WAR MADE LIVELY BY SANTA FE WORKERS

Large Force of Track Layers Put Down Crooked Road.

Gain Advantage Over Western in the Terminal Fight.

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diagonally by a railroad would be rendered practically valueless, and thereby the condemnation proceedings would act as a confiscation of this defendant's property and tend to force this defendant to sell same at a cheap figure.

The plaintiff can dismiss the proceedings at any time it sees fit even after judgment, without being compelled to pay for the property attempted to be condemned by this proceeding.

The manufacturing interests of the city and county of San Francisco have been revived in a great degree within the last few months, and more particularly within the last year; the demand for large tracts of land available for connection with spurs from the main tracks of the existing railroads is now very active; and in order to take advantage of said demand, this defendant purchased the block of land in question and made arrangements with the Atchison, Topeka and Santa Fe Railway to place a spur track, connecting with its main line, along the whole of the east front of the block of land and to make arrangements with the Southern Pacific Railroad Company, so that the company should be able to run cars over the spur track.

RECITE PRIOR STEPS.

In conformity with such arrangements this defendant and the owners of an adjoining block and said Santa Fe Railway Company took steps by way of application for a permit so to do, and the Board of Supervisors of the city of San Francisco in October, 1905, granted the Atchison, Topeka and Santa Fe Railway Company a right to run a spur track from its main lines so that it would intersect the whole eastern frontage of the block of this defendant, provided that the last-named railroad company would consent that the Southern Pacific Railway Company should have the right to use the spur track, which consent was granted.

Both the Atchison, Topeka and Santa Fe Railway Company and the Southern Pacific Railway Company are now operating and maintaining standard gauge railroad lines with connections over the entire United States, and this defendant and the owners of adjoining blocks have caused plans to be made for buildings for manufacturing purposes with spur tracks, covering the easterly twelve and a half feet of both the adjoining blocks, and the owners of the adjoining blocks have now practically completed one building with said arrangements for the spur tracks, and the Atchison, Topeka and Santa Fe Railway Company, acting for itself and said Southern Pacific Railway Company, were before the commencement of this action and are now in the process of installing the spur tracks to cross the easterly twelve and a half feet of the block of this defendant and to operate the same.

This defendant entered into various and sundry negotiations with various manufacturing concerns, looking toward the erection of buildings suitable for manufacture, using the said spur tracks.

Thereafter on the 5th day of December, 1905, this defendant entered into an agreement with John Hoey & Co., a California corporation, leasing to them the northerly 100 feet of the block for the term of twelve years, commencing with the first day of January, 1906, and to proceed forthwith to erect and maintain a building costing, without fire extinguishing plant and party wall, in the neighborhood of $75,000, and thereafter and by virtue of the agreement this defendant entered into an agreement with contractors Knowles & Reichley, composed of W. G. Knowles and G. Reichley, for the erection and construction of the building and work had been commenced on the contract prior to the commencement of this action.

Both the Atchison, Topeka and Santa Fe Railway Company and this defendant had, prior to the commencement of this action, so changed their relations and so obligated themselves as to be entitled to a specific performance of their agreement, which is now in full force and effect, and the said Atchison, Topeka and Santa Fe Railway, a Kansas corporation, is a necessary and proper party to this action in order that this court may give final determination of the interests of all parties in the real property described in plaintiff's complaint.

The block in question is within a few hundred yards of two estuaries of the bay and in immediate connection with the lines of two transcontinental railroads.

There is a very limited quantity, less than five acres, of unoccupied land in the city and county of San Francisco conveniently available for warehouse and manufacturing concerns, and there is a large amount of territory that is available for railroad rights of way and terminal facilities. Any location of a right of way upon a natural grade of the ground would work private injury and would not be compatible with the greatest public good. If any franchise for roads should be granted by the city and county of San Francisco it would be most compatible with the greatest public good and least private injury that the same should be built either submerged below the level of the street or with an overhead and elevated track in such a way that the streets would be conveniently accessible for trucks and drays and large vehicles in handling freight. There is no reasonable probability that the plaintiff will be able to locate its right of way on the ground across Potrero block 136 in the manner referred to in plaintiff's complaint and the maintance of these proceedings works an unnecessary hardship and injury upon private property.

The most unexpected demand of all is that the Supervisors compel the Western Pacific to either come into San Francisco underground or on elevated tracks. The necessity of such methods of railroading, however, have not struck the Terminal Company as being necessary to its own interests and of the Santa Fe and the Southern Pacific, for it was only last evening that they ceased their work of driving their track across the proposed route of the Western Pacific, very crooked, it is true, but on the surface nevertheless. No subways nor elevated structures were visible.

SCHOONER MAHUKONA WINS SUIT AGAINST THE NELSONS

Judge De Haven Awards Full Amount Prayed For on Freightage of Puget Sound Lumber.

United States District Judge de Haven yesterday handed down a decision in favor of the libelant in the suit of the schooner Makukona Company vs. The Charles Nelson Company for $3781 54, together with interest on that sum at 6 per cent from August 23, 1902, and costs. The amount awarded was claimed as freight money on a cargo of lumber from Puget Sound to Oakland. Judgment was also rendered for the libelant in a suit between the same parties for demurrage for thirty-three days' detention of the Mahukona at Everett, Puget Sound, while the lumber was being loaded by the Charles Nelson Company. The matter was referred to United States Commissioner James P. Brown to take testimony as to the sum due.

WORK STOPS WHEN UNCLE SAM SPEAKS

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neer Arnold was superintending the work. North of the wall, on the same line and about a thousand feet out, four drivers were consolidating the pile wall which, according to the plans, is to be the northern boundary of the Western Pacific holdings.

Two thousand feet west of the end of the training wall the big dredger of the American Dredging Company was throbbing in toll. The shaft of the "cutter" was revolving in an endless movement, and thirty feet below water the whirling teeth were tearing up the sand which immediately was swallowed up by the giant sucking of the pump. The pipes, laid on pontoons and piles, were fairly bursting with the flow, compressed streams geysering out of the hole and seams, and at the end a stream of liquid ooze poured out upon the flats, coagulating there into the precious earth for which men are so bitterly fighting. All along the wall booted men with guns upon their shoulders, their hips bulging with revolvers, were pacing back and forth. Through the day they were being reinforced till they numbered nearly one hundred. At four places new camps were being established for them, and a quarter of a mile from the end of the wall carpenters were working upon a house for them. Here and there shelters with thick walls made of ties were being erected. These had an aspect strangely similar to the blockhouses of Indian warfare days, and piles of iron rails and boxes full of iron spikes were laid about them with an ostentatious negligence that did not prevent them from forming very good imitations of fortifications. Farther east the grounds of the Southern Pacific swarmed with blue-coated police, and gangs of laborers were laying tracks which are beginning fairly to gridiron the space asked for right of way by the Western Pacific through condemnation proceedings.

MARSHAL APPEARS ON SCENE.

It was at the end-day culmination of these activities that a little launch, the Port Costa, steamed silently to the wall and discharged a lone and meek-looking man. This man presented a piece of paper to B. A. Arreagada, foreman of the track-layers. Arreagada looked at the document, shrugged his shoulders, raised his left arm toward the teeming toilers, and as by magic the work stopped. Without another look the man turned on his heel, climbed back aboard the launch and the little vessel steamed off toward the big dredger of the American Company which works night and day. Meekly he climbed aboard the big machine, called for Captain Johnson and gave him another piece of paper. Johnson read it, poked his head down the companionway and bawled a command to the engine-room. The rumble of straining machinery ceased, the revolving "cutter" stopped the turning that was tearing at the bottom of the bay, the big pumps came to a stand-still with one last, long exhalation; the long pipes stretching 2000 feet to the edge of the wall ceased to squirt water out of leak and joint, and at the mouth the endless flow of liquid mud, which for days had poured out without cessation, suddenly stopped.

The man with the papers was Assistant United States Marshal Burnham, and the papers he was serving were Federal injunctions. The United States at last had spoken.

ANTOINETTE DUTTON ASKS COURT TO DIVORCE HER

Says Husband, Owner of Sacramento River Landing, Is Guilty of Desertion.

A suit for divorce was filed yesterday by Antoinette Dutton, who alleges that her husband, John W. Dutton, has deserted her. She claims that he has an income of $25,000 a year from Duttons Landing, on the Sacramento River, and San Francisco properties of which he is the owner. She petitions the court to allow her suitable alimony.

Other suits for divorce were filed by Ellen against Lucas Coleres for desertion, Lulu F. against John E. Holden for failure to provide, Ella A. against T. F. Rowell for desertion, Giovanni against Mario Gaviglic for cruelty, Mabel L. against August H. Radke for cruelty, Maggie against Clarence E. Peppler for cruelty, Inez against Raymond Perez for cruelty and Freda against Edward Coffey for desertion.

Eva M. was granted a divorce from Henry Davidson on the ground of desertion, and Ethel Broderick a divorce from William M. Broderick for cruelty.

Insane Patients Committed.

Drs McGettigan and Rethers of the Lunacy Commission had a busy day yesterday, examining ten patients. Among those committed were Archie Hutchinson, who attempted to kill himself and his wife, and was sent to Stockton; Joseph Fayne, 326 Seventh street, sent to Napa; John McKeown, sent to Ukiah at his mother's request; Mary Jane Thompson, a former inmate of the Almshouse, sent to Ukiah, Louis de Paoli, F. C. Jaiser and Ambrose Carpenter will be examined to-day as to their sanity.

MEN SHOWN TO THE WATCHES.—William Reed and Fred Polmer were taken into custody by Detective Matheson and Policeman O'Connor yesterday as suspected characters, and charged with vagrancy. They were shown to the different watches.

RUMFORD
THE WHOLESOME
Baking Powder
Best of the High Grade Powders.
15 cents half pound can.

QUICKLY OBEY COURT ORDERS

Men in Charge of Work Stop Operations When Federal Injunctions Are Served.

Continued from Page 1, Column 3.

and also the lands west of the bulkhead line to the pierhead line are brought into question by the allegation concerning damages to the claimed land. No question is raised as to the Federal holdings along the retaining wall. The Southern Pacific Company, because of its Kentucky charter, was able to go into the United States courts, as the Western Pacific and the dredging company are both corporations of California, and in such cases the Federal courts have jurisdiction.

Concerning the Southern Pacific Company's position, J. E. Foulds said to-night:

ATTORNEYS' STATEMENTS.

"The Southern Pacific Company asserts ownership to the lands between high tide line and low tide line. Most of this land north of the training wall has been occupied by the Western Pacific Railway Company and the American Dredging Company. West of low tide line, as far as the pierhead line, the land has also been occupied by these corporations. The Southern Pacific Company asserts that these corporations are trespassers, that they are on our land unlawfully and are working irreparable damage by shutting us off from access to the water by their occupancy of the land in front of us."

Charles E. Snook, resident attorney for the Western Pacific Railway Company, said:

"We are preparing for the legal contests that will come on in the Superior Court of Alameda County Friday and in the United States Circuit Court Monday. The Circuit Court injunction on the Western Pacific has been served and heeded. We believe we have also obeyed the order of the Superior Court. So far as the general situation is concerned we feel very much encouraged."

THIEF CREATES SCENE IN COURT

Special Dispatch to The Call.

LOS ANGELES, Jan. 10.—"You have sentenced me to the penitentiary for three years for a crime of which I am as innocent as you are. I have been jobbed. The case has been made against me by persons who desired to see me put out of the way, and chief among them is that woman, my wife, who, if any crime was committed, is the guilty person, or knows who is. She is at the bottom of all my troubles and has taken this means of getting rid of me so that she can marry another."

Thus spoke Al Mason as he stood before the bar of the criminal department of the Superior Court to-day, after he had been sentenced to three years' imprisonment in San Quentin. There was a ring to his voice and his words could be heard throughout the big room. As he spoke he pointed his finger at a pretty woman who sat near the rail. She is his wife and he blames her for his trouble. She faced him almost brazenly, looked him squarely in the eye as he uttered his denunciation, and only those nearest her caught her reply when she hissed almost in a whisper: "You lie!" Almost gloatingly she saw her husband handcuffed and led away. Then she left the courtroom laughing and talking with a party of friends.

Mason was convicted of entering a rooming house on South Spring street and stealing $120 from a room which had been left open. The evidence against him was conclusive, and there was nothing in any of the testimony to connect the woman with the crime.

CENTRAL PARK WILL SOON END ITS CAREER

The formation of an amusement company for the purpose of constructing a building for San Francisco, modeled on the plan of the Madison Square Garden of New York, foreshadows the doom of the famous old place of amusement, Central Park. The old grounds that have witnessed many of the city's great exhibitions of the past has passed into new hands. No more will athletes contend in the time honored park where some of the country's greatest ball players once disported.

In the old days when D. R. McNeil first took charge of the park, the place was the scene of ball games, walking matches, races, balloon ascensions and the like. With the change in management McNeil, who has for so long a time been lessee and manager, gives place to a local and popular young business man, Roy Mauvais, with whom is placed the capital of several prominent business men of San Francisco.

The plans of amusement of the new company are not announced, but something new is promised by the first of March. It is understood, however, that the lessees will erect on the time-honored circus grounds a building which San Francisco needs. The prospective amphitheater will be arranged so as to have the spectators within the hearing of a speaker standing in the center of the building. To do this the seats will be highly banked. It is planned to hold boxing matches and to place San Francisco in line in bidding for conventions and spectacles.

PLANNING FOR CROSSING OF GOLDEN GATE PARK

Supervisor Patrick M. McGushin is planning a scheme to present to the Board of Supervisors by which drays, merchants' wagons and the like will have a means of crossing Golden Gate Park and conecting the Richmond and Sunset districts. The scheme is not yet nearing completion, but Supervisor McGushin believes that some means should be determined upon by which this passage could be made.

McGushin is also in favor of adopting a plan whereby the new Geary-street electric line can cross the park and connect these two districts.

Bold Thief Steals Diamond Rings.

A desperate chance was taken by a thief yesterday morning when he entered Cohen Brothers' jewelry store at 1034 Market street and stole two diamond rings valued at $400. A man about 5 feet 6 inches tall approached David Bergeter, the clerk, and asked to be shown some diamond rings. The clerk brought a tray of the precious stones from the case and handed two of the rings to him for inspection. Seeing his chance he darted from the store and disappeared in the throng of people on Market street who were on their way to work.

ANCIENT FORESTERS INSTALL. — The following named have been installed as the officers of Court America for the current term: Charles S. Smith, P. C. R., chief ranger; Armond Delage, sub-chief ranger; P. J. Lapachet, treasurer (third term); C. Braaksma, financial secretary (twenty-second term); H. Landwehr, recording secretary (fifth term); M. A. Lion, senior and James Cronan junior woodward; S. Graham, senior beadle (second term); George Cooling Sr. (third term). The installing officer was Fred Boradt, D. H. C. R., assisted by Deputies Show, Carpenter and Casky. After the installation L. M. Stephenson presented the court with a fine gavel. W. N. Reed, the retiring past chief ranger, was presented with a gold emblematic badge of his rank, and William Bray, the outgoing chief ranger, was presented with a past chief ranger's regalia. The evening closed with refreshments and social entertainment.

AMERICA MAY BRING PEACE

ROME, Jan. 10.—It is probable, according to a competent authority, that the Moroccan conference at Algeciras will result in one of the following ways:

First—In a rupture of the negotiations, possibly leading to a conflict.

Second—In the solution of the several problems to the satisfaction of all the interested powers.

Third—In a mere academic discussion, which will leave the situation practically unchanged.

It is generally believed, however, that the first named is altogether unlikely.

The Messergero to-day, in appreciation of Henry White, the American Embassador, who is about to leave for Algeciras to represent his Government in the conference, says:

"America is again about to make a powerful contribution to the peace of the world. It is a noble mission for this young people, who desire to attain a place in the history of the world which is to mark the triumph of civilization and the abolition of war."

VIENNA, Jan. 10.—The Neue Freie Presse, in what is obviously an officially inspired communication, probably from the German Embassy, indicates the policy which Germany will adopt in the Moroccan conference at Algeciras. It declares that war is impossible even should the conference break up abruptly, but says that in that event the relations between France and Germany will be strained. Germany, it is pointed out, will stand unconditionally upon the basis of the Madrid convention of 1880 and will not intervene, even should France attack Morocco.

If at the conference the French delegates demand more than they could obtain on the basis of the Madrid convention and by the voluntary concessions of the signatory powers the delimitation of the several spheres of influence may have to be postponed, and it is not inconceivable that the conference will adopt such a course. If the conference should be without result, it is added, Germany will continue to negotiate direct with the Sultan of Morocco to secure German interests.

GIRL MASQUERADES AS BOY EIGHT YEARS

Special Dispatch to The Call.

DUBUQUE, Iowa, Jan. 10.—After masquerading as a boy for eight years, Lillian Burke's identity has been discovered, and as "Bob" Giving, night waiter at the Newport restaurant and at the Hotel Julien buffet, she will not be known any more in this vicinity.

Since last spring she has been employed in this city, and no one suspected that she was other than her male attire represented her until about ten days ago, when one of her fellow employes became suspicious and accused her of being a girl. She at first denied her sex, but later she broke down and confessed. Manager Keeley promptly discharged the girl.

Miss Burke, who is about 20 years old, has been wearing male attire since her parents separated at Prairie du Chien, Wis. Her mother, to give the impression of suicide, left some of the girl's female apparel on a river bank, attired her in boy's clothing and disappeared.

IRRIGATORS ORGANIZE NATIONAL FEDERATION

OMAHA, Neb., Jan. 10.—The American Irrigators' Federation is the name chosen for an organization formed of representatives of the irrigation States, who met in Omaha to-day.

Among the objects of the federation set forth in an official statement are to harmonize conflicting interests, promote essential legislation, circulate instructive literature, aid in the settlement of reclaimed areas, criticise officials or others for acts of injustice and aid in the adjustment of freight rates to and from the reclaimed areas.

The following officers were elected to serve until the first annual meeting, which will be held at Boise Idaho, the date to be named by the executive committee, to correspond with dates selected for the National Irrigation Congress: President, ex-Governor L. Bradford Prince, New Mexico; secretary, D. H. Anderson, Chicago.

RAILWAY COMPANY CHANGES ITS NAME

TACOMA, Jan. 10.—By amended articles of incorporation, filed with the Secretary of State to-day, the Pacific Railway Company changed its name to the Chicago, Milwaukee and St. Paul Railway Company of Washington. By the terms of the new articles the company is incorporated to build a railway, commencing at some convenient point to be determined in Seattle or Tacoma and extending thence in an easterly and southeasterly direction to some convenient point on the eastern boundary line of Washington. The estimated length is given as 300 miles.

To Cure a Cold in One Day
Take LAXATIVE BROMO Quinine Tablets. Druggists refund money if it fails to cure. E. W. GROVE'S signature is on each box. 25c.

TROOPS SLAUGHTER REBELS TO AVENGE DEAD COMRADES

Russian Dragoons Give No Quarter to Entrapped Band.

Eighty-Nine Men Put to Death in the Courland District.

MITAU, Courland, Jan. 10.—A squadron of dragoons which was ambushed near Hazenpol, losing two men killed and four wounded, received reinforcements later and surrounded the revolutionists. No quarter was given and the revolutionists, numbering eighty-nine in all, were killed to the last man.

A band of fifty revolutionists made a daring raid on Livenhoff, with the object of obtaining medicines and bandages for the revolutionists in the field. They carried off two Jewish merchants and held them for a heavy ransom, which was paid.

Fugitives who have arrived here from the interior recount remarkable stories of the civil administration set up by the revolutionists in the towns and villages they control. They have elected committees, on each of which one woman always serves, to administer everything, including the courts. The whipping post for theft has been revived, and for certain cases robbery is punishable with death. The spirit shops are closed and the preaching of the doctrine of the damnation of souls is forbidden. Only civil marriages are legal.

DE WITTE SCORES MODERATES.

Says the Nation Has Abused the Liberality of the Emperor.

ST. PETERSBURG, Jan. 10.—Premier de Witte to-day made an interesting statement to a delegation headed by the Mayor of this city, which requested a relaxation of the orders of the Prefect of Police against meetings in the interest of the electoral campaign. The Premier could not promise to do anything until after January 22. While personally he did not sympathize with the harsh measures of Interior Minister Durnovo, he regarded them as essential. The Premier could not assume the responsibility for a course which, if it resulted in bloodshed, would make him a scapegoat. He spoke bitterly of the failure of the Moderates to give the Government support, saying that upon their shoulders largely rested the burden of compelling the Government to resort to repression. He added:

The Emperor, in the manifesto of October 30, at one stroke granted the people more rights than any monarch had ever before given, but you know the attitude which Russian society assumed. The Government's appeals for confidence were rejected and every liberty granted was abused by the revolutionists. The permission to hold meetings was translated into license for street disturbances and assemblages to plot against the life of the Government and for the industrial ruin of the country. I have always been opposed to repression, but the attitude of the Moderates compelled me to adopt harsh measures. I am determined to save Russia.

Speaking of the innumerable difficulties with which the Government was confronted, the Premier frankly admitted that many of the provincial authorities continued to act independently, instancing Moscow, where, before the revolt, neither the Governor General, the Governor nor the Prefect informed him of the conditions prevailing there. He said the Moscow revolt was more serious than people generally believed.

Recounting a remarkable incident that heretofore had escaped notice, the Premier said:

At one time all the stations except the Nicholas depot were in the hands of the revolutionists. The latter, in desperation, started a train hauling two cars loaded with dynamite at full speed for the station, with the intention of blowing it up. A frightful disaster was averted by a timely warning of the plot, which enabled the authorities to have a military train with steam up ready on a parallel track. As the dynamite train arrived, soldiers from the military train running alongside fired at the end and managed to pierce the boiler of the locomotive, stopping the train before it reached its destination.

In St. Petersburg the Premier further remarked enough dynamite had been captured to destroy the entire city.

MANY KILLED IN TIFLIS.

Artillery Shells Houses From Which Bombs Are Thrown.

TIFLIS, Caucasia, Jan. 10.—The plundering of this city continues. Last night bombs were thrown at a military patrol, whereupon the house from which the bombs were hurled and the adjoining buildings were bombarded by artillery, with the result that many persons were killed or wounded. A house in which an Armenian who had attempted to assassinate an officer had sought refuge was set on fire and the man was burned alive.

MINERS AMBUSH COSSACKS.

Sanguinary Conflict Between Polish Workmen and Troops.

BERLIN, Jan. 10.—A dispatch to the Lokal Anzeiger from Kattowitz, in Prussian Silesia, says: 'Another sanguinary collision has taken place between the military and miners employed in the Niemca mine, near Sosnovice, in Russian Poland, across the frontier. The miners enticed a number of Cossacks into an ambush and there attacked them, killing three. One of the miners was killed. Miners have seized the Saturn mine and elected their own directors."

Rebel Headquarters Captured.

WARSAW, Russian Poland, Jan. 10.—The troops have captured the iron works at Ostrowiec, Government of Radon, which had been occupied by the revolutionists as their headquarters. Many of the revolutionists were killed or wounded during the fight. The rest fled.

President of "Republic" Executed.

REVAL, Esthonia, Jan. 10.—A tailor named Schultz, who had been elected president of the Esthonian republic, has been captured and executed by the soldiers.

Soldiers Fire Upon Crowds.

OPATOFF, Russian Poland, Jan. 10.—Troops fired upon and charged crowds here for more than an hour yesterday. Many persons were killed or wounded.

To Reorganize Customs Districts.

WASHINGTON, Jan. 10.—Reorganization and consolidation of customs collection districts by the President was approved to-day by the House Committee on Ways and Means, which decided to report favorably on the Payne bill. This measure gives the President entire control of the reorganization of districts, the only limitation being that not more than 120 collection districts shall be created.

PREMIER HOWLED DOWN BY AUDIENCE

Campbell-Bannerman Compelled to Cut Short His Speech.

LONDON, Jan. 10.—The election campaign is daily growing in intensity and the party leaders, with the aid of motor cars, are displaying the greatest energy in addressing meetings at different places on the same day.

The Premier, Sir Henry Campbell-Bannerman, who spoke at Shrewsbury to-night, was howled down by a Chamberlainite minority and was compelled to shorten his speech. Disorderly meetings of this kind are not uncommon.

John Burns, president of the local Government Board, made a successful tilt against Joseph Chamberlain, compelling him to publicly retract his statement that a million able-bodied men were supported in the workhouses of Great Britain. Burns produced statistics that proved that the workhouses were at present supporting only 214,804 persons, the majority of whom were either sick or disabled.

One of the most striking personalities in the campaign is Winston Spencer Churchill, whose tireless energy, it is admitted by friends and foes, is dominating the struggle in Manchester, where he is being attended devotedly by his mother, Mrs. George Cornwallis-West. Churchill receives deputations, attends committee meetings and addresses gatherings several times daily.

NAVAL COURT-MARTIAL AWAITS INFORMATION

ANNAPOLIS, Md., Jan. 10.—After an attempt lasting more than an hour to arrive at exact conclusions as to how far an upper classman could be compelled to testify as to his knowledge of hazing incidents in a case in which another midshipman is under trial upon the charge of "encouraging or countenancing hazing," the court-martial now engaged in the trial of Midshipman Stephen Decatur Jr. at the naval academy rendered no decision and adjourned until to-morrow, when the judge advocate is expected to inform the court in the matter.

The point came up after Midshipman Pettersen B. Marzoni had objected to answering questions as to hazing, which, it is alleged, had gone on before him. In the former court-martial of Midshipman Decatur, Marzoni testified that he was present when fourth classman Gaylord Church was hazed by being compelled to do the "loth," and that Decatur was present. Proof of active participation in hazing was necessary to fix that charge.

In the present trial, however, encouraging or countenancing hazing is charged, and it is claimed that no midshipman who was actually present, particularly a first class man, could testify without incriminating himself.

OF INTEREST TO PEOPLE OF THE PACIFIC COAST

WASHINGTON, Jan. 10.—Senator Perkins to-day introduced a bill appropriating $100,000 for the construction of a tug for a coaling station at California City.

Representative Needham has been placed on sub-committees of the Ways and Means Committee as follows: Reciprocity and commercial treaties, sources of revenue other than customs and excises and miscellaneous sources.

The Comptroller of the Currency today issued a certificate authorizing the Escondido National Bank at Escondido to commence business with a capital of $50,000. A. W. Wohlford is president, E. G. Logan vice president and L. A. Stevenson cashier. This bank succeeds the Bank of Escondido.

The following postmasters have been appointed for California: James F. Scott, Ione; Archie C. Madison, Angels Camp; Harvey S. Clarks, Jr., Lou; William W. James, Monterey; John C. Boggs, Newcastle; Edward H. Bautzer, San Pedro; Eugene Don, Santa Clara; James H. Wamsley, Glendora; William Mullen, Mendocino; Samuel L. Smith, Nordhoff; Walter J. Ford, Quincy; Sarah O. Smith, Huasna, San Luis Obispo County; C. J. Teagle, Johannesburg, Kern County.

MISLEADING ADVERTISEMENT BRINGS A FAMILY TO GRIEF

SEATTLE, Jan. 10.—Convinced by reading advertisements in Seattle papers that land was so cheap here that it was being given away and that money and work were within easy grasp of any person who lived here, George Parker, his wife and five children, the oldest of whom is 8, arrived in Seattle yesterday from Monterey. Parker said that he was absolutely destitute, but that he had read how any one could obtain land in Seattle by merely asking for it and improving it by his labor. Not a penny was in the possession of the family when they landed.

Parker's wife declared that the money that was expended in railroad fares and food on the journey she had earned in California by taking in washing. She said that she did not want to leave Monterey, but that her husband forced her to spend the money for transportation. The police took charge of them and turned them over to the Charity Organization Society. They will be sent back to Monterey.

CHINESE MINISTER EXPECTS NO CHANGE IN EXCLUSION

PEKING, Jan. 10.—The Chinese Minister at Washington has telegraphed his Government that any satisfactory legislation on the exclusion question is improbable. He says that the majority of the Congressmen favor greater liberality, but that the influence of the laboring class is too strong against the Chinese.

Railroad Men Visit Ukiah.

UKIAH, Jan. 10.—The directors of the Napa and Lakeport electric railroad arrived in this city to-day from Lakeport. They had been on a tour of inspection along the proposed route of the road, and their coming to Ukiah, it is thought, indicates the extension of the line to this city.

NAPA, Jan. 10.—The dead body of a man whose name has not been learned was found at noon to-day in Moss Place in Brown Valley, near Napa. The man had apparently been dead about ten days.

NEW CHINESE CITY OPENED TO TRADE

Elaborate Ceremonies Held at Capital of Shantung Province.

TSINANFU, Jan. 10.—The ceremonies of opening Tsinanfu, capital of the Province of Shantung, to foreign trade to-day was attended by many Chinese and foreign officials. The invited American guests present included consular officials and representatives of prominent mercantile companies.

Two hundred and fifty guests attended luncheon at noon, and the Governor of Shantung gave a banquet to many guests to-night at his palatial home, which is built and furnished in foreign style.

The Governor's speech to-day emphasized the fact that the opening of the first international commercial settlement by China herself was at the instance of Viceroys Yuan-Shi-Kai and Chou-Fu. The area of the settlement is about four square miles.

The reception given to American Consul Fowler, who is stationed at Chefu, and the other Americans was very cordial. The boycott does not exist in Shantung Province.

ETNA AND VESUVIUS ON THE RAMPAGE

NAPLES, Jan. 10.—There was a sudden eruption of Mount Vesuvius yesterday and the resultant scene of picturesque magnificence was witnessed by thousands of tourists, including many Americans. Three streams of lava reached the lower station of the Funicular Railroad, causing serious damage. There are indications that the activity of the volcano is increasing.

The eruption is thought to be connected with that of Mount Etna, in Sicily, which is in a state of activity without precedent since the eruption of 1899. Mount Etna is now ejecting red ashes, which form an immense cone over the crater. These ashes are in striking contrast with the snow which covers the main portion of the volcano.

KOMURA AND KANEKO HONORED IN JAPAN

TOKIO, Jan. 10.—Following the appointment of Viscount Aoki as Embassador to the United States, the Emperor has raised Count Inouye, the Minister to Germany, to the rank of Embassador. Baron Kentaro Kaneko, a member of the House of Peers, who recently made a tour of the United States, and Baron Jutaro Komura, former Minister of Foreign Affairs, who represented Japan in the peace negotiations at Portsmouth, were created members of the Privy Council. Count Katsura, the former Premier, was made a member of the Military Council of the empire.

Field Marshal Yamagata, president of the Privy Council and former chief of the general staff, to-day was appointed a member of the military council of the empire.

DENY HARRIMAN CONTROLS THE UNITED RAILROADS

NEW YORK, Jan. 10.—A representative of the banking firm of Ladenburg, Thalman & Co. said to-day, with reference to the report that E. H. Harriman has secured control of the San Francisco street railway system:

"You are authorized by us to positively deny the report that in acquiring the control of the United Railroads stock our firm was acting for Mr. Harriman. So far as we are aware not a single share of stock has passed to Mr. Harriman or his agents. Certainly we have done no business with him or for him or his representatives. We shall maintain control of this stock and shall operate the railways of San Francisco independent of any other interest and we hope to be able to operate them better than they have ever been operated before."

Ready to Pay Off Bonded Indebtedness.

SANTA ROSA, Jan. 10.—The Board of Supervisors to-day transferred $32,000 from the general fund to the bond fund, so that the County Treasurer might pay off the bonded indebtedness of Sonoma County. A special tax was levied last fall for this purpose, and last month a large payment was made. The money from the second installment will not be available for several months, and to save the county about $350 interest the transfer was made so that the remaining bonds could be paid off at once.

Admiral Glass Is Indisposed.

VALLEJO, Jan. 10.—The Wade court-martial reconvened this afternoon, but Admiral Glass, the president of the board, was sick and could not attend. The court then adjourned until to-morrow afternoon.

Rheumatism
Is one of the constitutional diseases. It manifests itself in local aches and pains,—inflamed joints and stiff muscles,—but it cannot be cured by local applications. It requires constitutional treatment acting through the blood, and the best is a course of the great medicine
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which has permanently cured thousands of cases.
For testimonials of remarkable cures send for Book on Rheumatism, No. 7. C. I. Hood Co., Lowell, Mass.

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