

1,650 SNATCHED FROM DEATH AT SEA ARE SAFE

Survivors of Republic and Florida Collision in Midocean Reach New York

Three Bodies Taken From Tangled Bow of Ship That Rammed Its Sister

Marine Court of Inquiry May Be Necessary to Settle Responsibility for Wreck

NEW YORK, Jan. 25.—Less than 72 hours after the crash between the ocean liners Republic and Florida off the Nantucket shoals, which eventually sent the one to the bottom and reduced the other to a state of staggering helplessness, the survivors of this deep sea tragedy have found a haven at last.

At nightfall tonight, 1,650 passengers from the two vessels were safe in this port, brought here by the Baltic, while nearing it were the rescued officers and crew of the Republic, safe on the derelict destroyer Seneca, to which they had been transferred from the revenue cutter Gresham after staying to the last moment by their sinking vessel.

Only the ill fated Republic was wanting to complete the list. And she, too, was in port—her last port of call, what doubtless will prove her final resting place beneath 38 fathoms of water, 15 miles south of the Nantucket south shoals lightship.

ODDEST WRECK IN HISTORY It begins to be apparent that the last three days have witnessed what is beyond question the most remarkable series of happenings in the history of modern navigation.

Sixteen hundred and fifty passengers from the Republic and Florida, whose lives were in jeopardy for hours while the cell of the wireless was gradually bringing aid nearer and nearer, reached New York today on the steamer Baltic.

No Argosy of the olden days bringing golden treasure home was ever more heartily welcomed. "Frenzied" cheers from thousands at the pier greeted her arrival.

Following the Baltic up the harbor means the liner Florida, battered almost to the sinking point herself by the force of the blow she had dealt the Republic and bearing the bodies of her own three dead and the injured members of her crew. The Republic's passengers told graphic tales of the crash, of the excitement on board, of the bravery of the officers, the good behavior of the crew and of the efficient work of rescue.

There are two versions of what happened on the bridge of the Florida when the Republic loomed up in front of her through the morning fog. Little could be learned from Captain Rospioli. According to others who had been on board the Florida, however, something went wrong with the Florida's steering wheel when the collision was imminent. One story had it that a quartermaster had the wheel when the commander yelled for it to be jammed to starboard. He put it to port instead, and the liners crashed into each other.

STRUCK DOWN AT WHEEL Another version is that the man dropped his wheel in a panic when danger impended. Both versions agree that the commander felled the quartermaster with an iron spike following what probably was the last and most desperate maneuver of the Florida.

An injured quartermaster from the Florida was brought to port on the Baltic today. He stoutly asserted that he was not at the wheel when the accident occurred.

Probably not both commanders have made their formal statements with the actual facts be known. Possibly the verdict of a marine court will be needed to determine them.

Standing out prominently is the conduct of Captain Beatty of the Republic, who, true to the best traditions of the sea, kept his ship beneath him as long as there was enough of her afloat to afford him a foothold. And practically all accounts agree that, aside from the starting of an hysterical panic among the steerage passengers of the Florida, the crews and passengers of both ships kept their heads well in the midst of most trying conditions.

Survivors had warm words of commendation for the officers and men of the Florida, who worked like heroes with their own ship in a sad state to get the passengers from the worst damaged Republic to comparative safety on board the Italian vessel.

When the Florida passed up the harbor late today she looked every bit the part of the ocean battering ram she had played. Flying the signal "Not under control," she was guided up the bay by two tugs. Her bows were crumpled up from the impact with the Republic, the plates and beams being buckled and twisted for a distance of fully 50 feet. Her forepeak was full of water and her burdened bow dipped low, while the stern showed high above the surface.

When the Florida reached its dock it was learned it was three, and not four, of its crew who had been killed when the vessels collided.

BODIES TAKEN OUT They were sleeping in their forecastle quarters and met instant death, two of them being badly maimed and so tangled in the wreckage that it was not until after the steamer got into its berth tonight that the bodies could be extricated. The men killed were: PATRIARCA L'AVALLIO, CATALEO MARTINCELLI, SALVATORE D'AMICO.

SURVIVORS SAFELY LANDED IN NEW YORK

One thousand six hundred and fifty passengers from the ocean liners Republic and Florida, which collided at sea, arrived in New York safely less than 72 hours after the wreck.

Three bodies were taken from the tangled bow of the ramming steamer Florida.

Placing of responsibility for the most remarkable accident in the history of navigation may require finding of marine court.

All survivors raise a praising conduct of crews except when a panic was started on the Florida.

post until the crash came. The pursor likewise denied that the wheel had been thrown the wrong way as the vessels were approaching each other and that the commander had struck down the wheelman.

HAD HEARD THE WHISTLE Captain Rospioli said that he preferred to await a statement by the Republic's commander before making his. He said, however, that he had heard the Republic whistle at intervals for some time on the morning of the disaster, but the sounds had seemed quite far.

Suddenly the big liner loomed up in the fog and the vessels came together with a crash. The Florida veered off and the Republic was swallowed up again in the mists. A cautious search for her was then begun, and it was two hours, the captain said, before the Florida again located the Republic and began the work of rescue.

FARMERS DENIED PLEA FOR SMELTER CLOSURE Advantage to Public Greater Than Harm to Individuals

HELENA, Mont., Jan. 25.—Judge Hunt of the United States district court handed down a decision in the so called smoke case today in which he denies the application of farmers for the closure of the Washoe smelter at Anaconda. No damages are awarded to the farmers whose property is alleged to have been damaged.

INTERNATIONAL STRIFE IS FEARED BY MINERS Wage Scale of Anthracite Workers Is Involved

INDIANAPOLIS, Jan. 25.—International strife, rather than a wage contest, is feared by the convention of the united mine workers of America, in session here. Only one wage scale of large importance is to be negotiated—that of the miners of the three anthracite districts in Pennsylvania.

"LID" ORGANIZATION GIVES UP AFTER SIEGE Thirteen Members of Pleasure Club Surrender to Police

ST. LOUIS, Jan. 25.—Thirteen members of the Belmont pleasure club, an alleged "lid" organization, surrendered today after defying the police for 16 hours.

Snow Crushes Buildings REDDING, Jan. 25.—The snow is five feet deep at Iron Mountain, three feet at Dunsmuir and one foot at Redding. The damage to power, telephone and telegraph lines is widespread from Redding north.

Thousands Work at Repair MARYSVILLE, Jan. 25.—Flood conditions here are improved, although the snow fell heavily in the watersheds of the Yuba and Feather rivers all day yesterday and last night.

Water Flows Over Dam REDWOOD CITY, Jan. 25.—Every city and hamlet of the county suffered last night and today a number of miniature floods have been reported.

Streams Are Rising SAN JOSE, Jan. 25.—A heavy rain fell last night and it showered today, with a strong south wind. The Mount Hamilton range is covered with snow and considerable snow also lies on the Santa Cruz range, west of the valley.

Salt Works Damaged REDWOOD CITY, Jan. 25.—Considerable loss has been caused to the salt works at this point and San Mateo by the excessive rains which have inundated the retaining ponds with fresh water.

To Cure a Cold in One Day Take aspirin—Bruno Quinine Tablets. Druggists refund money if it does not cure. E. W. Grove's signature is on each box. 20c.

LEVES PROBABLY KEPT FLOOD

Two San Franciscans and Two Antioch Workmen Reported Drowned

Knights Landing and Large Reclamation District Now Under Water

Continued From Page 1

celery and various other vegetables as well as hay were saved.

Knights Landing Flooded SACRAMENTO, Jan. 25.—Knights Landing, 40 miles north, and reclamation district No. 730, south and west of the city, are under water, despite the desperate fight which has been made for several days to save the town and this vast section of valuable farm land.

When the water began rising on the Fair ranch a few days ago it was feared the town would be flooded, and a temporary levee was thrown up along the ridge to protect the place, but water from the tide and the river kept pouring into the Fair ranch district, and despite the fact that the river has been raised the water into the Yolo basin and back into the Fair ranch was sent after dynamite Sunday, but before the dynamite came the water went over the temporary levee.

The water piled up against the railroad grade in town and took out 300 feet of it. This embankment also had a portion of the water of reclamation district No. 730, in which are the Hinckley and Peck tracts, and these were flooded by the water which came in through the gap in the railroad embankment.

A house and barn were destroyed at the Darby camp, which is the highest place on the Fair ranch, yesterday during the heavy windstorm. A number of men and horses were killed, and because of being famished, were lost in the flood.

The damage to Knights Landing, while it will be great, will be nothing like that done in the reclamation district, where thousands of acres of farming land will be covered with water and the crops ruined.

Flood Is Slowly Receding STOCKTON, Jan. 25.—The sea of water west of Stockton is slowly receding with the exception of during high tide, when the water reaches high points, but all of the islands in San Joaquin county are still safe, and it is believed that all danger is over for some days.

Ferry Boats Toss on the Bay Crossing the bay yesterday was either good fun or a perilous and distressing experience, according to the points of view and stories of the passengers. Even the big Southern Pacific ferry steamers rolled and pitched with drunken abandon in the rough water.

Along the water front the southeaster was responsible for some damage. A pile of lumber belonging to the Thompson bridge company, lying at Polson street wharf, became waterlogged during the night. The pile was overturned and the lumber was scattered about the wharf.

Railroad Situation Improves The following is a summary of the railroad situation yesterday as stated by the Southern Pacific:

The main line and all branches of the coast division open and traffic moving at all points. All western division lines restored except between Davis and Sacramento, and if no further unfavorable conditions develop this line will be ready for service by Tuesday night.

The following is the snowfall in the Sierra Nevada: Summit—165 inches. Blue Canyon—93 inches. Gold Run—113 inches.

Tanker and Steamer Collide The oil schooner Monterey had an experience on the bar yesterday similar to that of the Roderick Dhu Saturday afternoon. The Monterey, bound in tow of the steamer Rosecrans, both vessels were loaded with oil and were bound north to the wharves of San Francisco.

When well out on the bar, however, the towing parted and away went the Monterey with the Rosecrans in chase. The Rosecrans, which was formerly an army transport, is all right as a tow-boat, but is not the best form of marine architecture for fancy steamboating on a breaking bar.

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WIGMORE GRILLS SCHMITZ DECISION

Noted Jurist Asserts Beatty Misconceived Rules Governing the Case

Further Avers That Chief Justice Is Entangled in Web of His Own Weaving

From the pen of Prof. John H. Wigmore of Northwestern university, one of the greatest living authorities on American law, has come a vigorous arraignment of the supreme court decision in the Schmitz case.

Such disputes were the life of scholarship and of the law 600 years ago," declares Professor Wigmore. "They are out of place today. And there are enough rules of law to sustain them if the court wants to do so, and enough precedents to guide it in brush them away if the court wants to do that.

These are words that carry the sting of the lash, but there is no doubt that Professor Wigmore wrote with a full recognition of their significance, for he proceeds:

We do not doubt there are dozens of other supreme justices who would decide, and are today deciding, in obscure cases, just such points in just the same way as the California case. And we do not doubt that hundreds of lawyers whose professional habit of mind would make them decide just that way if they were elevated to the bench tomorrow in place of those who are now on it.

Professor Wigmore speaks with the authority of a recognized expert. His treatise on evidence is standard and is used to a large extent as a guide by the judges of the United States.

He deals sharply with the declarations of Chief Justice Beatty that he could not take judicial notice of the fact that Schmitz was mayor. He asserts that Judge Beatty misconceived the nature of the subject and confused the law of judicial notice with the law of evidence.

What this is just where the learned chief justice is to be criticized. He does not for a moment ask or answer the question "Did we actually believe the facts to be notoriety?" but refers to certain mechanical rules, external to his mind.

What that supreme court should have done was to decide whether they, under the circumstances, did actually believe the facts to be notoriety. If not so doing, they erred against the whole spirit and principle of judicial notice.

Having dealt this blow to the chief justice's interpretation of the law, Professor Wigmore proceeds to entangle him in his own logic, concluding bluntly:

"The truth is that the learned chief justice, in endeavoring to support his decision, weaves a logical web and the entanglements himself in it."

He reaches this conclusion by showing an apparent contradiction in the chief justice's reasoning. Passing from

BONE-THROWERS LOSING THEIR JOBS SOUTH AFRICAN NATIVES BECOMING CIVILIZED.

Witch Doctors and "Offended" Ancestors Giving Way to Modern Methods.

The following letter was received by the publisher of the "Naledi En Lesotho," a paper published in the Basuto language at Mafeking, South Africa, and translated by him and forwarded to the Chamberlain of Medicine, Des Moines, Iowa:

"I have a newspaper here found true health. I have forsaken bone-throwers because I am tired of them. When a child is sick they say it is bewitched and that its ancestors have caused its illness because of some duty which its parents have failed to do towards it, and they say you must slaughter a sheep and anoint the child with its bile. I do not believe this any more because I have found a medicine in the newspaper. I can swear that in case of colds and whooping cough, which does so much harm to children, I have never found Chamberlain's Cough Remedy to fail. I advise you to buy it now and you will never have occasion to go to bone-throwers, who are bound to say that the cause of this illness is which doctors or offended ancestors and you have to slaughter a sheep to cleanse the sick and pay to have your house sick-proof even before your child is cured."

F. MORHALL, Moneys, O. R. C.

C. L. Ackerman, Well Known Attorney, Who Is Dead



Charles L. Ackerman, one of the most prominent attorneys on the Pacific coast and member of the law firm of Naphthaly, Friedenrich & Ackerman, died at his home, 2201 Van Ness avenue, last night after an illness lasting several months.

He had been failing in health for some time and last night, when the end was near, his relatives were called to his bedside.

Ackerman was one of the most competent lawyers that practiced in San Francisco. He was born in New Orleans, 58 years ago and came to San Francisco when a child. He graduated from the Harvard law school and first practiced with Governor Gaston in Boston, Mass.

When he returned to San Francisco he entered the law office of Judge W. H. Rhodes and remained there until the formation of the firm of Naphthaly, Friedenrich & Ackerman. He was the attorney for the Southern Pacific company, Market Street railway, Sutter Street railway, Blythe estate and for various city officials.

While attorney for the Southern Pacific he had the record of never losing a case. He was president of the Equitable gas company, president of the Chutes and Orpheum and vice president of the Grand opera house and of the Tivoli opera house company.

Ackerman took a prominent part in politics, although he never held office. During the term of Governor Bartlett he was judge advocate on his staff. He was a past grand master of Bay City lodge, Independent Order of Odd Fellows and took an active interest in many charitable institutions.

Ackerman had not been actively engaged in business during the last few years of his life. He leaves a widow, Mrs. Carrie Ackerman, a son, Irving C. Ackerman, a sister, Mrs. S. Greenbaum and two brothers, S. L. and H. L. Ackerman. Arrangements for the funeral have not yet been completed.

TRUSTEE OF ALASKA EXPOSITION IN CITY Charles Evans Here to Arrange for Excursions

Charles Evans, president of the International contract company of Seattle and trustee of the Alaska-Yukon-Pacific exposition, is at the St. Francis hotel for the purpose of arranging for an excursion of prominent business and professional men through Oregon and California in the latter part of February.

"We anticipate a large attendance of California people at the exposition," said Fowler, "and California will be one of the best advertised of all the states participating in the 1909 fair."

California was the second of the state buildings to be completed and will be among the first to have its exhibit installed.

On January 1 the construction of buildings and grounds was more than 80 per cent complete and the Alaska-Yukon-Pacific exposition will be the first world's fair to be complete on the day the gates are opened.

Every building will be complete by May 1, leaving 30 days in which to finish the minor details of the exposition and clear the grounds of debris of construction.

COUGHING BURST BLOOD VESSEL Says Danger Avoided and Cures Coughs in Five Hours

A writer for the medical press states that coughing is responsible for the bursting of blood vessels quite frequently. A cough or cold means inflammation (fever) and congestion and these in turn indicate that the body is full of poisons and waste matter.

Simple relief, as found in patent cough medicines, and whiskey, often results in more harm than good, as they cause more congestion. A tonic-laxative cough syrup will work marvels and here follows a prescription which is becoming famous for its prompt relief and thorough cures.

It rides the system of the cause, except it be consumption. Don't wait for consumption to grasp its victim, but begin this treatment, which cures some in five hours. Mix in a bottle, one-half ounce fluid wild cherry bark, one ounce compound essence cardiol and three ounces syrup white pine compound. Take twenty drops every half hour for four hours. Then one-half to one teaspoonful three or four times a day. Give children less according to age.

ATTORNEY ACKERMAN HEEDS FINAL CALL

Widely Known Lawyer Dies After Illness of Several Months

Had Long Record of Faithful Service in Law Courts of California

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Palace Hotel Company

PROPOSALS OFFICE Purchasing Commissary, U. S. Army, 1006 North Point St., San Francisco, Cal., January 18, 1909.—Sealed proposals, in duplicate, for furnishing and delivering, on or about February 20, 1909, subsistence stores in accordance with specifications and conditions set forth in Circular No. 4, War Department, Office Commissary General, Washington, D. C., March 27, 1908, will be received at this office until 11 o'clock a. m., January 28, 1909, and then opened. Information furnished on application. ECIL STEWART, Capt., Comdr.

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The Best Valentine number of a woman's magazine that ever reached the public is the February WOMAN'S HOME COMPANION. Take that splendid love story, "Her Psychological Moment," by Fannie Heaslip Lea; every line of it will make you glad that you bought the magazine—especially when the telephone brings the romance to a happy ending. And there are seven other stories, a portrait of "Lincoln at Fifteen" and two refreshing articles, "My Future Son-in-Law" and "A Substitute for Matrimony"



The rest of the magazine, from the "heart of hearts" cover design, by Howard Chandler Christy, to the flour advertisement on the last page, is brimful of charming pictures, strong helpful articles, and page after page of practical departments for women—all and more in the February

WOMAN'S HOME COMPANION At All Newsstands