

OPPOSES TRUST INFLUENCES ON THE AMERICANS

Charles S. Wheeler Cries Out Against System Which Is Just to Amass Dollars

Would See Each Man Working Out Destiny Instead of Mag- nates Controlling Situation

Wins Applause When He Says, "Give Us Back the Cottage and the 10 Cent Grocery"

The trusts formed the topic of discussion at the annual banquet of the Merchants' association held last night in the white and gold room of the Fairmont hotel. Long tables stretched across the hall and accommodated 500 members of the organization and a large number of invited guests. President Andrew M. Davis opened the speech making with a few graceful remarks calling for harmony in civic affairs and a more conciliatory spirit. He announced that plans had been made for smokers to be given by the association during the year. Seated on either side of Davis were Mayor Taylor and United States Attorney Robert T. Devlin.

The subject of the trusts was treated in detail by three speakers: Frank L. Brown of the fiscal agency of Brown & Wilson, who addressed himself to the topic, "The Benefits Derived From Great Business Combinations"; Charles S. Wheeler, who chose the subject, "What Combinations Are Lawful Under the Sherman and Cartwright Acts," and Robert T. Devlin, who discussed "The Development of the Trust and the Attitude of the Government Toward It."

TOOK OPPOSING VIEWS

Brown and Wheeler took opposing views of the question and Devlin discussed the laws and showed what the government had done toward restraining unlawful combinations.

Brown sketched the growth of the trust idea, showing how it had developed from the individual through the company, the corporation and the combination.

"It used to be said," declared Brown, "that competition was the life of trade, but changed conditions have made it appear that co-operation is the life of trade."

The speaker argued that the centralization of business made for economy and greater efficiency, and proceeded to explain that the number of stock holders in these trusts had greatly expanded during the past few years.

Brown pointed out that a merger had already been effected in California in the wine and oil trade. He predicted that similar conditions would obtain before long in the lumber and cement business.

INDIVIDUAL LIBERTIES

Wheeler aroused great enthusiasm in his reply when he declared, giving as his straight talk from the office during the Sherman act, and the other violators of the Cartwright law." He then proceeded to give what he called "a heart to heart American talk."

"Rather would I see," he declared, "10,000 Americans working out their own destiny than 10 trust magnates working out the destinies of 10,000 men. There may be more dollars to be made out of the other system, but then we can make more dollars in a kingdom than in a republic. Why not, then, have a king? When we learn that there are things in this world better than riches then America will work out her salvation."

NOT AN ANARCHIST

"I am not an anarchist," he continued, "but I live in a country which has as its fundamental principle that the majority shall rule. I propose, if the laws are on the statute books, whether they accord with my views or not, to obey them. We have had enough of law-breaking."

Devlin sketched the history of anti-trust legislation, reading laws of ancient times forbidding the formation of monopolies. He then told of the prosecutions instituted by the government, stating that it had been the policy of the administration to insist upon a fearless enforcement of the law.

WENIGER BOOK KEEPER IS OUSTED BY TRUSTEE

W. F. Stringer Had Taken Possession and Changed Safe Combination

There was an exciting time in the office of F. J. Weniger & Co., at Drumm and Market streets at noon yesterday, when George H. Perry, acting as trustee of the defunct firm under a bill of sale executed by Manager L. Rettig before his recent departure for the east, took possession of the office during the absence of W. F. Stringer, the book keeper installed by the creditors' committee. Stringer on his return found Perry in charge and discovered that he had changed the combination of the safe. Stringer immediately notified the creditors and the committee, consisting of Varney W. Gaskill, Frank Thompson, Franklin P. Bull, W. F. Humphrey, Joseph Deering and C. O'Connell, hastened to the offices and ousted Perry after a wordy war. The committee will meet with Perry today to thrash the matter out.

BAZAAR IS SUCCESS

The bazaar which is being held in San Bruno hall, 2719 San Bruno avenue, in aid of St. Elizabeth's church, is a success both socially and financially. The attendance and receipts have exceeded the expectations of the committee in charge to a large extent. Father McNaboe and his parishioners appear to be delighted. The bazaar will continue until 11 o'clock Saturday night.

THE MERCHANTS BANQUET

The banquet of the Merchants' association was pronounced a culinary triumph. The champagne served was Eulmar Brut.

Addresses Made Before Merchants' Association



ROBERT T. DEVLIN

SECURING SURETIES TROUBLES SCHMITZ

Boodling Ex-Mayor Is Allowed Another Week to Get Sub- stitute for Dingee

Eugene E. Schmitz, the boodling former mayor, is experiencing no small difficulty in securing sureties to go on his bond in the place of William J. Dingee, the embarrassed capitalist. Frank Drew, Schmitz' lawyer, admitted in Judge Dunne's court yesterday that he had not so far succeeded in getting substitute sureties. By consent of the district attorney, who, while insisting that good bonds must be found for the indicted man's appearance when wanted, has no wish to press him unduly, Schmitz was given another week in which to scurry up sureties.

To his intimates Schmitz has confessed that the task of finding bondsmen in the amount of \$200,000—the sum for which Dingee now stands pledged—has proved unexpectedly hard. There are many men, Schmitz states, who are wealthy enough to go on his bonds, and who are willing to do so, but who are debarred by reason of the fact of imbricatures on their property. The one man whom Schmitz expected to qualify in the sum of \$200,000 in place of Dingee has not materialized, and the fallen politician will have to rely upon the combined assistance of a number of friends in order to retain his liberty.

DINGEE ELIMINATED

"We have been acting on the assumption that Mr. Dingee possibly will not be able to remain on the bonds, and we have been endeavoring to get others," said Attorney Drew when the matter was called yesterday. "But as the amount is very large, the work is rather slow. We would ask your honor for continuance for one week."

"There is no objection," he realized the difficulty they are under," remarked Assistant District Attorney Deasy. "I assume that the essential feature of this whole matter is the question of the appearance of the defendant whenever wanted," said Judge Dunne. "You have no reason to believe that he won't be here?"

"None whatever," Deasy answered. "He has been here right along in this proceeding, and he has never been served with notice."

The continuance asked for was granted. The citation for Dingee, which has been out two weeks, was served upon him yesterday afternoon at the Ruet trial. Dingee, in response, went to Judge Dunne's court, but the judge, through the bailiff, informed him that the matter had gone over a week and advised him to see the district attorney.

CONSUL APOLOGIZES FOR COUNTESS ACTS AT BANQUET

Sons of Revolution Satisfied, According to President of Local Branch

France, in the person of its consul to San Francisco, Henri Merou, made amende honorable yesterday to George C. Sargent, president of the local branch of the Sons of the American Revolution, and to Dr. J. Mora Moss, secretary of the society, for the conduct of Count F. de Jouffroy d'Abbas during the banquet of the patriotic society at the Hotel St. Mark, in Oakland, last Saturday evening.

Consul Merou paid a personal visit to Sargent and explained in a friendly way that he had reprimanded the count severely for his actions at the banquet and had criticized him about his future behavior.

Sargent and Dr. J. Mora Moss were preparing to call on the consul when the latter appeared at Sargent's office. Sargent stated last night that the incident was closed as far as he was concerned. He expressed himself as satisfied with the explanation of the consul.

The Bismarck cafe has added to some of their many up to date ideas a pastry and catering department where they will have on sale their Vienna rolls, pastry and confectionery made in their Vienna model bakery which that cafe is so well noted. The Vienna rolls can be procured at the pastry department fresh at 11 a. m. and 5 p. m. daily.

This department will also make a specialty of catering for weddings, parties, etc. A free city delivery service has been inaugurated to take care of the patrons' wants of this department.

TO FIGHT JAPANESE LAUNDRIES—Oakland, Dec. 2.—Plans for a campaign against the Japanese laundries of this city are being laid by the executive committee of Alameda local No. 85 of the international union of laundry workers.

CAN NOT ACT ON PROPOSED RAISE

Interstate Commission Unable to Take Cognizance of Rate Increase

Lane Sends Letter Defining Sta- tus of the Question Agi- tating Shippers

The attention of the interstate commerce commission has been called to the threatened advance of freight rates by the Southern Pacific and Santa Fe railroads, and through Commissioner Lane the local shippers have been advised of the powers of the interstate board. The letter from Lane was received yesterday, and it implies that the commission has no jurisdiction over a proposed raise, and can take cognizance of the situation only after the new rates become effective or in case the proposed schedule is in violation of a previous order of the commission. Lane's letter is in part as follows:

"The commission has no power to enjoin carriers from advancing rates at any time or to any extent they may see fit. They retain the same power to initiate rates under the act to regulate commerce that obtained prior to the enactment of that statute."

"This being so, it follows as a corollary that this commission has no power to sanction the proposed increase, and it is perhaps unnecessary to advise you that the commission has neither officially nor unofficially authorized or approved any proposed increase."

POWERS OF COMMISSION

"The powers of this commission



CHARLES S. WHEELER

President Davis and two speakers at Merchants' association's banquet.

HENEY WILL TAKE REST IN COUNTRY

Hospital Surgeons Declare Graft Prosecutor Out of Danger From Shooting

Francis J. Heney, the graft prosecutor, probably will leave the Lane hospital, this morning with his wife, and go to Kentfield, where he will spend a couple of weeks recuperating from the effects of the murderous attack made on him by Morris Haas. During the last two weeks Heney has displayed wonderful recuperative power, and yesterday the surgeons agreed to let him leave the hospital. If the weather is good the distinguished patient, accompanied by his wife, will leave the hospital at 10 o'clock.

The surgeons attending Heney last night gave out a statement to the effect that he was out of all danger, and that he only needed a short rest to return him to his normal vigorous health.

NO VERDICT REACHED IN THE YOUNG TRIAL

Jury Retires at 1 o'clock in the Afternoon and Is Finally Locked Up for Night

In the trial of Thomas O. Young, charged with the murder of Policeman William H. Heins, the jury retired to consider its verdict at 1 o'clock yesterday afternoon, after Judge Dunne had delivered the charge. At 1:15 last night no verdict had been reached, and the jury was locked up for the night. They had returned but once to the courtroom, for the purpose of asking further instructions.

The killing of Heins took place the night of June 4 outside the O. K. saloon, in Pacific street. Young had been thrown out of the saloon after a dispute over the payment for drinks during which shots were fired. Young's revolver was taken from him, but according to the prosecution another gun was handed him by his brother, James O. Young, and while lying on the sidewalk outside the saloon, he shot Heins with it. Several witnesses testified to the passing of the gun. Young did not stand in his own behalf and positively denied shooting Heins. He said he was dazed when thrown down outside the saloon and did not regain his senses until he heard a revolver discharged.

Assistant District Attorneys Louis Ferrari and D. M. Deasy represented the people and Attorney Timothy Crowley defended the accused man. James O. Young is also accused of the murder.

LECTURES ON ROME

Two hundred members of the San Francisco Society of the Archeological Institute of America listened to an interesting lecture delivered last night at the Fairmont hotel by Prof. H. L. Wilson, Ph. D., LL. D., of the Johns Hopkins university, upon recent excavations in Rome. The lecture was accompanied by rare stereopticon views of famous statues excavated from the old empire.

ACCUSED OF BURGLARY

James Kern, ex-foreman for the Pacific city telephone company, was booked at the city prison yesterday by Detectives Conlon and Mackey on a charge of burglary. He was caught breaking open a telephone box at the Jackson street wharf Tuesday.

For Automobile Eye Insurance Ask druggist for Murine Eye Remedy.

Hale's Glove Orders

Good at any of Hale's California stores.

Santa Claus will be at Hale's Today from 10 a. m. to 12 m. and 2 to 4 p. m.

Fourteenth Prize-Winning Picture Santa Claus Drawing Contest

Drawn by Reuel E. Cowden, age 12 years, 717 Clayton St., San Francisco

"I'm sending out a wireless dispatch. For Santa Claus at Hale's to catch. At Christmas I'll be a happy boy. If from Hale's I receive some toys."

Holiday Ribbons in Great Variety

7-Inch Taffeta Ribbons at 29c Yard
5-Inch Brocaded Ribbons at 29c Yard

Extra Quality Taffeta Ribbons—For large hat bows, hair bows, sashes and general millinery uses. In shades of light blue, pink, Alice blue, Copenhagen, marine, navy, champagne, wood brown, seal brown, old rose, cardinal, lilac, white, cream and black.

Brocaded Ribbons—Heavy, washable kind; in pink, blue and white; also pink and white, and blue and white.

Ribbon Novelties

Hair Receivers—Glass bowl, trimmed with plain or Dresden ribbon; finished with narrow ribbon to correspond; useful and ornamental; 50c.

Coat Hangers—Of Dresden ribbon; shirred full and scented; an acceptable holiday gift; \$1.35.

Pretty Hatpin Holders—Glass tube covered with holly or satin ribbon; shirred full; trimmed with narrow ribbons; 50c.

Coat Hangers—Of plain satin shirred ribbon; all shades, with narrow ribbon to match; \$1.25.

Beautiful Cut Glass Articles

Any One of Which Would Make an Acceptable Xmas Present. Note the Remarkably Low Price on Each Article

We have a brilliantly lighted department devoted exclusively to cut glass articles of various kinds. The large variety is an aid to you in choosing and the low prices mean a saving to you on every article you buy.

Each one of the following articles has its individual beauty in design, cutting and finish:

- 3 pint Tankard, \$3.45.
- 8 inch Berry Bowl, \$2.25.
- 8 inch Berry Bowl, \$2.95.
- 8 inch Berry Bowl, \$3.45.
- 5 inch Nappie, 95c.
- 6 inch Nappie, \$1.25.

Sugar and Creamer, \$2.45 pair.
Sugar and Creamer, \$3.45 pair.
Bonbon Dishes, fancy shapes, \$1.85 each.

Important Offering in Tapestry Portieres

An unusual purchase of fine portieres bought at less than regular prices for the holiday trade. A big saving to you on each one you buy.

Tapestry Portieres \$3.00 Pair

Tapestry Portieres—Armure weave; 50 inches wide and 3 yards long; heavy overthrow fringe at tops; dainty patterns; colors of red or green and mixed colors of green with ecru.

Mercerized Portieres \$5 Pair

Mercerized Portieres—Heavy Armure weave; 50 inches wide and 9 feet long; finished with a long overthrow fringe, giving the portiere a very rich appearance. Dainty patterns in all the popular colorings.

Hale's GOOD GOODS

979 to 987 Market—25 to 33 Sixth

day with the governing committee of the traffic bureau of the merchants' exchange in regard to the formal proposal to be made to the railroad companies.

The California traffic association has completed its program for Saturday's meeting. The gathering will be called to order by G. J. Bradley and L. F. Graham will act as chairman. The speakers will include: Bradley, Albert Castle, president of the California dried fruit association; C. H. Bentley, representing the canning interests; Adolf Koshland, representing the bean interests; R. D. Carpenter of Hale's, representing the dry goods men; H. Kullman of the tanning trade; Attorney O. K. Cushing; C. H. Rodgers of the Pajaro Valley orchardists' association; Colonel Philo Hersey of the San Jose chamber of commerce; S. I. Hopkins of the Sacramento chamber of commerce, and E. D. Beard of the Napan chamber of commerce.

CITY WILL NEGOTIATE ACQUISITION OF CREEK

Park Commissioners Have Plan to Irrigate Proposed Extension of Panhandle

Preliminary negotiations looking forward to the acquisition of Point Lobos creek for the purpose of irrigating the proposed extension of the park panhandle, will begin soon between a committee of park commissioners and representatives of the Spring Valley water company. Col. John C. Kirkpatrick and James D. Phelan, members of the commission, compose the committee.

It is estimated that 2,000,000 gallons of water flow through the creek daily, and this supply, if applied to Park irrigation purposes, would not only lessen the expense of maintaining the proposed extension but would decrease materially the cost of piping water from the pumping plant. The committee will endeavor to ascertain whether or not the Spring Valley's interest in the property can be purchased.

Application was made by the fire department for permission to lay a pipe line from the pumping plant to Carville for three purposes. The department officials stated that a recent conflagration in that vicinity proved disastrous because of the lack of water.

STEAL FROM BOX CAR

Five men and boys giving the names of Frank Harris, Frank Temple, Thomas Fitzgibbons, John Gamler and Joseph Eckstein were arrested early yesterday morning for burglary for breaking into a box car of the Southern Pacific company at Kentucky street. They were caught in the act.

OPIMUM SMOKERS FINED

Lee Yoo, proprietor of an opium resort at 114 Waverley place, was fined \$100 by Police Judge Shortall yesterday, and seven visitors were fined \$5 each. Three visitors arrested at an opium resort at 3 Spofford alley were each fined \$5.

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Representatives of the Point Lobos Improvement club requested the opening of Twelfth avenue through the park. After considerable discussion the request was denied.

DR. WONG HIM—Dear Sir: For several years, while suffering agonies of pain, I tried, in vain, to find relief from pleurisy. I was advised to try various schools of medicine, when, as last resort, I was advised to try Dr. Wong Him's medicine. I bought a bottle and immediately began to feel better. I continued to use it until I was cured. I am now well and strong. I am most grateful to you for your medicine, which has saved my life. I am most grateful to you for your medicine, which has saved my life. I am most grateful to you for your medicine, which has saved my life.

DR. WONG HIM

1268 O'Farrell Street
Between Gough and Octavia
SAN FRANCISCO

CURED ITCHING PAINFUL HUMOR

Which had Spread Over Face, Body and Arms—Swellings were as Large as a Dollar—When they Broke, Sores would Not Heal— Suffered 3 Years.

MADE SOUND AND WELL BY 3 SETS OF CUTICURA

"My trouble began about three years ago with little black swellings scattered over my face and neck. They would disappear but they would leave little black scars that would itch at times so I couldn't keep from scratching them. Larger swellings would appear in the same place and they were so painful I could hardly bear it and my clothes would stick to the sores. The first doctor I went to said the disease was scrofula but the trouble only got worse and spread. By this time it was all over my arms and the upper part of my body in big swellings as large as a dollar. It was so painful that I could not bear to lie on my back at night. The second doctor pronounced my disease inflammation of the lymphatic glands. He stopped the swellings, but when they would break the places would not heal. He tried everything that he could do to no effect. He said I might be cured but it would take a long time. I bought a set of the Cuticura Remedies and used them according to directions and in less than a week some of the places were nearly well. I continued with the Cuticura Remedies until I had used three sets, and now I am sound and well. The disease lasted three years from the time it commenced until I was cured. Before Christmas something broke out on my seven year old brother's hands in the form of large sores. I tried everything I could think of but only got worse until I happened to think of Cuticura and one application cured him. Also, not long ago, my sister got a bad burn on her ankle. I have been using Cuticura on that and it gave her so much relief until I happened to think of Cuticura Remedies until I had used three sets, and now I am sound and well. The disease lasted three years from the time it commenced until I was cured. Before Christmas something broke out on my seven year old brother's hands in the form of large sores. 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