIN CARPETS The old standard, durable ingrain, that is as good on one side as on the other, and that will last and look good till it is worn clear through. Regular 65c values for 45c TAPESTRY BRUSSELS For parlor, bedroom, hall or stairs; good patterns and designs in two-tone reds and greens. An opportunity that you have never seen before. This Tapestry Brussels 49c BRUSSELS Beautiful Carpets in elegant colorings of velvet richness. Rich rose florals on deep navy ground; Oriental designs; heavy tans and perfectly woven two-tones, in reds and greens. By the yard, sewed, lined and laid 87c VELVET CARPETS New carpets at a new price. Beautiful two-tone effects and rare tan florals in delicate designs. A high pile velvet—but differently made from other velvets; this has the wear to it. It will last you for years. Sewed, lined and laid 95c INLAIN LINOLEUMS In good businesslike as well as more homelike patterns. They will last until completely worn through, for the color goes clear to the back. The chance of a year for \$1.15 By the square yard, laid

- SCREENS \$5.00 and \$6.00 values. Some of them 5 feet and some 4 feet 6 inches high. All 3-panel oak or mahogany, frames filled with pretty printed silk effect drapery. To close them out at... \$2.75 WINDOW SHADES Extra quality of opaque shading, mounted on a self-acting spring roller. Three feet wide by 7 feet long. Your choice of two popular shades of green, 50c values, for 25c PORTIERES \$5.50 values. Three yards long by 50 inches wide. Perfect finish either side; heavy rep dark blues. Per pair... \$3.65 WHITE BLANKETS \$4.50 values. 11-4 size; wool filling, with just enough cotton in the warp to keep them from shrinking. Ends bound with silk. Your choice of blue or pink borders \$2.65 NOTTINGHAM LACE CURTAINS 500 pairs in novelty and floral styles; mostly white. A big bargain. Clearance price, per pair 95c REAL ARABIAN LACE CURTAINS Three yards long by 45 inches wide. Your choice of either tape or lace effects. A high-class drive. Good \$3.50 values. Clearance price, per pair... \$1.95 \$1.50 PURITY BED COMFORTS Purest of white cotton filling and covered with dainty patterns of figured silkline. Hand-tied and well made. Double bed size. Clearance price 95c

Friedman & Co. "The Credit House." "The Biggest Furniture House on the Pacific Coast." 233-235-237 Post Street.

PERSONAL

J. J. Hill of Washington is at the Grand. Dr. E. M. Lend of Manheim, Germany, is at the Palace. A. S. Stozel, a merchant of Mazatlan, Mexico, is at the Palace. Peter Musto, a well-known merchant of Stockton, is at the Grand. Alfred W. and Frank H. Maybery of England are at the California. W. A. Winsor of the Navy Department in Washington is at the Grand. C. F. Dittmar, editor of a mining journal in Redding, is at the Grand. Frank Cox, a mining man of the Phoenix, and wife are staying at the Palace. Andrew B. McCreery, the well-known capitalist, is among the latest arrivals at the St. Francis. W. Bayard Cutting, the well-known lawyer of New York, and wife are registered at the St. Francis. Sig Steinhart, who has been visiting the capitals of Europe and the chief cities of the United States, is home again. William P. Hammon, who is identified with the big gold dredging interests near Oroville, and Mrs. Hammon are at the Palace. Carlos G. Prieto, a merchant of Central America, and his family arrived from the south yesterday and are registered at the Occidental. J. J. Mack, the local wholesale druggist, and his wife and daughter, who have been abroad, returned to this city yesterday and are staying at the St. Francis. Congressman John W. Dwight, a banker of Dryden, N. Y., who attended the Republican convention in Chicago, arrived at the Palace yesterday on his way to Los Angeles. Tony C. Afong, son of the head of the well-known Afong family of Honolulu, and his sister, Mrs. J. M. Riggs, who arrived from the islands three weeks ago, returned from the East yesterday and are at the Palace. W. P. Jansen of Chicago, assistant to the president of the Atchison, Topeka and Santa Fe Railway, and his son arrived from the East last evening and are registered at the Palace. They are making a tour of the coast. Californians in New York. NEW YORK, June 29.—The following Californians are registered here: From San Francisco—A. E. Bailey, at the Victoria; A. W. Cooper and wife, at the St. Denis; Miss E. W. Dean, at the Netherlands; C. W. Evans, at the St. Denis; Mrs. A. W. Games, at the Kensington; G. C. Wilmot, at the Imperial; W. B. Ames, at the Imperial; D. Damon, at the Holland; Mrs. S. M. Damon, at the Holland; G. Middleton, at the Imperial; Mrs. B. M. Peake, at the Grand Union; Miss H. Kings, at the St. Denis; E. L. Ott, at the Hotel Marlborough. From Los Angeles—S. A. Damphy, at the Park Avenue; M. L. Howard and wife, at the Wellington; W. H. Jamieson, at the Bartholdi; E. G. Judith and wife, at the Wellington.

MANY FRIENDS PRESENT AT PLEASANT WEDDING

Robert B. O'Reilly and His Bride Leave After Ceremony for Short Honey-moon Trip. A pleasant wedding occurred at the Mission Dolores Church yesterday afternoon, when Robert B. O'Reilly of 1214 Alabama street was married to Miss Rosetta G. Pierce. The bride was given away by her brother, John Pierce. J. J. Chaudet was the best man. Immediately after the ceremony the couple departed for a two weeks' honeymoon visit to Los Angeles. The happy couple were the recipients of many handsome presents from their relatives and friends. Mr. O'Reilly is connected with the composing-room of a morning paper. A reception to the wedding guests was held at the home of the bride, 129 Henry street, where merry-making was the order of the day. GUARDIAN'S ACCOUNT SETTLED.—Judge Kerrigan yesterday settled the first annual and honeymoon visit to Los Angeles. The final account of Ursula Holding as guardian of Mary E. Clark, who was recently declared incompetent by the court, was approved. The amount asked for attorney's fees, was approved.

FORMER LEADING MAN MAY HAVE GONE EAST

Durkin and Frances Starr Seen in Oakland—Actor Said He Would Leave Last Night. James Durkin, former leading man of the Alcazar, of late before the public as an infatuated lover, and Miss Frances Starr, the former ingenue, were seen together yesterday in Oakland. Durkin said to friends that he intended leaving for the East last night. Miss Starr has at last broken the silence she has maintained so long and has written a brief letter to an acquaintance in this city. Aside from a reference to business matters it runs as follows: Now that I am entangled in this scandal I realize further communication is necessary. I am going direct to my mother and tell her everything, and in all probability shall not attempt to play next season anywhere. All I can say is, I am sorry. What has happened was unavoidable. I did what I thought was right after I realized how serious it all was. With deepest gratitude for what you have done for me in the past, I am very sincerely yours, FRANCES GRANT STARR. Miss Starr fails to say in the above quoted letter when she intends going to her home, which is in Albany, N. Y.

FREE TO MEN! And Women, Too! Do you want to be a big, husky man, with vim and power in your every action? Do you want to feel like a man? Do you want to get rid of that feeling of gloom, that weakness in your back, that nervous, unaccountable feeling which unites you for business or pleasure? Do you want to feel like a man all over? Do you want to hold your head with the knowledge that you are the man that nature meant you to be? I know that no man remains a weakling because he wants to. I am sure that you want to overcome every indication of early decay that has shown itself on you. I don't think the man lives who would not like to feel as big and strong as a Sandow, and I know that if you have a reasonable foundation to build upon I can make you a bigger man than you ever hoped to be. I want you to know that you can't believe it, and I want you to have my book how I learned that strength was only electricity, and how I learned to restore it; also I want to tell you the names of some men who will tell you that when they came to me they were physical wrecks, and are now among the finest specimens of physical manhood. I can do just as much for women as for men. I have thousands of letters from grateful women, who had spent years and money trying to get relief from drugs, and who came to me as a last resort and are cured now. Why should you be suffering when you know that your friends are being cured? Why, the money you spend for drugs in a few months, if invested in my treatment, will assure you health and happiness for life. Don't you believe it? Then send for this book with the proof that I can give you, and you will be convinced. Don't wait a minute. Send for this book now. If you will inclose this ad. I will send it sealed, free, and will give you the names of your own neighbors who are cured. I will tell you whether I can cure you or not, if you will tell me your troubles. Call, if possible, for free consultation. Dr. M. C. McLaughlin, 906 Market St. Above Ellis, San Francisco.