ANSWER FILED BY SANTA FE

Railroad Denies That It Has Granted Rebates in Defiance of the Court

ADMITS FORMER GUILT

Justifies Its Action on the Ground That Other Companies Were Doing Same

KANSAS CITY, July 31.—The Santa Fe Railroad's answer to the proceedings begun in the Federal court here, charging it with contempt of court in violating the court's injunction against giving rebates, was filed to-day. The argument in the case probably will not be heard until some time in the fall.

The complaint against the Santa Fe was that it granted rebates to the Colorado Fuel and Iron Company on coal shipments after having been enjoined from such practices, along with a dozen other railroads. The institution of the suit is the result of an investigation on the part of the Interstate Commerce Commission.

In its answer, the Santa Fe admits that at one time it did give rebates, but claims that it has not offended in that respect since the injunction was issued. Its arrangement with the Colorado Fuel and Iron Company, it says, was a perfectly legitimate one. The Santa Fe accused a rival of the Colorado Fuel and Iron Company of being the instigator of the suit against the road. Its answer says:

"Prior to the filing of the bill for an injunction in the above cause, competition between the different railroad companies for the transportation of grain and packing-house products from the Middle Western States and to secure such traffic became so marked and manifest that this defendant was satisfied that the published tariff rates of other competing carriers were being secretly cut on such commodities, and in order to protect its own traffic and to secure a fair share of such traffic for itself, as against its competitors, it found that it was necessary, owing to the deception practiced by other carriers, to also secretly cut its own published tariffs upon its own line, where it found the same necessary to secure or protect the traffic of the aforesaid commodities, and that when an investigation was had by said Interstate Commerce Commission, as referred to in said information, in regard to the secret rate cutting on grain and packing-house products, Paul Morton, its second vice president and then in charge of its traffic, freely laid before said commission the methods adopted to secure traffic in said commodities in competition with the other carriers in order that the unlawful methods indulged in might be fully exposed and a stop put, if possible, to such practices."

The answer says that immediately upon the issuance of the restraining order the traffic managers of the various Santa Fe lines notified the traffic agents of the company of the order and instructed them to comply with it.

The Colorado Fuel and Iron Company, the Santa Fe says, is a result of the desire of some competitors and similar industries along the line of the El Paso and Southwestern Railroad to use the kind of coal mined by the Colorado Company. The El Paso and Southwestern, a connection of the Santa Fe Company, has lines to the Colorado Company's mines. There are coal mines nearer to the smelters than the Colorado Company's mines, but the smelters do not like to use their coal, says the Santa Fe, because it is not a good steam-maker.

In order to secure this coal traffic, says the Santa Fe, it made an agreement with the El Paso and Southwestern to haul coal to connecting points with the latter road, for which service the Santa Fe was to receive as its proportion for the haul $2 90 a ton. The smelters and other industries agreed to pay the Colorado Company $1 15 a ton for this coal.

When the restraining order was made, says the Santa Fe's answer, a tariff was published covering this agreement. It is alleged against the Santa Fe that it violated this published tariff and on this point the answer says:

"In preparing said joint tariff said traffic manager inadvertently, but without any desire to evade such order, included in said joint rate prescribed in said tariff the cost of coal, but this defendant at all times received upon the coal so carried under such joint tariff only its proportion or agreed division of the entire or through charge of carriage."

The answer contends that the practice of collecting from the smelters the price of the coal and the freight charge was to facilitate business and not to afford a vehicle for rebates.

The answer names the Caledonian Coal Company, whose coal, the answer says, the smelters would not use, as the instigator of the Interstate Commerce hearing that resulted in the suit against the Santa Fe.

CALIFORNIANS VISITING ON THE ATLANTIC SIDE

Many People From This State Register at Prominent New England Summer Resorts.

BOSTON, July 31.—Among the Californians just arrived at prominent New England summer resorts are the following:

Magnolia—C. M. Cosgrove, San Francisco.

Winthrop, Mass.—W. H. Ryan, San Francisco.

Rockland, Me.—Mr. and Mrs. Auchincloss, Redlands, Cal.

Tilton, N. H.—Leon Turlock, United States Marshal in Arizona.

Conimicut, R. I.—Mrs. George McLellan of Los Angeles is a guest of Mrs. A. E. Westcott.

GETZ BROTHERS SUED.—William A. Doherty and A. J. Paull of Seattle filed suit in the United States Circuit Court yesterday against Getz Brothers to recover $3903 alleged to be due on merchandise delivered.

There is only one way to remove dandruff and permanently preserve your hair—by the constant use of

ED. PINAUD'S EAU DE QUININE HAIR TONIC

There is no other preparation which will so readily keep your scalp clear of hair-destroying diseases, strengthen the roots of the hair and make it thick and lustrous and beautiful.

FREE ED. PINAUD'S EAU DE QUININE HAIR TONIC for three applications; enough exquisite perfume for five times, and famous ELIXIR DENTIFRICE for five times. Send 10c to pay postage and packing.

WRITE TO-DAY Ed. Pinaud's American Offices, Ed. Pinaud Bldg., New York City.

GERMANY'S GOOD FAITH DOUBTED

Activity of Kaiser's Agents in Morocco Arouses Suspicion of French People

SECURING CONCESSIONS

In Spite of Agreement Teutons Are Getting What They Can From Sultan

PARIS, July 31.—The activity of the German commercial agents and officials with reference to the Moroccan situation is causing great doubts on the part of the French people as to Germany's good faith. Despite the decision of the two Governments not to interfere with the status quo until the international conference meets the Germans are trying their utmost to extract commercial concessions from the Sultan, hoping thereby to strengthen Germany's position at the conference. Inquiries in well informed circles, however, show that it is not believed that Germany is officially authorizing these efforts to secure advantage, though differences are likely to arise from this action with consequent protraction of negotiations. Count Von Tattenbach-Ashold appears to be furthering the efforts of the German agents, which already have resulted in securing a concession for the construction of wharves, while strong efforts are being made to obtain a cable concession and the acceptance of a German loan. Such proceedings, it is believed here, do not tend to hasten a friendly understanding, but the approaching interview between Premier Rouvier and Prince Von Radolin, the German Embassador to France, is expected to result in the dispelling of doubts and the completion of a satisfactory statement.

MUNICIPAL LEAGUE WOULD AMEND LAW

Passes Resolutions Regarding Public Utilities and the City Charter.

At the last meeting of the Municipal League of San Francisco the election of an executive board of directors was ordered and Messrs. I. P. Allen, O. M. Goldaracena, J. Edlin, Charles Alpers, E. A. Lorenzo, James Stidger, W. H. Hazell, G. Grimphoff, George Renner, J. M. Corcoran and Hubert P. Dyer were elected to serve on the board of directors.

I. P. Allen was elected president; O. M. Goldaracena, first vice president; J. Edlin, second vice president; James A. Stidger, third vice president; Emanuel A. Lorenzo, secretary and treasurer, and D. G. Grimphoff, sergeant-at-arms. Finance committee—Messrs. W. H. Hazell, Charles Alpers and George Renner; committee on membership—Messrs. E. A. Lorenzo, James A. Stidger, Hubert P. Dyer, G. Grimphoff and J. Edlin.

After the adoption of the amended by-laws, the following resolutions were introduced by Secretary Lorenzo and unanimously adopted:

Whereas, It is deemed advisable and necessary to secure the co-operation of all improvement clubs, mercantile associations, labor unions and civic organizations in carrying out the aims and objects of this league, the Municipal League of San Francisco, in securing proper and needed amendments to the charter and the ownership of public utilities by the municipality, be it

Resolved, That the secretary of this league be and is hereby authorized to secure a hall and make arrangements and call a convention of delegates from all improvement clubs, mercantile associations, civic and labor organizations for the purpose of adopting or recommending amendments to the charter and submitting them for the approval of the voters and to demand and insist upon the ownership of public utilities and submit the questions acted upon and approved at the next election; and

Whereas, The Municipal Federation of Improvement Clubs of Greater San Francisco is about to hold a convention on August 14 in Occidental Hall, A. O. F. building, 102 O'Farrell street, with the object in view of adopting a plan for a Greater San Francisco; and

Whereas, The adopting of certain amendments to the charter and the ownership of public utilities are essential to a Greater San San Francisco, be it

Resolved, That the delegates of this league to said convention be and are hereby instructed to request that both conventions be held jointly and at the same time.

The removal of the Lowell High School to Richmond District was next considered and the following resolution was introduced and adopted:

Whereas, There is an attempt being made to remove the Lowell High School out of the Western Addition, where it has been located for many years; and

Whereas, The removal of the High School will prove detrimental to the best interests of the district where the greatest number of pupils attending the school reside, be it

Resolved, That this league hereby protest against the removal of the said school from the Western Addition and that we recommend that the new building be erected on the Bell property, on Octavia street.

The industrial committee, appointed by the Municipal Federation of Improvement Clubs of Greater San Francisco, will make its report at the convention to be held on the 14th of August and the committee on the Sutter Street Railway will also make its recommendations.

Boy Highwaymen Again Charged.

Feliz Marquar, James McGowan and John Flynn, each about fifteen years of age, were brought from the Detention Home yesterday and charged with robbery. They were returned to the Detention Home. They were arrested several days ago for holding up Thomas Normile at Montgomery and Pacific streets and taking $3 from him. The additional charge against them is for holding up Harold McKay, a messenger boy for the Yokohama Bank, on July 13 at Commercial and Sansome streets and taking $43 from him. They dragged him into a doorway and took the money out of his pockets. Harry Gundaker, 13 years old, the fourth member of the gang that robbed McKay, was arrested yesterday by Detective Bailey and charged with robbery.

FIVE-FOOT WHEEL FALLS AND CRUSHES A WORKMAN

Benjamin Krebs, the Victim of Fatal Accident in the Pacific Gear and Tool Works.

Benjamin Krebs, an employe of the Pacific Gear and Tool Works at 529 Mission street, was killed yesterday morning by being mangled by a heavy cast iron wheel. He and several other workmen were engaged in rolling the wheels, which are five feet in diameter, with a seven-inch rim, from one part of the shop to another. One of the wheels tilted toward Krebs and before he and his mates could bring it back to balance it fell over upon Krebs, throwing him down and crushing his abdomen.

Krebs was 20 years old and unmarried and resided at 1214½ Scott street. Coroner Leland has ordered an inquest.

"BAB" A DEFENDANT.—Suit was filed yesterday by William Schmaltz against James H. Babcock, known as "Bab," owner of a resort on Larkin street, to recover judgment for $1500 on a note issued February 24 last. Pending a decision Judge Trout has appointed Henry Nathan receiver of the Larkin-street resort.

BOOK ON GASTRONOMY TEMPTS DYSPEPTIC.

He Purloins "What Shall We Eat?" While Visiting a Market-Street Shop.

Pleads Temporary Insanity Superinduced by Partaking of Maine Edibles.

BY JAMES C. CRAWFORD.

For stealing a small but instructive volume entitled "What Shall We Eat?" valued at 50 cents, Burton G. Booker was arrested last Saturday afternoon in the bookshop of John J. Wellenderf, 1147 Market street. Mr. Booker's plea before Police Judge Conlan was that of temporary dementia, superinduced by chronic dyspepsia, and his personality did not belie his affirmation. He was tall, emaciated of body and very sallow of skin, and his facial expression denoted life-long abstinence from hilarity of spirit.

The bookseller testified that Mr. Booker, after moodily examining some

works on physical culture and gloomily casting them aside, picked up "What Shall We Eat?" and scanned its pages with such show of interest as to attract the attention of the complainant, who was about to inform him that the establishment was not a free reading-room, but a place for the buying and selling of literature, when "What Shall We Eat?" suddenly vanished and Mr. Booker started doorward. Suspicious that the guide to proper feeding had been pilfered and was then in one of Mr. Booker's pockets, Mr. Wellenderf instituted a search that resulted in full confirmation of his suspicion.

The defendant's wife, who manages a lodging-house on Howard street, informed the Judge that her husband's gastronomic ailment was recently conveyed by him from Maine, in which State he was born, reared and made stomachically weak by partaking indiscriminately and at irregular intervals of the popular viands of the commonwealth, consisting largely of corn pone that was warranted to sink instantly and of its own volition, hog liberally garnished with hominy, buttermilk of acidulous sourness and cider of adamantine hardness.

Ere he came westward Mr. Booker consumed oceans of liquefied specifics guaranteed to rout dyspepsia, and the pills he swallowed outnumbered the bullets exchanged in the Russo-Jap war. It was with hope that change of climate and scenery would remedy his internal imperfection and its accompanying mental derangement that he crossed the continent, but alas! he had dallied too long with the indigestibles of Maine. Neither his body nor his mind has been benefited by the change of locality. While he has religiously adhered to the farinaceous diet prescribed by a great local medicine man, he has yearned for the corn pone and other gastric-juice defiers of his youth, and the yearning has accentuated his mental unreliability. His brain certainly was awry when he stole "What Shall We Eat?" for the book was of such trifling cost that he could have paid for it a hundredfold without exhausting his pecuniary resources.

The court apparently attached some credence to Mrs. Booker's statement, for Mr. Booker was remanded for one week and allowed to go on his own recognizances. Then, accompanied by pitying glances, from an epicurean bench and a bar of gourmets, the miserable Mr. Booker was escorted from the court by his better half.

* * *

So dearly did George Peterson and George Schmeal, youths from Oakland, love a good fight that when the pianist and the drunken sailor were sweeping the dance-hall floor with each other's persons and the bartender attempted to blow an alarm whistle they—the two Georges—barred his path to the door and prevented him summoning the police until the pianist yelled "Enough!" as the seaman triumphantly sat upon his prostrate form. Then the bartender blew a shrill blast, and when the peace guardians arrived he gave George Peterson and George Schmeal into custody on the charge of interfering with a mixologist in the discharge of his duty.

"Duty nuthin'," said one of the Georges to Judge Fritz. "De pianny fighter started de scrap wid de sailor guy, and as long as de sailor wuz a-gettin' de wust of it de bartender mug didn't do a t'ing, but jest as soon as de sailor guinea begins ter get de upper han', den de bartender bloke he wants ter cut loose wid his whistle, wantin' ter save de pianny t'umper from a-gettin' w'at wuz a-comin' ter him, o' course. We t'ought de sailor chap wuz entitled ter a fair run, an' we saw dat he got it. Dat wuz all."

As the defendants had spent about thirty-six hours in jail the court opined that they had been amply punished for their maintenance of fair play.

* * *

Thomas A. Guild, chauffeur, was whirling Thomas Burns and wife and their gentleman friend home from the ocean beach night before last when Patrolman Levy brought the automobile to a halt on the south drive of Golden Gate Park and arrested its conductor for violating the ordinance which prohibits the running of such vehicles in the great public playground after 11 o'clock p. m. The policeman told Judge Fritz that his watch, an instrument of infallible accuracy, recorded 11:15 o'clock when he made the arrest, but the defendant swore that he also glanced at the same timepiece and saw that its minute hand was between the XI and I marks. His Honor dismissed the case on the ground that the ordinance did not intend that reputable citizens should be arrested if they happened to accidentally violate it by such a narrow margin as five or ten minutes. The chauffeur was employed by the San Francisco Gas Company and Mr. Burns is an official of that corporation.

* * *

Miss Celia Fay, who soullessly shattered a whisky drummer's faith in her probity by abstracting $250 from his pockets while he slept, was sent to the Superior Court, under $1000 bonds, by Judge Cabaniss. After getting away with her plunder Miss Fay spent most of it by entertaining a hack driver.

* * *

Marion Lesenby, the amateur cracksman who burglarized a Fifth-street grocery and left a note for the police which he signed "Raffles," was committed for trial by Judge Fritz, with bail fixed at $2000.

* * *

Patrick McHugh, William Rowland and Joseph McMurray, young fellows who were caught in the act of burglarizing Reuben H. Lloyd's residence, 1010 Folsom street, at noon last Saturday, were variously disposed of by Judge Fritz. McHugh was given sixty days, Rowland got four months and McMurray will have a chance to prove previous good character to-day.

* * *

It was no fault of his, Hiram Perkins of Middletown declared, that the young women in the Pacific-street home of Terpsichore fought for his exclusive attention and incidentally tore some of his garments while he was endeavoring to quell the squabble. When he came down from Lake County to partake of metropolitan pleasures he was resolved to abstain from manifesting favoritism toward any of the ladies he might encounter during his nocturnal tour of the Barbary Coast, for a popular and well-informed jurist now spending his vacation at one of the Lake County resorts had told him that it would be indiscreet to be discriminative in bestowal of his admiration when he entered dancehall society.

In accordance with that competent advice, he treated all the ladies as much alike as he possibly could, despite the fact that he was more enamored of some of them than of others of inferior physical, intellectual and artistic charm. He could not dance with more than one at a time, but he let it be understood that he would lead each of them through a mazy whirl ere he departed the place. That arrangement seemed to be satisfactory to all concerned, including the urbane and gentlemanly floor manager, but the lady with whom he first gyrated declined to relinquish him after he had led her to the bar, and even went so far as to defy any of

her sister artists to take him away from her.

Then the rumpus started. The lady whom he had selected for the next dance attempted to escort him to the waxed floor, but her predecessor clung to his arm, and in the struggle for sole possession he was hauled and pulled all over the barroom. Vainly he told partner No. 1 that he was bound by honor to dance with her rival, whereupon No. 1 immodestly confessed that she had become so infatuated with his companionship that she would die rather than lose it. Then a blow was aimed by No. 2 at the face of No. 1, but his intervening face received it, and for a few moments thereafter he was kept busy protecting his countenance from the punches, jolts and swings aimed by each lady at the other.

While he succeeded in avoiding the reception of serious facial injury, he was sartorially damaged. The new suit which he had purchased for $9 99, marked down from $14 98, was irreparably rent and ripped and debuttoned. Was not that sufficient punishment for whatever offense against law he was alleged to have committed? What was that offense, anyway? Why was he, acting as peacemaker, taken in custody while the feminine belligerents were permitted to remain at large? Was it law? Was it justice? If it was either, he would spend his future vacations somewhere else than in San Francisco.

Judge Conlan tried to save the city from the threatened deprivation by dismissing Mr. Perkins.

GAINS APPOINTMENT OVER SIXTY OTHER CANDIDATES

Jay Dwiggins Obtains Position of Local Manager of a Prominent Eastern Insurance Company.

Jay Dwiggins has just been honored with the appointment of local manager of the Phoenix Mutual Life Insurance Company. He was selected from among sixty-one applicants by William A. Moore, the company's vice president, who has been on the coast for several weeks looking over the available candidates. Mr. Dwiggins succeeds J. W. Hicks, retired.

The new manager was born in Indiana about thirty-nine years ago. He is one of the best known and most successful insurance men in the country. His business during the last fifteen years has carried him all over the world. He has been located for long periods at London and at Buenos Ayres. He is an accomplished linguist, a genuine "good fellow" and is in consequence particularly well appreciated socially.

Burns'

For up-to-date Women's Shoes that fit and wear. $3.50 and $5.00. 112 Geary st.*

FOSTER PLANS RETRENCHMENT

Departments of California Northwestern and of the North Shore to Be Merged

MANY HEADS WILL FALL

Machine Shops at Sausalito to Be Consolidated With Those at Tiburon Point

President A. W. Foster and General Manager James Agler of the California Northwestern Railway and of the North Shore Railroad are about to announce a plan for retrenchment in those two companies that will include a general consolidation of various departments which escaped merging at the time the Foster syndicate took over the North Shore road. It was stated yesterday by General Manager Agler that in all probability the decision of President Foster and himself relating to the consolidation of the departmental offices of the two roads will be made known to-morrow.

It is generally understood at the offices of the two companies in this city that the changes will mean the retirement of a number of high salaried men and that in the majority of cases the men to go will mainly be those who are engaged in operating and maintaining the North Shore road. President Foster, after taking over the North Shore road, and looking over its badly muddled finances, was quick to realize that retrenchment would be necessary and he immediately proceeded with a plan in that direction by consolidating the position of managers, superintendents, chief engineers, auditors, general freight and passenger officials and the local ticket offices. It was his intention to carry out his plan farther, but the prolonged illness of former General Manager Frazier and his final retirement caused a postponement of action.

The latest plan is to consolidate the car and machine shops of the California Northwestern at Tiburon with those of the North Shore road at Sausalito, dispose of one of the two steamer superintendents, merge the engineer offices of B. H. Fisher and F. K. Zook and the positions of master mechanics. It is estimated that these changes will save the owners of the roads many thousands of dollars a month, without interfering with the operation of the lines. In making changes it has invariably been the practice of President Foster to fully consider the services of the men in his employ, together with their conditions at home, and there is every reason for believing that he will order General Manager Agler and other heads of departments to do the same in the coming general shake-up. In view of that fact it is expected that many of the men who have been working for the California Northwestern road at Tiburon for many years will be permitted to retain their positions, for not a few of them have their homes there and have reared families at the point.

Yesterday General Manager Agler issued circular letters to the owners of the different bus lines along the route of the California Northwestern and the North Shore roads that have been operating in connection with the latter, under a subsidy, that the subsidy having expired it would not be renewed. Later in the day, however, President Foster made an exception in the case of the company operating buses between the California and Northwestern line and West End. Two other bus lines, one between the North Shore and the Catholic Convent and another between the latter place and the California Northwestern, with the West End service, were started long before the railroads were placed under one management.

DEATH SENTENCE WILL AGAIN BE PASSED ON FRANK WOODS

Thug Convicted of Murdering Policeman Eugene C. Robinson Will Appear Before Judge Cook To-Day.

Judge Cook yesterday received the remittitur from the Supreme Court denying a new trial to Frank Woods, convicted of the murder of Policeman Eugene C. Robinson at Sixteenth and Valencia streets on January 21, 1902, and ordered the case placed on the calendar for to-day, when Woods will appear to be resentenced to be hanged. Woods was sentenced to be hanged on January 31, 1903, but the appeal to the Supreme Court stopped the execution.

Woods has frequently said that he did not mind being hanged, but before paying the penalty he would like to be alone for a few minutes with William Henderson, who turned State's evidence against him and the other defendants. Henderson will also appear in court this morning and the charge of manslaughter against him will be stricken from the calendar. For several months he has been at liberty on his own recognizance pending the decision of the appeal in the Woods' case.

There is still an appeal to the Supreme Court pending in the case of William Kauffman, alias "St. Louis Fat," who was sentenced to serve twenty-five years, but the grounds are about the same as in the Woods case. Allen Goucher is serving a term of twenty-five years; John Courtney, alias "Leadville Jimmie," six years, and William B. Kennedy, alias "Yellow," although escaping on a technicality, after being sentenced to imprisonment for life, is serving a term of forty-five years for burglary committed in Woodland.

Fall Proves Fatal.

Mrs. L. Heller of 543 Haight street died in Mount Zion Hospital yesterday from injuries received in an accident at her house last Saturday. On that occasion she was shaking a heavy carpet rug out of a window and lost her balance, falling out of the window to the ground. She was married, 55 years old, and a native of Austria.

WOULD ADMINISTER ESTATE.—Christian Reis, surviving brother of the late Ferdinand and Julius C. Reis, applied yesterday for letters of administration upon the estate of Ferdinand, which is appraised at $1,030,000.

CASTORIA

The Kind You Have Always Bought has borne the signature of Chas. H. Fletcher, and has been made under his personal supervision for over 30 years. Allow no one to deceive you in this. Counterfeits, Imitations and "Just-as-good" are but Experiments, and endanger the health of Children—Experience against Experiment.

What is CASTORIA

Castoria is a harmless substitute for Castor Oil, Paregoric, Drops and Soothing Syrups. It is Pleasant. It contains neither Opium, Morphine nor other Narcotic substance. Its age is its guarantee. It destroys Worms and allays Feverishness. It cures Diarrhœa and Wind Colic. It relieves Teething Troubles, cures Constipation and Flatulency. It assimilates the Food, regulates the Stomach and Bowels, giving healthy and natural sleep. The Children's Panacea—The Mother's Friend.

The Kind You Have Always Bought

Bears the Signature of

Chas. H. Fletcher.

In Use For Over 30 Years.

THE CENTAUR COMPANY, 77 MURRAY STREET, NEW YORK CITY.

FIGHT FOR TAHOE'S WATERS IS OPENED

Land Owner Seeks to Restrain Construction of Canal.

A legal battle for possession of the power stored in the waters of Lake Tahoe that find their way through the Sierra and over Nevada's deserts between the banks of the Truckee River opened in the Superior Court of this city and county yesterday. Murray F. Vandall appears as plaintiff and Edward Malley as defendant.

Some time ago, says Vandall, he purchased a portion of section 7, township 15 north, range 17 east, Mount Diablo base and meridian, from the Donner Lumber and Boom Company. The land purchased by him, he says, covers the source of the Truckee River and the conveyance included a huge dam, built by the lumber company named, with which the flow of water from the lake into the river is controlled. The principal object he had in view when he made the purchase, says Vandall, was to utilize the waters of the Truckee for power purposes, including the generation of electricity, etc.

But recently, he says, he learned that Malley had acquired from the Donner Lumber and Boom Company a right of way across the portion of section 7 still held by it and that Malley purposed cutting a canal from the lake to the Truckee, below the property owned by the plaintiff, for the purpose of a power plant.

Should this be done, says Vandall, it would defeat the object of his purchase and take from his hands the right to regulate the flow of water from the lake. This, he says, would leave him at the mercy of the defendant. Vandall asks that the defendant be enjoined from cutting the canal and that it be decreed that he has the sole right to control the waters of the lake that flow out over the lands purchased by him or that may still remain in the hands of the lumber and boom company.

The question involved is an interesting one, as the decision to be reached in the case will probably control the development in the future of all power plants that look to the waters of Tahoe for the force to propel their wheels.

County Clerk Greif Indorsed.

The Thirty-first Republican Assembly Club at its meeting last night, held at the residence of John Hoey, 827A Bryant street, passed the following resolution:

Resolved, That the incomparable record of the Hon. John J. Greif, as County Clerk, for ability, economy and faithfulness in the performance of duty entitles him to, and we most heartily recommend him to the approaching Republican convention as one eminently deserving, renomination and election.

PROFESSOR STANLEY LECTURES.—Professor Albert A. Stanley, who occupies the chair of music at the University of Michigan, lectured last night at the art gallery of the Mechanics' Pavilion on "Evolution of Musical Instruments." His talk was illustrated by more than 100 views of musical instruments from the early ages to the present time.

Like a Rose

Clear, smooth and beautiful is the complexion of the woman who uses

Lablache Face Powder

It prevents and cures sunburn, roughness and other distressing afflictions caused by the wind or heat. It is refreshing and cooling. Lablache Face Powder is invisible upon application. It will overcome the odor of perspiration and leave the skin as sweet and fresh as the petals of a rose. Beware of dangerous counterfeits or substitutes. The genuine bears the signature of "Ben Levy" in red ink across the label of the box. *Accept no other.*

Flesh, White, Pink or Cream, 50c. a box of Druggists or by mail.

BEN. LEVY & CO
French Perfumers
125 Kingston Street, Boston, Mass.

Dr. Lyon's PERFECT Tooth Powder

Cleanses and beautifies the teeth and purifies the breath. Used by people of refinement for over a quarter of a century. Very convenient for tourists.

PREPARED BY

J. W. Lyon, D.D.S.

OCEAN TRAVEL.

PACIFIC COAST STEAMSHIP CO.

Steamers leave Piers 9 and 11, San Francisco:

For Ketchikan, Wrangel, Juneau, Treadwell, Haines, Skagway, etc., Alaska—11 a. m., Aug. 3, 8, 13, 18, 23, 28, Sept. 2. Change to this company's steamers at Seattle.

For Victoria, Vancouver, Port Townsend, Seattle, Tacoma, Everett, Anacortes, South Bellingham, Bellingham—11 a. m., Aug. 3, 8, 13, 18, 23, 28, Sept. 2. Change at Seattle to this company's steamers for Alaska and G. N. Ry.; at Seattle or Tacoma to N. P. Ry.; at Vancouver to C. P. Ry.

For Eureka (Humboldt Bay)—Pomona, 1:30 p. m., Aug. 3, 9, 15, 21, 27, Sept. 2. Corona, 1:30 p. m., Aug. 6, 12, 18, 24, 30, Sept. 5.

For Los Angeles (via Port Los Angeles and Redondo), San Diego and Santa Barbara—Santa Rosa, Sundays, 9 a. m.

State of California, Thursdays, 9 a. m.

For Los Angeles (via San Pedro and East San Pedro), Santa Barbara, Santa Cruz, Monterey, San Simeon, Cayucos, Port Harford (San Luis Obispo) Ventura and Hueneme—Coos Bay, 9 a. m., Aug. 2, 10, 18, 26, Sept. 3.

Bonita, 9 a. m., Aug. 6, 14, 22, 30, Sept. 7.

For Ensenada, Magdalena Bay, San Jose del Cabo, Mazatlan, Altata, La Paz, Santa Rosalia, Guaymas (Mex.), 10 a. m., 7th of each month.

ALASKA EXCURSIONS. Season 1905—The palatial excursion steamship SPOKANE will leave Tacoma, Seattle and Victoria June 22, July 6, 20, August 3, 17.

For further information obtain folder. Right is reserved to change steamers or sailing dates.

TICKET OFFICES—4 New Montgomery st. (Palace Hotel), 10 Market st., and Broadway wharves. Freight Office, 10 Market st.

C. D. DUNANN, General Passenger Agent. 10 Market st., San Francisco.

AMERICAN LINE.
Plymouth—Cherbourg—Southampton.
ATLANTIC TRANSPORT LINE.
New York—London Direct.
HOLLAND-AMERICA LINE.
NEW YORK—ROTTERDAM, via BOULOGNE
RED STAR LINE.
Antwerp—Dover—London—Paris.
WHITE STAR LINE.
New York—Queenstown—Liverpool.
Boston—Queenstown—Liverpool.
To the Mediterranean.
FROM NEW YORK.
CRETIC.....September 26, Nov. 4, Dec. 9
REPUBLIC.....October 19, November 30
FROM BOSTON.
CANOPIC..August 5, September 16, October 28
ROMANIC.....October 7, November 18
C. D. TAYLOR, Passenger Agent Pacific Coast, 21 Post st., San Francisco.

Hamburg-American.
Plymouth—Cherbourg—Hamburg.
¶Patricia.....Aug. 5 | Hamburg.....Aug. 31
‡*Moltke.....Aug. 17 | ¶Pennsylvania..Sept. 2
¶Waldersee...Aug. 19 | †*Bluecher.....Sept. 7
†Deutschland..Aug. 24 | Bismarck.....Sept. 9
†Grill room. *Gymnasium on board. ¶Calling at Dover for London and Paris.
HAMBURG-AMERICAN LINE, 35-37 Broadway, N.Y.
HERZOG & CO., 401 California st.

Oceanic S.S. Co. HAWAII, SAMOA, NEW ZEALAND AND SYDNEY. DIRECT LINE TO TAHITI.
S. S. MARIPOSA, for Tahiti, Aug. 6, 11 A. M.
S. S. SONOMA, for Honolulu, Samoa, Auckland and Sydney, Thursday, August 10, 2 P. M.
S. S. ALAMEDA, for Honolulu, Aug. 19, 11 A. M.
J. D. SPRECKELS & BROS. CO., Agts., Ticket Office 643 Market. Freight Office 327 Market St., Pier 7, Pacific St.

KOSMOS LINE
PASSENGER SERVICE.
S. S. "THEBEN," 6000 tons, Captain Richert, sailing from San Francisco, July 29, for Europe, via ports on west coast of Mexico, Central and South America. For rates and accommodations apply to LENDAL M. GRAY, Manager, 329 Market street.

Compagnie Generale Transatlantique.
DIRECT LINE TO HAVRE—Paris.
Sailing every Thursday instead of Saturday, 10 a. m., from Pier 42, North River, foot of Morton st.
First class to Havre, $70 and upward. Second class to Havre, $45 and upward. GENERAL AGENCY FOR UNITED STATES AND CANADA, 32 Broadway (Hudson building), New York. J. F. FUGAZI & CO., Pacific Coast Agents, 5 Montgomery avenue, San Francisco. Tickets sold by all Railroad Ticket Agents.

BAY AND INTERURBAN ROUTES.

NAPA VALLEY ROUTE.
MONTICELLO STEAMSHIP COMPANY—VALLEJO AND NAPA VALLEY INTERURBAN ELECTRIC R. R. CO. Close connections at Vallejo with 6 round trips daily for Vallejo, Mare Island Navy Yard, Napa, Napa Asylum and all way points. Boats leave San Francisco 7:00 a. m., *9:45 a. m., 12:30 noon, 3:15 p. m., 6:00 p. m., 8:30 p. m.
Cars leave Napa 6:15 a. m., 6:55 a. m. local, 8:30 a. m., 11:30 a. m., 2:30 p. m., 4:30 p. m., 7:30 p. m., 9:30 p. m. local. San Francisco landing and office, Pier 2, foot of Mission st. Meals a la carte. Phone Main 1508. HATCH BROS., General Agents.
*Lands Navy Yard direct.

For Vallejo and Mare Island Navy Yard.
Steamer H. J. CORCORAN leaves wharf north end of Ferry Building, week days (except Saturday), 11 a. m., 8:15 p. m. Saturdays, 11 a. m. Sundays, 9:30 a. m., 8:15 p. m. Leaves Vallejo, week days (except Saturdays), 7:45 a. m., 5:30 p. m. Saturdays, 7:30 a. m., 6 p. m. Sundays, 5:30 p. m. Meals a la carte. Phone 641. BARNESON-HIBBERD CO., managers, 456 Montgomery street.

THE WEEKLY CALL
$1 per Year.

WESTERN IRON STEEL

Notice is hereby given that offers for public subscriptions to the "Western Iron Steel" stock at Ten Dollars per share, present offering limited to One Thousand shares, will be received at the Company's office, 817 to 823 James Flood Building, San Francisco, until 12 o'clock noon, Tuesday, August 15th. Subscriptions must be accompanied by checks to the order of said Company for five per cent of amount subscribed, balance payable within ten days after date of allotment. The right is reserved to reject any subscription in whole or in part. Full particulars can be obtained at the Company's office.

The first offering of one thousand shares at Five Dollars per share was oversubscribed three times.