

ANOTHER REBATE PLEASURED

Big Shippers of Kansas City Tell in Court of Many Mysterious Payments Received.

PROFESS NOT TO KNOW FROM WHOM COIN CAME

KANSAS CITY, May 24.—Members of half a dozen large business firms admitted here today in the trial of the Burlington traffic manager, George L. Thomas, the New York freight broker, and the latter's clerk, L. B. Taggart, that they had received thousands of dollars in commissions from "unknown sources." All of the firms had hired Thomas to attend to the shipping of their goods from the Atlantic seaboard to their stores in St. Louis and Kansas City, but none of the witnesses would say that these sums of money had come from Thomas.

W. E. Emery, a member of the Emery-Bird Dry Goods Company, who admitted receiving from \$1000 to \$2000 a year, said he did not know who sent it, but "supposed it mostly came from Thomas."

Notwithstanding the large sums thus paid in commissions none of the firms had kept any record of the amounts, according to the witnesses. All payments were made in New York.

Several officials of the Burlington Railroad were examined as to the payment of these commissions by that company, and their testimony developed the fact that the vouchers for the amounts had disappeared.

The Government rested their side of the case in the afternoon. Judge O. M. Spencer, for the defendants, filed a demurrer in all the cases, arguing that no evidence had been produced to show a case of conspiracy, and even such evidence had been presented the court lacked jurisdiction as the alleged crime was committed in New York and not in Missouri. He asked that the case of Crosby be dismissed.

Judge McPherson overruled the motion as to Crosby, but granted the argument of the demurrer would be heard tomorrow morning.

MYSTERIOUS COIN RECEIVED.

T. H. McKittrick, president of the Hargadine-McKittrick Dry Goods Company of St. Louis, the first witness, who had testified that he had employed Thomas at a salary of \$500 a year to look after the interests of his firm in the matter of railway rates and routing from the East, admitted that he had received various sums of money from "unknown sources."

McKittrick testified a person whom he did not know entered his office in New York City one day and handed him a bundle of money containing between four and five hundred dollars.

McKittrick declared that he did not know the man who had given him the money, that he had not since seen him; that he did not believe he would be able to identify the man; and further that he did not know for what purpose the money was given him, nor from what source it came.

At this point District Attorney Van Valkenburgh requested W. B. Kelly, Thomas' clerk, to stand up, and, pointing to Kelly, asked the witness: "Is this the man who handed the money to you in your New York office?"

"I do not know; I do not believe I could identify the man," replied McKittrick.

McKittrick, continuing his testimony, said that he had employed Thomas while he was in New York on May 1, 1902, signing a contract, which was voided in 1902. "I do not know," he said, "whether employment, claiming that he would be able to ship goods to McKittrick's house from the East in the most economical way, and by the railway giving the best service. Thomas' duties also were to include the settlement of all cases of losses in shipment and overcharges, and to obtain from Lowell, Mass., and other mill centers the usual mill allowances offered by buyers who accepted freight on a basis of shipment from New York. Thomas had been employed later on the same conditions, but with no new contract.

In reply to a direct question McKittrick said that he had received various times received money from "unknown sources."

Witness then detailed the receipt of the money in his New York office from an unknown man. Continuing, he said that some of the money had been received by express. In this manner, he said, his firm had within four or five years received about \$10,000, during which time they had paid out \$400,000 in freight charges. In one instance, he said, he had received some money personally, and this he had deposited in his brother's private bank.

On cross-examination McKittrick said that in seeking employment Thomas had said he would get any legitimate commissions from railways that McKittrick's firm was entitled to, and from any other lines not subject to the interstate commerce act.

Witness said he and Thomas had talked over the matter of rebates, and it was agreed that no rebates were to be sought by express. In this manner, he said, his firm had within four or five years received about \$10,000, during which time they had paid out \$400,000 in freight charges. In one instance, he said, he had received some money personally, and this he had deposited in his brother's private bank.

PARTIAL ADMISSION MADE.

The next witness was Hugh McKittrick, son of T. H. McKittrick and vice president of the Hargadine-McKittrick Dry Goods Company.

Hugh McKittrick testified to receiving money twice while in the New York office. Once, in 1902, an express package containing \$2000 was received by the witness. He did not know where it came from. The money was credited in a book used for "odds and ends."

"At another time," said the witness, "a gentleman came, handed me the money and said it was coming to me."

The witness said he did not know the man, did not ask his name and did not care to know it.

Kelly, Thomas' clerk, was asked to stand up, but McKittrick was unable to identify him as the man who had given him the money.

J. K. Burnham, president of the Burnham, Hanns & Munger Dry Goods Company of Kansas City, testified that he had hired Thomas at a salary of \$1000 a year for attending to the freight business of the firm's Kansas City and Detroit houses. Burnham admitted receiving \$43,000 from Thomas in the past three years.

"This was, supposed," said the witness, "for mistakes in classification, claims for damages, etc. All money was paid to me in New York, I think."

W. E. Emery, a member of the Emery-Bird-Thayer Dry Goods Company of Kansas City, testified that he had hired Thomas for four or five years at a salary of \$200 a year, and that in that time he had received between \$1500 and \$2000 a year. This money was given him at his office in New York. Some one would call him up on the telephone, and Emery would say that if Emery was to be in his office for while something would be sent to him. Later a package containing money was sent to him. He did not know who had sent it, but supposed it came from Thomas.

MORE TRICKERY REVEALED.
Discrimination By Roads In the Soft Coal Regions.
PHILADELPHIA, May 24.—Additional evidence of discrimination by the Pennsylvania Railroad in the distribution of cars in the soft coal fields was presented today. Interstate Commerce Commission today. John Lloyd, a banker and coal operator of Altoona, who is one of the members of the banking firm of Cassatt

& Co., testified that the Columbia Coal Company was forced to sell the Alexandria mine because of the shortage of cars, and George E. Scott of the Puritan and Crescent coal companies, declared that he paid for the use of railroad cars when he failed to secure his allotment, and that during a period of twenty-three days the railroad had furnished him with only one car. He also asserted that Michael Trump, general superintendent of transportation, had told him the company had intended to protect the Berwind-White Company at all hazards.

During the time that Lloyd was on the stand counsel for the commission made persistent efforts to force an admission that he had been associated in a business way with President Cassatt. Lloyd, however, said that his only relations with Cassatt were through Cassatt & Co., with whom President Cassatt carried a special bank account. A railroad company had for many years been a depositor with the First National Bank of Altoona, of which Lloyd is president.

Lloyd also gave testimony concerning the organization of various mining companies in which he is interested, stating that he considered it good business policy to have railroad men among the stockholders of the coal companies.

Frederick Vrooman, an assistant trainmaster, told the commission that he had received gifts of money in amounts from \$5 to \$20 from various coal companies for favors that he did not grant.

The commission today received a telegram from a process server who went to Irwin, Pa., the home of Congressman George F. Huff, who it has been repeatedly testified, made offers of stock in various coal companies to railroad officials. The telegram stated that the officer was unable to serve the subpoena upon Colonel Huff as the latter locked himself in his house and evaded the servers by escaping by the way of the cellar. It was learned later that Huff had left town.

When the Interstate Commerce Commission resumed its hearings today in the investigation of alleged discrimination in the distribution of coal cars Frederick Vrooman of Ocoosa Mills, assistant trainmaster on the Tyrone division of the Pennsylvania Railroad, was called.

"Have you anything to do with the distribution of cars?" asked Mr. Glasgow.

"I have."

"Did you ever get any money from coal operators on your division?"

"Oh, yes."

At Glasgow's request Vrooman named half a dozen coal operators who had paid him money at various times in amounts ranging from \$5 to \$20.

"Who did they give you this money?" asked Glasgow.

"I suppose they expected some favors."

"Were the favors granted?"

"Not that I recollect."

"They did not take the money?"

"Well, if there was any money to be given out I was there to take it."

"Is that your position now?"

"It always has been."

The witness said there was no scarcity of cars during the anthracite strike. He denied furnishing cars to certain companies at \$20 and \$50 a car.

The San Francisco delegation of the Legislature of California met at the office of the president of the Board of Harbor Commissioners at 10 a. m. yesterday. Senator E. I. Wolfe, chairman, briefly stated the purpose of the meeting to Senator Welch and Haskins and Assemblymen Atkinson, Jones, Treadwell, McGowan, Praefcke, Coghlan, Stroble, Boyle and Lucy. The chairman said the members of the San Francisco delegation in the Senate and Assembly had been called together after conference with the eminent lawyers comprising the subcommittee on extra session of the committee of forty. "What I want you to consider today is whether you should meet that committee as a body or delegate some one or some committee to represent you."

A motion was made and carried that Senator Wolfe should wait on the subcommittee.

When the committee of forty is ready to submit its recommendations touching measures to be considered at the extra session, the report will be transmitted to the San Francisco delegation.

Assemblyman Treadwell suggested that the committee which the delegation at a previous session resolved to create should be immediately named. The suggestion was put in the form of a motion and was carried. Thereupon Chairman Wolfe appointed Assemblymen E. F. Treadwell, T. C. Atkinson, Speaker pro tem, Fred Jones and Nathan Coghlan and Senators R. J. Welch, George E. Keane and Phil Haskins. Senator Wolfe, as chairman of the delegation, and George A. McGowan, secretary, are ex-officio members of the committee.

It was said by Mr. Atkinson that the time of the delegation should not be devoted to discussion of legislative topics until the committee of forty had presented recommendations.

Senator Welch and others maintained that the responsibility for the legislation of the extra session of the Legislature on all measures affecting this city would be charged, and property changed to the San Francisco delegation.

It was the general sense of the assembled legislators that perfect harmony would prevail and that the measures receiving the sanction of the committee of forty would receive the approval of the delegation, but nevertheless the people of San Francisco would hold the delegation responsible for enactment of all laws affecting this city.

In the talk respecting the extra session views were expressed to the effect that the Governor would issue the proclamation within forty-eight hours after the report of the committee of forty in the soft coal fields was presented today. John Lloyd, a banker and coal operator of Altoona, who is one of the members of the banking firm of Cassatt

& Co., testified that the Columbia Coal Company was forced to sell the Alexandria mine because of the shortage of cars, and George E. Scott of the Puritan and Crescent coal companies, declared that he paid for the use of railroad cars when he failed to secure his allotment, and that during a period of twenty-three days the railroad had furnished him with only one car. He also asserted that Michael Trump, general superintendent of transportation, had told him the company had intended to protect the Berwind-White Company at all hazards.

THE TERROR OF THE SEAS

Mine-Strewing Vessel a Part of the Navy of England.

Condensed Earthquakes Form the Cargo of the Craft.

Plans of the Iphigenia Guarded by the Officials.

LONDON, May 24.—The Iphigenia, the latest addition to the British navy, carries only light machine guns, and there is nothing about her to convince the ordinary observer that she is a particularly formidable craft, but so much importance is attached to her that the Admiralty made inquiries at the Admiralty office it was told that an official embargo of secrecy had been placed upon her, and that under no circumstances would any information be given out about her.

The Iphigenia is a mine-strewing warship. She embodies the latest naval lessons of the Russo-Japanese War, which demonstrated the awful destructiveness of floating mines, plus the best that the British Admiralty experts can do to improve upon them.

Along each side of her deck are two rows of elevated rails on which are slung the mines, that look like huge balks. These rails project over the vessel's stern, so that they can be dropped overboard as she steams along. They contain the most powerful explosives that science devoted to human destruction can devise. They are, in reality, hermetically sealed contrivances that scatter only a bump to set them going, and which the craft that gives that bump!

The force of the explosion would knock a hole in the bottom of the stoutest battleship afloat and send her to Davy Jones' locker in no time.

The compartment of the explosives employed is one of the Admiralty's secrets. Another and still more important one, it is said, is a device by means of which the mines are set several feet below the surface. This renders it impossible to detect their presence by the sharpest lookout, and greatly increases their destructive power, inasmuch as, under such conditions, the terrible wounds inflicted would be some distance below the water line.

The floating mine is a two-edged weapon, equally dangerous to friend and foe. Once set adrift, there is no controlling the ground that it covers them around promiscuously in time of warfare would be apt to lead to serious complications with neutral powers. It is not expected that they will ever be employed in that fashion by the British navy, while it maintains its supremacy, but in any naval warfare in which England might become engaged they would probably be employed mainly to seal up the enemy's ports. When used for this purpose they would not be set adrift, but would be moored, and in such a way that they would be some fifteen feet under water. But at the same time, when equipped with such vessels as the Iphigenia, England will be in a position to play the floating mine game to the limit if need be.

CZAR ACCEPTS RESIGNATION OF ADMIRAL ROJESTVENSKY
Commander of the Ill-Fated Black Sea Fleet Quits the Service of the Russian Navy.

ST. PETERSBURG, May 24.—Emperor Nicholas today accepted the resignation of Admiral Rojestvensky, which was tendered on the ground of ill health following wounds received in the war with Japan.

The Government seems to be hesitating about executing the resolution taken a week ago to release the present circumstances the release of the political prisoners deserving freedom can be left to the local authorities. Nothing could be more irritating to the Liberals than for the Emperor to delegate the discretion of granting pardon to the very men responsible for the wholesale arrests which occurred during the winter, and such a decision is sure to arouse a storm in the lower house and increase the danger of a conflict.

ICE CREAM DIET PROVES TOO THIN FOR A PEDDLER
Attempt to Live Upon Ten Cents' Worth of Frozen Lactal Fluid a Day Ends in Death.

LITTLE ROCK (Ark.), May 24.—An investigation by Dr. W. H. Abington of the Argonia Board of Health into the death of A. S. Roberts, a jewelry peddler, revealed today that Roberts had tried to live on ten cents' worth of ice cream a day and had starved to death.

Roberts believed that there was a great deal of nourishment in the cream. Recently he had run short of funds and his income permitted him to spend only a dime a day. This he invested in ice cream.

DIES IN HOUSE HE BUILT MORE THAN 50 YEARS AGO
Death Severs Bond Which Kept Two Men Together for Half a Century.

SAN JOSE, May 24.—B. T. Stinson, a pioneer, died this morning in the house which, with M. L. Gruwell, he had occupied for fifty-three years. For over half a century the two men had lived in the little cottage on the Saratoga road, which they built with their own hands in 1853. Arriving here from the East in that year, the couple became fast friends and purchased a ranch jointly. They built a single house. Neither has ever made any attempt to dissolve the partnership until death came. Both men were formerly prominent in county affairs. Stinson, who was a Virginian, was 77 years old. Paralysis was the cause of his death.

WITTMAN, LYMAN & CO.
Plumbing and electrical work, have resumed at 315 Polk st., bet. McAllister and Fulton.

DENICKE ACCUSED OF CRIME

Continued from Page 1, Col. 1.

with only manslaughter. No one seemed to know who had fixed the degree of crime.

Judge Shortall said all he knew was that he was asked to accept the bond. Assistant District Attorney Rodgers said that all he was asked was to prepare the bond and Chief Dinan said he did not know who had made the charge manslaughter.

The only other person who was present besides the Denickses was Abe Ruef and it was supposed that he was the one who engineered the proceedings. District Attorney Langdon, when he heard the unusual turn of affairs, called upon Chief Dinan and the Chief promised to have the witnesses in the District Attorney's office this afternoon at 2 o'clock, so that after questioning them the District Attorney may fix the degree of crime and get some one to swear to a complaint.

Denicke is 29 years of age, a graduate of the University of California, where he was captain of the cadet corps, which gave him the rank of a retired captain of the National Guard. He is a mining and civil engineer and had for five or six years up till September last, when he returned to the city, been in South Africa.

During the Boer war he performed military duty in protecting the dynamite works of the De Beers Company. Since his return he had been following his profession here, with offices in the Union Trust Company's building, which was destroyed by the fire. At the time of the fire he was living at the family residence at 1000 Mason street, his father being in Paso Robles.

Regarding the shooting, his brother made the following statement for him: "When the fire threatened the family home my brother saved the women folks and took them to my home. Then he went to Chief Dinan and was sworn in as a special officer. On the Thursday he attached himself to a company of the regulars and served with them all that day and night, fighting the fire on Telegraph Hill and the Latin quarter. He saved the life of a blind man 80 years of age, who was in a burning building. On Friday he started in to fight the fire on the water front and tried to save warehouses and other buildings. When the oil tanks and the chemical factory were ablaze he saved the lives of several drunken men who had broken into a bonded warehouse and were in a drunken sleep on the floor of the Hobbs-Wall box factory. He found himself surrounded by fire and intended leaping into the water to save himself when the tug Governor Markham hove in sight. He boarded her and the captain instructed him to run out the hose lines to save the Lombard-street wharf and to impress any men he saw to help him.

"My brother went ashore and impressed a marine. Just then a man weighing about 200 pounds was seen stealing live chickens and my brother told the sentry to impress him on the hose line. My brother turned his back and had walked back fifteen yards when he heard an exclamation, and wheeling round he saw the sentry trying to drive the man, who appeared to be an Italian and very excited, to the hose line. The man grabbed hold of the sentry's gun and wrested it from him. My brother called upon the man to stop, but he raised the gun to his shoulder, and to save the life of the sentry, who was a much smaller man than the Italian, my brother fired three shots from his revolver at him.

"The gun dropped out of the man's hand and he fell. After restoring the gun to the sentry my brother asked some passersby to procure an ambulance to take the wounded Italian to a hospital and then returned to his duties. Neither my brother nor the sentry was intoxicated. My brother did not know that the man had died till he read the story in the morning papers yesterday. He kept fighting fires on Saturday and went to Berkeley, where the family had gone. He was in an exhausted condition and his hair and eyebrows were singed. He returned his special officer's star a few days later.

"He sent for E. B. Young,

FLAMES SPARE ANCIENT HALL

Holy Cross School Is to Reopen on Next Sunday.

Pastor Invites all in District to Attend Services.

Next Sunday afternoon at 2:30 o'clock the Sunday School of Holy Cross Church, Eddy and Scott streets, will reopen, and the pastor, the Rev. Father McGinty, invites all of the former scholars, teachers and all within the district to attend.

The reign of destruction that swept down the beautiful church of the parish spared the old hall, so full of memories and dear to the heart of the pioneer.

Just a score of years has passed since the congregation wended its way to St. Calvary's chapel to celebrate the holy sacrifice; since the disaster, mass has been offered upon the old site, the foundation of the work to God in Holy Cross.

Now that danger is removed they have come back to the old building, which five years ago they left to enter the new church.

With the taste that Holy Cross has ever put forth, the ancient structure has been transformed into an inspiring "house of prayer."

Masses on Sunday will be at 6, 7, 8, 9, 10 and 11 a. m. The 9 o'clock mass will be for the children. Sunday school at 2:30 p. m. Sunday evening services at 7:30. Devotions for May, each evening at 7:30. Week day masses at 7 and 8 o'clock.

FOSS IS RETURNING LADEN WITH RECIPROcity DATA

Bostonian Believes This Country Must Adopt a Maximum and Minimum Tariff.

LONDON, May 24.—Eugene N. Foss, vice president of the Reciprocity League of Boston, who has been looking into the question of maximum and minimum tariffs and reciprocity treaties in European countries, will sail on the White Star line steamship Arabal tomorrow from Liverpool for Boston.

During his stay in England, Foss has been studying Joseph Chamberlain's tariff policy and has had interviews with a number of leaders of the movement. As a result of his investigations on the Continent, Foss believes the United States must adopt a maximum and minimum tariff or enter into reciprocal relations with other countries. He also believes that the time is opportune to conclude a reciprocity treaty with Germany.

Yosemite Now Open.
Southern Pacific announces two routes—via Raymond Big Trees and lovely Wawona and via Merced Yosemite Valley road up Merced River. See tide but one day either way. See any agent.

TOBACCO A PROMOTER OF GOOD FELLOWSHIP

Episcopal Clergyman Approves the Introduction of Smoking in a Church Club.

CHICAGO, May 24.—That smoking was one of the greatest promoters of sociability and good fellowship among men was the contention of Rev. Arthur W. Little, rector of St. Mark's Episcopal Church, Evanston, in an address tonight at the annual dinner of the men's club in Grace Church, Oak Park.

Episcopal approve of your pastor introducing smoking in this club," continued the speaker, "and I am sure Bishop Anderson will not object, as he himself is a worshiper of My Lady Nicotine." One of the objects of the Men's Club is to get acquainted and I know of nothing that paves the way better than a good smoke. I heartily agree with your rector, Mr. Shaylor, who says, "It is better to smoke here than hereafter."

Policy Holders Unite.
Call at Policy Holders' Association, 1817 Laguna street.

CHINESE STILL OUT OF HOMES

Pacific Grove Celestials Are Forced to Live in Shacks.

State May Take a Hand in Fight Against Mongolians.

Special Dispatch to The Call.
PACIFIC GROVE, May 24.—There is no change in the Pacific Grove Chinatown row, except that a high board fence has been built around the burned part of the quarter. The armed guards are still being maintained by the Pacific Improvement Company. The Chinese are being kept out of the burned district and are forced to live in about a dozen shacks. It is said that the Improvement Company will build them temporary houses.

An attempt is being made to move Chinatown to a place near the lighthouse at Pacific Grove, where the company has offered the Celestials land and logs from the forest in that vicinity to build their houses. The Chinese Vice Consul of San Francisco was here yesterday to investigate the matter. He will take it up before the Chinese Minister at Washington, who in turn will lay it before the State Department. The driving of the Chinese from their homes at the point of rifles, it is believed, will cause international complications.

A report on the armed force maintained by the Pacific Improvement Company will be made to the War Department by Colonel Maus of the Presidio here. He has already asked the department for the use of shelter tents for the Chinese. Yesterday the chaplain at the Presidio went to the Chinese quarter to further investigate, and reported that all that the Chinese needed were tents and houses.

NOTICE.
JOS. FREDERICKS & CO.
HAVE OPENED
TEMPORARY
OFFICE AND WAREROOMS
AT 2200 WEBSTER ST.,
Northeast Corner of Clay,
San Francisco.

STOCK EXPECTED DAILY OF
CARPETS, FURNITURE,
DRAPERIES, SHADES,
BEDDING AND WALL PAPERS,
WORKMEN ON DEMAND.

W. W. Montague & Co.
Mantels, Grates
and Tile . . .
Our Mantel Factory and Ware Rooms
—At—
2251 Folsom Street

Not having been destroyed, and having had a large stock of MANTELS, GRATES and TILE at this location we are prepared to furnish goods in this line at once. Repairing in all its branches.
2251 FOLSOM STREET

Mangrum & Otter, Inc.
540-542 Mission St.
Near Second.

Stoves, Ranges,
Refrigerators
Tin and Enamelled Ware,
Hotel and Restaurant Outfits,
Tiling, Furnace and Steam Heating,
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FIREPROOF
"BURLAP"
For Tacking on Walls.

UHL BROS., 717 Market St.
Doing Business at the Old Stand.

STOCKTON MILLING CO.
CROWN FLOUR MILLS.
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Offices:
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R. N. NASON & CO.
Glass, Paints and Oils in Stock
WORKS AND OFFICES:
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MOORE & SCOTT
IRON WORKS
412 MAIN ST., SAN FRANCISCO.
IN FULL OPERATION.

DR. PIERCE'S
GOLDEN
MEDICAL
DISCOVERY
FOR THE
BLOOD, LIVER, LUNGS

TALK ABOUT MODEST STORES

Why! We have

A telephone---Park 108.

A carpet sewing-machine, busy one, too.

An elevator, for freight.

AND 52,000 SQUARE FEET OF FLOOR SPACE

AND ALSO

Three free buses to carry our customers to and from the streetcars (Sixth and Mission).

Eight large wagons to deliver the goods they buy from the busy salesmen.

AND, OF COURSE

Sterling goods at Sterling prices.

FOR EXAMPLE

Extension Tables—From \$8.00 up. A hundred patterns to choose from, and a thousand tables in stock.

Bureaus—Good ones for \$11.50 and as much better ones as you are likely to want. Hundreds of them—oak, maple and mahogany.

Chiffoniers—\$9.00 for a good hardwood chiffonier. Many better and higher priced ones, too. Something for everybody.

Large Tables, weathered finish, big drawer—suitable for office use, only \$6.50. Not many in stock, but price will remain the same as long as they last.

STERLING FURNITURE COMPANY

SIXTH STREET, FROM KING TO BERRY

CORRUGATED IRON.

IMMEDIATE DELIVERY.

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