

REBATE INVESTIGATION MAY BE DEFEATED

Absence of Southern Pacific Official Interferes With State Board's Program

Carelessness of Railroad Commissioners in Filing Tariffs Leaves Big Loophole

Should the Southern Pacific company be ready to face a rebate investigation this morning the board of railroad commissioners will proceed, but owing to the absence of George W. Luce, general traffic agent of the company, a postponement may prove necessary. In that event the railroad commission will proceed directly to Los Angeles and begin its investigation into the rebating tactics of the Santa Fe and the Salt Lake, Los Angeles and San Pedro roads. The board will meet this morning in the chamber of commerce, and then will decide upon its course.

Jurisdiction is now sought by the railroad commissioners over express companies, steamboat companies operating vessels between points on state waters and interurban and intercounty electric lines. At the meeting of the board yesterday in its offices in the ferry building Commissioner H. D. Loveland introduced resolutions to the effect that the attorney general be called upon to report if, under the law, the railroad commissioners have power over lesser transportation lines.

WANTS ARBITRATION POWER

In the annual report of the commission to the governor A. C. Irwin, president of the board, will ask that laws be passed increasing the power of the commission to the extent of giving it the prerogative of investigating train wrecks, acting as arbitrator in labor disputes arising between transportation companies and their employees and controlling the question of grade crossings.

All members of the board were present at yesterday's session. O. K. Cushman, who is in charge of the California traffic association at the investigation today, was present for a short time. The chief routine business was the adoption of traffic schedules presented by railroads. The Southern Pacific was necessarily the bulkiest. At previous sessions the board has been lax in the matter of these schedules, adopting some and merely filing others, as the mood struck it. As a consequence of this carelessness a grave question has been raised by the railroad company in anticipation of the coming rebate investigation. The company probably will contend that it did not have to follow rate schedules not put in force by the board, and Attorney General Webb is now engaged in segregating the tariffs formally adopted from those merely received by the commission.

Commissioner Loveland made the motion that the attorney general report on the jurisdiction of the commission over steamboat transportation. The state constitution gives the commission power over all transportation companies operating within the state, but the legislative commission never settled the question as it applied to common carriers on state waterways.

A question of eggs brought the Wells, Fargo express company to the attention of the board. Purely and simply, grocers at Palo Alto, complained through the state grocers' association that the express company's charges on a case of eggs from Mountain View to Palo Alto, six miles, was 35 cents, while from the same shipping point to San Francisco, 40 miles, it was 25 cents. Irwin said that the commission had made no effort to learn whether it had power over the express company, and Loveland asked the attorney general to be asked. The question of regulation over interurban and intercounty trolley lines was discussed by Commissioner Sumnerland and the attorney general again was appealed to. Should the attorney general advise that the commission has no power over the express laws the commission will appeal for broader legislation.

PREPARING REPORT

At the conclusion of the meeting President Irwin said: "The annual report of the commission to the governor is now in course of preparation. We will include in it such recommendations as we deem necessary in view of the attorney general's report. My personal view is that no legislation will be given to the commission, pending an appeal to the courts. I recommend giving the commission power to regulate grade crossings; to regulate the equipment of state waters with safety appliances, and to pass on disputes between transportation companies and their employees and public utilities involved. We also desire to co-operate with the interstate commerce commission with the view of enforcing the wholesome conditions prescribed by that commission."

CLUBWOMEN HEAR SIX SONGS BY MISS JOSEPH

California's Members Turn Aside From Health Crusade for Musical

After many days of devotion to the topics of impure milk, of plague, of rats, of tubercular cows and of kindred unsavory things; the members of the California club took a half holiday, yesterday afternoon, and enjoyed three hours of music, talk and tea. Miss Eleanor Mott Joseph sang six splendid selections alternating with piano selections by Miss Frances Wilson. Miss Joseph, who was accompanied by Frederick Maurer, possessed a dramatic soprano of exceptional range and power, and delighted her audience. Perhaps the "Marsellaise" was the number most enjoyed. Miss Wilson is a young pianist, who showed an exceptional technique yesterday afternoon, as well as a natural sympathy and strength in her playing. The club's musical section meets tomorrow afternoon, when Miss Elsie Volkman will sing.

CLAIMS \$58,949 DAMAGES

Alleging that James Brown practiced deception, C. Demetrak and J. W. Mason yesterday sued him for \$58,949 damages on a contract. Brown owns land bounded by Collingwood, Diamond and Twenty-first streets. A contract was made to give Demetrak the exclusive right to quarry stone from the land. Brown is said to have told Demetrak that he had a license from the city to blast, but when Demetrak began blasting he was arrested. He says he has spent more than \$2,000 for crushers, etc., and has lost \$64,000 profit he expected to make on rock he had contracted to deliver. Mason is his partner.

The Mardi Gras at New Orleans

Season extends from February 27 to March 3. Round trip rate of \$102, via Southern Pacific, in effect. Tickets good for nine months and stopovers both on going and return trips. Write agents for illustrated literature and details.

BUCKBEE HEADS GREAT BOARD

Toy Is Vice President and Cadwalader's Successor Will Be Elected Later

Organization Will Co-operate in Efforts to Make the City Rat Proof

Samuel G. Buckbee was elected president of the real estate board at the annual session of the organization yesterday afternoon at the chamber of commerce. George D. Toy was chosen vice president and John McGaw treasurer. The position of secretary, formerly held by B. L. Cadwalader, will be filled at a later date. Buckbee, Toy and J. R. Howell were elected members of the board of directors.

The members entered into a general discussion of the health conditions and the sentiment prevailed that the board should cooperate with the authorities. Supervisor Payot addressed the board on the proposed changes in the building ordinances providing for concrete floors in order to make the city "rat proof." A committee on sanitation was appointed as follows: T. D. Boardman, chairman; George H. Lent, John T. Harnes R. E. Fazackerley and R. P. Burns.

E. L. Hoag, who retired from the practice, presented his report which contained a review of the work accomplished by the board since its organization three years ago. It showed that the board had been continuously active for some time about the erection of buildings in course of construction and adopted a uniform "agreement to purchase" and "authority to sell."

The report showed further that the board had advocated building ordinance which would have the effect of class A structures, favored the improvement of the Sacramento and San Joaquin rivers, endorsed the suggestion of an auxiliary water system for fire protection, and advocated the removal of the wooden blocks of property, favored the movement to open Fulton street to the beach, assisted in arranging for the postponement of the date of tax delinquency and successfully upheld the sufficiency of the McEnery act. Attention was called to the value of the arbitration committee of the board which adjusts all disputes in land transactions. It was stated that in one instance a member of the board was found to be in violation of the code and dropped from the organization. In regard to local assessments the report says:

"This board should make it a practice of meeting the board of equalization each year. We have in the past prevented the raising of San Francisco's assessment and it is important to put the board of equalization right as it often obtains wrong impressions from newspaper articles and otherwise as to the value of property."

In conclusion the report speaks as follows on appraisements: "A very important committee has just been appointed to take up the question of appraisements. The board has been frequently asked to appraise and the question which the committee is to decide is the distribution of the appraisements among the different members of the board and the compensation which it is to be charged."

In informal discussions, it is said, it has been suggested that such compensation go either in full or in part into the treasury of the board.

WOMAN GIVES \$7,000 FOR STUDY OF SNAKES

A proffer of \$7,000 annually for seven years for research work in the study of field birds and reptiles along the coast of the state was received at the monthly meeting of the regents of the University of California yesterday in a communication from Miss Annie M. Alexander. She is the donor, within the seven years specified she is to bequeath the remaining portion of the money to the university. The gift is for the erection of a suitable building to house the specimens, and it is estimated that the building will cost \$7,000. The regents accepted the endowment and will erect the building.

UNIVERSITY ACCEPTS OFFER OF MISS ANNIE M. ALEXANDER TO CREATE FUND

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TO ASK MILLION FOR PARKS IN THE MISSION

Fremont Older, editor, and R. A. Crothers, proprietor of the Bulletin, pleaded not guilty yesterday to the criminal libel charge made by W. S. Tevis. On the application of Assistant District Attorney William Hoff Cook the cases were set for February 19. Older and Crothers are charged in the information with having published a statement that Tevis had arranged to pay Rupert and others \$1,000,000 to induce the city to buy the Bay Cities water company for \$10,000,000.

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PROMOTION ASSOCIATION REACHES DECISION AFTER SPIRITED DEBATE ON TOPIC

The Mission promotion association held a spirited meeting in Bolten hall Monday evening with the result that it was decided to petition the board of supervisors for \$1,000,000 to buy parks in the Mission section of the city.

P. J. Healy had looked carefully into the matter and stated that the following properties could be purchased at what seemed to him to be reasonable figures. He quoted them as follows: The Bay View parkside for \$100,000, the Excelsior homestead and university park for \$100,000, the Twin peaks and Fairmont park for \$600,000, Bernal Heights park \$50,000, and the Sunset district park for \$150,000.

EVERY MOTHER GETS THE BEST OF IT

When she buys one of our Quality Suits or Overcoats for her boy at

33% OFF

This is the biggest opportunity in San Francisco today for the purchase of clothing for Boys and Juveniles. The sale will soon end.

Norfolk and Two-Piece Suits, 8 to 16 yrs. Russian Blouse and Sailor Suits, 3-10 yrs. Combination—Coat and 2 pairs of Pants, 8-16 years

Same Reductions in Men's and Young Men's Clothing

664 to 670 MARKET ST. NEXT TO CHRONICLE.

First of a Series of Entertainments to Increase the New Clubhouse Fund

The first of the series of entertainments to be given by the Pioneer Women of California, the proceeds of which are to go into the building fund for the new clubhouse, will be a valentine tea at the home of Mrs. Emeline Whitcomb, 2414 Pacific avenue, on the afternoon of February 15. The association is composed of the pioneer women of this city, their daughters and granddaughters.

The committee having the entertainments in charge is composed of Miss Kathryn L. Cole, Mrs. Mary Gamage, Mrs. A. B. McIntyre, Mrs. Emeline Whitcomb, Mrs. S. A. Gleason, Mrs. Ella Lee Leigh, Mrs. A. B. MacDonald, Mrs. Alma Drury, Mrs. Ann Daniels, Mrs. M. L. Stevens, Mrs. Thecklay D. Kleinschmidt, Mrs. Sarah G. Gorbam, Mrs. Mary Pendergast, Mrs. Louise Berryman, Mrs. M. Coughlan, Mrs. F. A. Galehouse, and Miss Blanche Curry.

Dr. Siegel's Anagostura Bitters, delicious with grapefruit, wine, jellies, lemon ice.

CHILD IS SLAIN BY RECKLESS CARMAN

Caught Under Truck, Little One Is Crushed When Coach Backs

Stubborn Motorman Fails to Heed Father's Plea That Car Be Raised

While celebrating in childish glee the possession of his first pair of trousers, William Herman Heitmann, the 2 1/2 year old baby boy of Mr. and Mrs. Herman Heitmann of 2248 Mission street, was run down and ground to death last evening under the trucks of a car in Mission street between Eighteenth and Nineteenth. Though only slightly injured when first dragged beneath the car, the baby was killed instantly as the motorman reversed the car in an effort to back it away from the body beneath.

Herman Heitmann is the proprietor of a grocery at 2248 Mission street, and the child was playing in front of the store with his 4 year old sister, Louise, when the accident occurred. A marble with which the boy was playing rolled out into the street and he ran after it just as a north bound car of the Twenty-ninth street trolley line came down at rapid speed. He was struck, thrown down and dragged under the fender to the forward trucks before the car could be stopped.

The father of the baby boy rushed frantically to the spot, to find that his child was still living and was crying from fright and pain. The father insisted that some means be found of lifting the car and rescuing the baby, but Motorman Charles Bland, in charge of the car, took matters into his own hands and attempted to back the car away. As he reversed it a projection on the trucks struck the child's head, fracturing his skull and causing instant death. Bland was arrested by Policeman W. D. Gassey and booked at the city prison on a charge of manslaughter.

When the little quivering body was dragged from beneath the car, the father picked it up in his arms and rushed into his store, only to collapse completely and fall to the floor unconscious as he reached the doorway. Dr. George D. Rich, who was called to attend Heitmann, stated late last night that the boy had been suffering for some time from apoplectic strokes and that his condition is also in a state of collapse as a result of the tragedy.

INVITE JAPANESE TO MAKE MARE ISLAND HOME

Captain Fujii of Mikado's Navy Turns Little Joke on American Officers

Captain T. Fujii of the general staff of the Japanese navy may lack a few inches of the popular idea of a naval hero, but his sense of humor is man's size and alert. He sailed for Japan yesterday on the liner Hongkong Maru. He has been in England superintending the construction of two battleships for the mikado's navy.

Two American navy officers accompanied him to the liner and a few minutes before the gangplank was hauled aboard bid him good by.

The Japanese returned their salute with grave dignity and a stately bow. The American officers started down the plank, stopped and walked back to where Captain Fujii was standing. They offered the hands for a good shake. Still gripping Captain Fujii's hand one of the American officers said: "When you return, captain, come right up to Mare Island. You know how to get there. You know right up and make Mare Island your home."

By way of reply the Japanese captain unfurled his features into a grim smile, and as they glimpsed the twinkle in his eyes the American officers also smiled. Then all joined in a laugh, and it was the hands for a good shake. He had been onto his job it would have turned loose a medley of "Banzai," "Yankee Doodle," and "We Don't Care if You Never Come Back."

JUNKMEN ARRESTED

Under instructions of Chief Biggy, Detectives Ryan and O'Dea have started a crusade against junk dealers who buy junk from minors. Lewis Kramer, 1020 Howard street, was arrested yesterday. It is alleged that Kramer purchased from boys almost the whole of the iron stolen from the ruins of the Academy of Sciences building in Market street. Joseph Rosenberg, Eighth street, was also arrested, and other warrants are ready.

BURGULAR SENTENCED

Judge Cook sentenced Frank Williams yesterday to serve two years in San Quentin for burglary. There are a large number of other robbery charges against Williams, and on leaving San Quentin he will be placed on probation for five years. According to Assistant District Attorney Hanley, Williams committed 30 or 40 robberies and accumulated \$10,000 worth of property.

DEMORALIZES SERVICE

Four horses attached to a large wagon laden with beef, belonging to Miller & Lux, demoralized the telephone, electric and fire alarm services at Butchertown yesterday morning. The horses were standing at Second and Kentucky street when they took fright and bolted. At First avenue the wagon collided with a hydrant and an electric light pole, demolishing them. The wires were crossed, causing a fire alarm from box 581. No injury was done to horses or wagon.

CHINESE CIGAR MAN JOINS CARD REELS TOGETHER AND COMES TO GRIEF

Firmly believing in modernism and the latest business methods, Yee Chung, a Chinese cigar dealer in Waverly place, joined together two of the reels in his slot machine and then complacently watched the contraption pay the rent. It was a simple device, simply done, and those who played were just as simply done.

Yesterday, however, Chung was visited by one who showed an inspector's badge and proceeded to work on the machine with a screw driver. "Machine all right," asked the inspector, as he worked. "All right, same Filimo' steel machine," said Chung. "You don't say," said the inspector, looking up. "Rum—hold that screw—yes. Might have guessed—'For ways that are dark—How did those two reels happen to be joined together, John?"

"Dunno," said Chung, spurlly. "Say, why you make fuss?" "And for tricks that are mean—Come along with me—The heathen Chinese—Quit your jabbering—is peculiar."

MACHINE PAYS THE RENT UNTIL CHUNG PAYS FINE

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ATTORNEYS ANNOUNCE THAT HE WILL APPEAR ON SATURDAY TO ANSWER QUESTIONS

Under a plea of illness Gabriel Hines, erstwhile proprietor of Kragen's department store, dodged again yesterday a committee of his creditors which met to demand an accounting. The committee gathered in the board of trade rooms in the afternoon, but Hines was absent. Indignation arose to a high pitch among members of the committee, but finally Hines' lawyers, Bien & Ashe, appeared, carrying a doctor's certificate to the effect that their client was confined to his room as a result of ptomaine poisoning.

"We are very sorry," began one of the lawyers in explanation. "Not so sorry as we," interrupted one member of the committee. "However, we'll accept your excuse. When will Hines be ready to answer questions?"

"Saturday," replied the attorney. "He will be here Saturday, surely, and will answer all your questions."

"Yes; we think he will," was the dry answer.

In the absence of Hines, who holds the key to the complicated system of book keeping by which he concealed his shady transactions, the committee was unable to do much in the way of determining the exact amount of the liabilities and assets of the bankrupt store. The books were gone over and a report of Attorney James Kirk on the approximate figures of the wreck was submitted. This was to the effect that the entire assets were about \$425,000 and the debt account \$575,000. New claims of creditors are constantly coming in, however, and it is possible that this latter figure will be exceeded in the total of liabilities.

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"KRAGEN'S" HINES PLEADS ILLNESS

Bankrupt Commercial Pirate Again Dodges Meeting of His Creditors

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