

# WEBER IS CALM IN THE SHADOW OF THE GALLOWS

Continued From Page 1, Column 6.

not guilty. The jury was then locked up for the night. At 7:10 o'clock this morning the third ballot was cast, seven voting guilty as charged, four favoring life imprisonment and one voting not guilty. On the fourth ballot seven voted guilty and five for life imprisonment. On the fifth ballot eight voted guilty and four for life imprisonment. On the sixth ballot eleven voted guilty and one life imprisonment. At 2 o'clock the verdict was reached by the twelve jurors, declaring Weber to be guilty and making no recommendations.

The three jurors who on the first ballot voted "not guilty" were F. J. Wall, J. Worthman and W. Phillips. Wall held out to the seventh ballot before he joined the balance of the jury in its verdict. The verdict was met with the approval of every one in the section.

**WILL CONTINUE FIGHT.**

Attorney Johnson for the defense said this evening:

"We will make as speedily as possible a motion for a new trial, and if the same is denied by Judge Prewett,

we will promptly appeal to the Supreme Court. At the new trial we will have additional evidence to show the falsity of Pawnbroker Carr's testimony, and to utterly demolish everything which he has said in the prosecution. The boy was not really convicted upon evidence, but upon public suspicion. The defense feels very much encouraged at the result of the trial, for the reason that on the first ballot there were nine for guilty and three for not guilty."

Adolph Weber, deep down, was greatly surprised at the verdict. All along, in consultation with his guardian, John Adams, he has felt assured that the verdict at the extreme limit would be imprisonment for life. He never dreamed for an instant that the death penalty was awaiting him. He said to-night:

"I am greatly disappointed, but not discouraged. I suppose it will be six months before the case will come up before the Supreme Court. In the meantime I shall be compelled to stay here in this jail. This confinement is very detrimental to my health. My attorneys have presented my case splendidly. I am surprised that the jury placed any credence upon the testimony of Henry Carr."

# CRUSHED UNDER FALLING ROOF

## One Man Killed and Two Are Seriously Injured in an Accident in Marysville

MARYSVILLE, Feb. 22.—A defective truss caused the collapse of the roof of a building being reconstructed for a new theater at 11 o'clock this morning. There were several workmen and other people in the building at the time. A. Merry, the proprietor of the theater, was killed and two men were severely injured. Guy Putnam, a carpenter, received a broken hip and Charles Barge was injured about the head, arms and legs. No floor had been laid in the building and to this fact is due the escape of several other workmen, as they fell between the joists and were thus protected. They were liberated by firemen and policemen.

Merry was standing in the center of the building when the crash came. The falling roof crushed his body to a pulp. Ed Fox, to whom he was talking, was standing directly under the skylight and escaped injury. Merry lived in Sacramento. He came here a week ago and leased the Brock building, at Second and High streets, for a theater. He brought a large number of artisans from San Francisco and was remodeling the building.

SACRAMENTO, Feb. 22.—A. A. Merry, the contractor killed at Marysville to-day, had lived in this city for twenty years and for more than half that time was in the contracting business. He was a builder of note and erected two of the most modern and commodious apartment houses in this city. He was a trustee of the "Forester" and secretary of the local Builders' Association. He was born near Placerville, El Dorado County. The remains will be brought to this city for interment.

# ORGANIZED BUNGO GANG BROKEN UP IN RENO

## Police Unearth Band of Sharpers Prepared to Fleece the Unwary

RENO, Feb. 22.—Chief of Police Leeper and his officers this afternoon unearthed an organized band of bunco men. Several arrests have already been made and more will follow. The men in custody have given assumed names and are thought to be from California cities as well as Eastern States. They came to Reno to await the expected rush this spring and for several days have been engaged in fleecing the unwary. Short change, marked cards and horse games have been the methods used.

The headquarters of the gang was visited and the officers there discovered material for a swindling game of any description. One or two convicts are among the crowd arrested.

# NEVADA COUNTY FRUITMEN TO FORM ORGANIZATION

## Packing and Shipping Company and a Cannery Are Part of the Plans

GRASS VALLEY, Feb. 22.—A call has been issued for a mass meeting for next Wednesday evening in this city to formulate plans for organizing a fruit-packing and shipping company in this county with a capital of \$20,000. The plan to build a cannery will also be considered. The fruit men in this county are very anxious to organize and a packing company and cannery seem assured. Many are ready to set out new orchards and vineyards if these plans are carried out.

Niedergrubhaus Loses a Vote.

JEFFERSON CITY, Feb. 22.—There was one more defection from Thomas K. Niedergrubhaus, the Republican caucus nominee, to-day, when the roll was called for the twenty-ninth ballot for Senator. Representative W. M. Monehan joined the ranks of the bolters by casting his vote for Lieutenant Governor McKinley.

# SCOTT'S EMULSION GROWING UP

There's something the matter with the child that fails to grow up. A child that grows up too much, however, without proper filling out of flesh, is almost as badly off. Nothing will help these pale, thin "weedy" children like Scott's Emulsion. It supplies the rounding out of flesh and the rich inward nourishment of blood and vital organs which insures rapid growth and healthy and uniform development.

# BOMBARDMENT OF OIL TRUSTS PROCEEDING

## Kansas Producers' Association Files Charges Against the Missouri, Kansas and Texas Railroad.

Continued From Page 1, Column 4.

bell at Washington charges against the Missouri, Kansas and Texas Railroad Company, identical with the charges filed against the Atchafalaya, Topoka and Santa Fe some days ago, alleging collusion between the Standard Oil Company and the railroad company in the matter of rates and also alleging the controlling ownership of the railroad by the Standard Oil Company.

**FOR STATE OIL REFINERY.**

Wilder Bill Is Favorably Reported to Colorado Legislature.

DENVER, Feb. 22.—Representative Wilder's bill appropriating \$125,000 for the establishment of a State oil refinery was favorably reported to the House by the Finance Committee to-day. The bill also contains provisions to regulate the price of oil. Independent oil producers who are supporting the measure have offered to lease and operate the refinery when constructed and to advance the money for its construction at a low rate of interest.

Wilmington Coal Company and sixteen other coal companies were found guilty of a conspiracy to control the price of coal. The Supreme Court says that actual agreement is not necessary in order to constitute the offense charged, but that a tacit understanding between companies would itself be a violation of the anti-trust law.

**WILDER BILL IS FAVORABLY REPORTED TO COLORADO LEGISLATURE.**

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**PIPE LINES AS COMMON CARRIERS.**

WASHINGTON, Feb. 22.—Representative Scott of Kansas introduced a bill to-day placing pipe lines in the category of common carriers and subject to interstate commerce laws.

**BILL TO REGULATE RAILROADS.**

TOPEKA, Kans., Feb. 22.—The Kansas Senate to-night, after hours of discussion, passed a bill for the regulation of railroads.

# STRIKES AT ROCKEFELLER.

## Resolution Introduced in Legislature of Nebraska.

LINCOLN, Neb., Feb. 22.—In the lower house of the Legislature to-day Representative Hunter of Cumming County introduced a resolution commending in a preamble the fight in Kansas against the Standard Oil Company, and continuing:

"We bid Theodore Roosevelt, President of the United States, to determine efforts to protect the public interest against encroachments of monopoly.

In view of the fact that John D. Rockefeller has contributed certain sums toward the erection of a building in connection with Nebraska State University, we desire that it shall be known that the acceptance by Nebraska of a contribution which John D. Rockefeller has made to the university temple fund shall in no sense be regarded as an apology on the part of the Nebraska people for the disreputable methods which the Rockefeller monopoly has employed.

A vote on the resolution will be taken to-morrow.

# EXHUMED HEAD SAVES HIS NECK

## Montana Lawyer Digs Up Body and Proves Client Did Not Shoot From Behind

Special Dispatch to The Call.

LEWISTON, Mont., Feb. 22.—Friends of Milton O. Howell, who was sentenced in 1898 to be hanged for the murder of Thomas Rozling, which sentence was afterward commuted to life imprisonment, are circulating a petition asking Governor Toole to pardon him, and scores of signatures are being obtained. This was a "cause celebre" in Montana.

The principals in the tragedy were neighboring stockmen and the killing was the result of a quarrel, during which blows were struck. After the murder Howell fled to Canada, but was captured and brought back.

The prosecution contended he killed his man in cold blood by shooting him from behind. This point was bitterly contested by the defense and an effort made to have the body of Rozling exhumed in order to determine it, but the court would not order it to be done. After the conviction and while Howell was under sentence of death W. E. Court, his attorney, himself dug up Rozling's body without any authority, secured the head and hurried off to Helena with it. According to the statement of certain medical men it showed positively that Rozling was not shot from behind, as claimed.

The exhibit was shown to Governor Toole and the death sentence was commuted.

The attorney's conduct caused intense indignation among Rozling's friends, and threats of having him indicted were made, but never carried out. It is upon the evidence supplied by the head that the petition for executive clemency is now based, and general belief is that Howell will secure his liberty.

# STRIKE TIES UP RAILROAD.

## Not a Single Train Leaves Warsaw Over the Vienna Line.

WARSAW, Feb. 22.—Traffic on the Vienna railway has been suspended since early this afternoon, the force of employees, including the telegraphers, having joined the strike. Not a single train is leaving Warsaw's terminus, which is guarded by a strong force of gendarmes keeping back the crowds clamoring for opportunity to clear the city. Two regiments of infantry are guarding the interior of the station, the yards and buildings. Chiefs of the engineering department, acting as firemen and engineers, attending to the trains in the yards, succeeded in reaching the city, all having been held up somewhere along the line.

The police yesterday arrested the prominent Polish publicist and poet, Andrew Niemcewicz.

# FIGHT OVER SERGIUS.

## Man May Die as Result of Encounter in Salinas.

SALINAS, Feb. 22.—As the result of a dispute over troubles in Russia, Robert Boynes, who has been employed as a painter at Pacific Grove by David Jacks, has been arrested and may have to answer to a charge of murder. With several others, among whom was Peter Villa, a Southern Pacific section hand, he became involved on Sunday in an argument over the assassination of Grand Duke Sergius. Boynes struck Villa on the nose, causing fracture and a nasal hemorrhage. Last night the physicians attending Villa notified the officers that Villa was very low from the loss of blood and was sinking. Boynes was thereupon arrested. He takes his arrest as a joke.

# COMPLAINS TO POLICE AND IS RECOGNIZED.

## Man Who Says He Was Robbed Said to Be a Hold-Up Artist.

PORTLAND, Feb. 22.—With unparalleled effrontery, C. R. Marshand, accompanied by his wife, appeared at the police station to-day and complained to a detective of an alleged robbery of his house. The detective instantly spotted the complainant as the principal in a daring hold-up of the night before.

Last night an unmasked man walked into a Hood street saloon and forced the men present to give up their valuables. The victims had a good look at the hold-up man, and gave him an accurate description. When Marshand walked into the police station, he was recognized at once and two of the men robbed the night before soon appeared and swore positively to the identity of the night marauder.

# LOOKING FOR THE DIAMONDS MRS. CHADWICK SMUGGLED

## Government Officers Are in New York on Trail of Contraband Gems Worth \$150,000.

NEW YORK, Feb. 22.—C. F. Leach, Collector of Customs at Cleveland, and F. H. Oldham, chief of the division of insolvent banks of the Comptroller's office in Washington, are in this city for the purpose of making a search for diamonds and other dutiable property that Mrs. Cassie Chadwick is supposed to have brought into this country without having paid the customs charges.

Leach recently declared that he had discovered evidence of the \$1,000,000 or \$1,500,000 in diamonds supposed to have been sequestered by Mrs. Chadwick. If any diamonds are found Oldham intends to do all he can to have them placed to the credit of the depositors of the Oberlin National Bank.

Mild Rain in San Diego.

SAN DIEGO, Feb. 22.—A mild rain fell here this morning.

To Cure a Cold in One Day

Take Laxative, Bromo Quinine Tablets. All druggists refund the money if it fails to cure. E. W. Grove's signature is on each box. 25c.

# ROCHESTER ENGINEER, AT POINT OF PISTOL, FORCED TO WITNESS CREMATION OF SMALL CHILD

## Substantial Progress Is Being Made in Work of Digging the Panama Canal

ROCHESTER, N. Y., Feb. 22.—G. W. McCaffery, engineer in charge of an eighteen-horsepower boiler in a building on Furnace street used to form several business places, has informed the police that about 2 o'clock last Tuesday morning two men and a woman entered the boiler-room and while one man covered him with a brace of revolvers the other threw a bomb into the firepot on the redhot coals.

The woman uttered a shriek as he did so, and one of the men threatened her life also. McCaffery says he saw the workmen generally in much better and more advanced condition than they had been in the great Cuba case. The detail of construction that will take the most time and most money, the chief engineer has installed and has at work three large American steam shovels and a large number of men. The Central American. Substantial progress is therefore being made.

While on the isthmus the commission was in daily conference with the chief engineer with the view of formulating certain plans, prior to which the Panama Canal was to be started. These plans and the accompanying data will be submitted to the commission at Washington.

At Panama and Colon the laying of sewers and water pipes is progressing steadily, so that in less time than is popularly supposed for the first time be furnished with a system of sewers and water supply with abundance of wholesome water. The presence of yellow fever is to be regretted, but was to be expected in this climate. In tropical countries in America, unless continued sanitary precautions have been taken. Prior to the sanitary work of the commission no precaution or scientific measures have been taken on the isthmus to guard against this disease. The same medical officers who succeeded in eliminating the fever from Havana are now repeating the crusade in Panama. Beyond a doubt equally successful results will be attained. At the present time there is nothing approaching an epidemic of the disease. Some of the newspaper accounts that have reached the isthmus from the North were much exaggerated.

The commission returned more than satisfied with the general conditions of the enterprise and believes that completion can be attained in less time than is popularly supposed. Some time has of necessity been devoted by the engineering staff to the study and investigation of certain details not fully determined by the French. This preliminary work is now really ended and the actual work of construction on a large scale can soon begin.

Mr. Parsons' attention was called to the investigation of the affairs of the Panama Railroad and in the matter of fees said:

"These fees are all right; we all got them. Corporations pass them. Ten dollars is handed each director after each meeting. They amount to \$150 to \$200 a year."

Judge G. F. Little, who will defend a lottery company's right to sell lottery tickets in the canal zone, also arrived on the Alliance. The case is on appeal to the Supreme Court of the United States.

# DIAMONDS HIDDEN UNDER THE HIDE OF A STALLION

## Smugglers Adopt Brutal Method of Outwitting Custom-House Officials.

BURTON, Minn., Feb. 22.—Containing \$5000 worth of diamonds beneath the hide of a Clydesdale stallion, a party of immigrants who recently passed through this city smuggled the gems through the United States Custom-house at New York.

The fraud was discovered by F. K. Reely, a farmer near here, with whom the horse had been left because of lameness. The immigrants took the stallion to the woods and put a bullet through its head. They took off the hide in a fashion which interested Reely, who was quietly watching. He saw them pick over the innards on the skin, and after they had left he examined it. He noticed scars, and the inner side of these seemed to have been carefully scraped.

Reely finally found a half-carat diamond in one scar. He cut the hide into small strips and boiled it and finally got two more good stones.

# BIG STRIKE EXPECTED AT THE PORTLAND FAIR

## PORTLAND, Feb. 22.—The labor situation at the Lewis and Clark Fair grounds has again assumed a threatening aspect. To-day only a miscellaneous group of plans, it is said, prevented a walkout, and to-morrow the question is expected to come to a head. The cause of the trouble is traceable to the same discontent, broken out anew, which precipitated the strike two weeks ago. The principal source of disagreement, it is said, is the question of wages. Would Stop Racing. SACRAMENTO, Feb. 22.—Houser to-day presented a petition from 4000 citizens of Los Angeles in favor of the Espy anti-racetrack bill, and Espey presented an Alameda County petition containing 3200 signatures.

# WOULD REORGANIZE KANSAS DEMOCRACY

## W. J. Bryan Takes "Back to the People" as Subject for Washington's Birthday Address.

TOPEKA, Kans., Feb. 22.—W. J. Bryan addressed a meeting of Kansas Democrats to-night on "Back to the People." The occasion was a Washington's birthday banquet given by the younger element in the Kansas Democratic party.

Advantage was taken of the occasion to begin reorganization of the Democratic party in the State. It was decided that a vigorous campaign would be waged until the next election in the hope of electing a State Democratic ticket. State headquarters will be maintained here permanently.

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FREE WITH SUNDAY CALL SMALL ADS.

A NEAR CUT GLASS FRUIT OR DESSERT DISH.

Free With Every Small Ad in Sunday Call.

See Small Ad Page for Further Particulars.



# WHAT JOY THEY BRING TO EVERY HOME

as with joyous hearts and smiling faces they romp and play—when in health—and how conducive to health the games in which they indulge, the outdoor life they enjoy, the cleanly, regular habits they should be taught to form and the wholesome diet of which they should partake. How tenderly their health should be preserved, not by constant medication, but by careful avoidance of every medicine of an injurious or objectionable nature and if at any time a remedial agent is required, to assist nature, only those of known excellence should be used; remedies which are pure and wholesome and truly beneficial in effect, like the pleasant laxative remedy, Syrup of Figs, manufactured by the California Fig Syrup Co. Syrup of Figs has come into general favor in many millions of well informed families, whose estimate of its quality and excellence is based upon personal knowledge and use.

Syrup of Figs has also met with the approval of physicians generally, because they know it is wholesome, simple and gentle in its action. We inform all reputable physicians as to the medicinal principles of Syrup of Figs, obtained by an original method, from certain plants known to them to act most beneficially and presented in an agreeable syrup in which the wholesome Californian blue figs are used to promote the pleasant taste; therefore it is not a secret remedy and hence we are free to refer to all well informed physicians, who do not approve of patent medicines and never favor indiscriminate self-medication.

Please to remember and teach your children also that the genuine Syrup of Figs always has the full name of the Company—California Fig Syrup Co.—plainly printed on the front of every package and that it is for sale in bottles of one size only. If any dealer offers any other than the regular Fifty cent size, or having printed thereon the name of any other company, do not accept it. If you fail to get the genuine you will not get its beneficial effects. Every family should always have a bottle on hand, as it is equally beneficial for the parents and the children, whenever a laxative remedy is required.

# DIRT IS FLYING LED TO ALTAR

## ON THE ISTHMUS IN SAN JOSE

## Substantial Progress Is Being Made in Work of Digging the Panama Canal

NEW YORK, Feb. 22.—Reports of substantial progress in the actual work of digging the great isthmian canal were brought to this city to-day by Canal Commissioners William Barclay Parsons and W. H. Burr, who arrived on the steamer Alliance from Colon.

Professor Burr made the subjoined statement:

The committee on engineering of the Isthmian Canal Commission report that they found the work generally in much better and more advanced condition than they had expected. In the great Cuba case the detail of construction that will take the most time and most money, the chief engineer has installed and has at work three large American steam shovels and a large number of men. The Central American. Substantial progress is therefore being made.

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# TWO SOCIETY BELLES OF THE GARDEN CITY BECOME BRIDES ON WASHINGTON'S BIRTHDAY

Special Dispatch to The Call.

SAN JOSE, Feb. 22.—Two San Jose society belles were married to-day. Miss Alice Gussefeld became the bride of Dr. Frank B. Cross of Brooklyn, N. Y., and Miss Luella Burrell was wedded to Richard Ernest Hyde. Both ceremonies were celebrated in Trinity Episcopal Church by Rev. J. W. Gresham.

Miss Gussefeld, who is the daughter of Mr. and Mrs. William Gussefeld, is a beautiful girl and a talented musician. Miss Irene Moule acted as bridesmaid for her and Charles O'Brien was best man. Mr. and Mrs. Cross will make their home in Brooklyn.

Miss Burrell is the daughter of Mrs. A. H. Burrell. She is an attractive and accomplished young lady and has many friends among the younger set. After the ceremony a wedding feast and reception were held at her mother's home. Mr. and Mrs. Hyde will spend their honeymoon at Del Monte and Coronado.

# MAY BE ON WAY WEST TO WED SAN JOSE MAN

## Rumor Couples the Name of Judge Rosenthal With Wealthy Canadian Girl.

NEW YORK, Feb. 22.—A romance that began a year ago at the breakfast table of a Southwestern limited and which lasted from Syracuse to Buffalo is believed to be the cause of the sudden departure of Miss Blanche Fields, the strikingly beautiful daughter of Joseph Fields, a rich Canadian, who left New York hastily to-day with a through ticket for San Francisco.

The friends of the young Canadian woman believe that the trip is the result of a proposal of marriage that was made to her on the Syracuse-Buffalo trip and that her departure prefigures her speedy marriage to Judge Eugene Rosenthal of San Jose.

Miss Fields is 23, with golden hair, blue eyes and a fair complexion. Her beauty and her wealth, for she is said to be one of the richest girls of Toronto, enabled her to command a good social position.

# SUNSET LIMITED IS DERAILED IN TEXAS

## Tramp Killed, Mail Clerk Hurt, but Passengers on Southern Pacific Train Escape Injury.

SAN ANTONIO, Tex., Feb. 22.—Southern Pacific passenger train No. 9, known as the Sunset limited, from New Orleans for San Francisco, was derailed to-day near Sandy Hook, Tex. Five cars are reported to be in the ditch. A tramp was killed. None of the passengers was seriously injured. E. B. Randolph of Houston, mail clerk, sustained painful bruises.

# SANTIAGO DE CHILE, FEB. 22.—

Bulonic plague has appeared at the port of Pisagua, forty-four miles north of Iquique. The discovery has caused a panic among the inhabitants.

# ADVERTISEMENTS.

**Pearl's** soap in stick form; convenience and economy in shaving. It is the best and cheapest shaving soap.

Every mother has the secret hope that her daughter will be such a perfect lady she will never chew gum.

Dr. Gibbon's Dispensary, 629 Kearny St. Established in 1854 for the treatment of various diseases, Lock Mouth, Debility or others arising from body and mind and Skin Diseases. The Doctor cures all diseases, treating him. Charges low. Cures guaranteed. Call or write. Dr. J. P. GIBBON, San Francisco, Cal.

**CURE SICK HEADACHE.** Genuine Must Bear Fac-Simile Signature. *Brewer's*

**Dr. Gibbon's Dispensary, 629 KEARNEY ST.** Established in 1854 for the treatment of various diseases, Lock Mouth, Debility or others arising from body and mind and Skin Diseases. The Doctor cures all diseases, treating him. Charges low. Cures guaranteed. Call or write. Dr. J. P. GIBBON, San Francisco, Cal.

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Anyway, one-half of the world knows that the other half is looking for the best of it.

# ADVERTISEMENTS.

**CONKLIN'S** Self-Filling PEN

The filler is in the pen and the pen is filled by pressing down on the metal bar after first unhooking it. Does not drip nor smear ink and insures clean fingers. **THE PERFECT FOUNTAIN PEN.** Prices, \$3.00 to \$5.00. **KODAK DEVELOPING AND PRINTING** at cost prices. Adams Cameras, Cyko Developing Paper and Daylight Loading Films. Send for particulars. Mail orders promptly filled.

**THAT MAN PITTS**  
F. W. PITTS, The Stationer,  
1008 MARKET STREET, Opp. Fifth, SAN FRANCISCO.

No Breakfast Table complete without

**EPIS'S COCOA**  
The Cream of Cocoas.  
The Most Nutritious and Economical.  
SHERWOOD & SHERWOOD, Pacific Coast Agents

The thousands of people who write to me, saying that

**Shiloh's Consumption Cure**  
The Lung Tonic  
cured them of chronic coughs, cannot all be mistaken. There must be some truth in it.  
Try a bottle for that cough of yours.  
Prices: S. C. WELLS & Co. 10 25c. Sole. St. LeRoy, N.Y., Toronto, Can.

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