

MT. ETNA SENDS FOURTY MONSTER CUBIC YARDS OF LAVA

In Thirty-six Hours 8,000,000 Cubic Yards of Molten Rock Erupted

Many Americans Are Hastening From Rome to Witness Ti- tanic Disturbance

exploding with loud detonations and emissions of black smoke.

From Catania and along the railway surrounding Etna thousands of persons are watching the progress of the eruption.

The streams of lava already have surpassed in volume those of the eruption of 1892, but changing their course just as they reached Bellaso and Nicolosi, they have followed the main roads around those two villages, which have thus far escaped destruction. The people are still fearful, but in both villages soldiers are encamped in the squares to avert a panic, while the mayor and parish priests are ministering to the needs.

Veil of St. Agatha

Cardinal Fraancesca Nava, who returned today to the scene of the eruption, promised to bring back to the people of Nicolosi and Bellaso the veil of St. Agatha, which they believe has the power to stop the advancing lava. Professor Ricco, director of the observatory on the volcano, despite a narrow escape from death today, has returned to the lava fields. To those who advised prophetic he replied: "My post is there."

From Four Openings

It is now known that there are four openings from which lava is issuing. The heat from the currents is so intense it is impossible to approach within 150 feet of the streams. The flow of the lava down the mountain side now averages over a foot a minute.

Late tonight it was considered probable that the streams would pass between Borello and Nicolosi without touching them.

The people are pleading for assistance, especially for carts in which to remove their household effects. The government has turned over to the prefect \$2,000 to assist the needy peasants.

An official report on the volcanic disturbances in the Mount Etna district, made public this afternoon, while confirming the gravity of the situation, holds out the hope that the worst is over. The craters that may be only partly described as new appear to be only four in number. These have opened at the foot of Mount Castellazzo, four miles in an air line from the summit of Mount Etna.

Loud Detonations

One of these craters is a spot called Tascia Albanelli. This is not throwing out much lava, but is the noisiest of the four, and its loud detonations are chiefly responsible for the terror of the population for miles around. A second crater, 600 feet above in a place called Volta San Girolamo. This is 7,000 feet above the sea and the most active of the openings, emitting the greatest amount of incandescent material. At Tascia Albanelli, the eruption also very active, and near it is the fourth, showing a less serious eruption.

Eruption Was Predicted

M. Perrett arrived at Nicolosi this evening and immediately sent the following telegram to Catania:

The present eruption is the sequel to the abortive outbreak in April, 1907, and was expected and even predicted.

I hope soon to visit the mouths that have not as yet been visited by any one. The entire path of the ascent of the volcano is covered with burning lava, in some places shallow and others deep. It is 600 meters broad.

The small result of the eruption can not be predicted, all depending upon the duration of the phenomenon. The latest observations show a slight reduction in the intensity of the eruption.

HOMESTEADERS WIN TITLE TO BIG TRACT

[Special Dispatch to The Call]

UKIAH, March 25.—Following six years of litigation the title to 400 acres of redwood timber land in Mendocino county was today vested in three homestead applicants, and the claims of the L. E. White lumber company finally quashed. The decision was handed down by the secretary of the interior.

Three families claimed the land involved under homestead application in 1902, when the White company attempted to take it by virtue of forest reserve scrip.

A contest was initiated in the land office in July of that year and has been fought through all branches of the department with varying success. Today's decision, however, is final.

INCENDIARY SAVED BY LIMITATIONS STATUTE

[Special Dispatch to The Call]

UKIAH, March 25.—Because of the operation of the statute of limitations John Murphy, who confessed to incendiarism, will not be prosecuted. Murphy confessed to Sheriff Donohoe a few days ago that he had set fire to a barn in Stockton and been placed in jail. Word was received today that the crime was committed four years ago and that Murphy was immune from prosecution because of the elapsing of the three year period within which an arson complaint should have been filed.

Coast Brevities

MINING PLANT BURNED

Douglas, Ariz., March 25.—The treating plant of the Comstock mine at Pinar, Ariz., was completely destroyed and was burned last night. The owners say the fire was incendiary.

WIFE SLAYER SENTENCED

Bakersfield, Cal., March 25.—Charles L. Thompson, the first prisoner on record in Kern county to plead guilty to a charge of wife slaying, today was sentenced to life imprisonment. Thompson shot his wife in a roadhouse following their separation.

Only One "Bromo Quinine"

That is Laxative Bromo Quinine. Look for signature of E. W. Grove. Used world over to Cure a Cold in One Day. 25c.

GLAVIS' LAWYER SEEMS TO QUIZ D. A. BALLINGER

Springs Surprise by Asking That Cabinet Official Be Called to Stand

Congressional Committee Investigates Guggenheims' Vast Northern Holdings

WASHINGTON, March 25.—The Ballinger-Pinchot inquiry was resumed today after an adjournment of practically two weeks.

As soon as the committee met this morning Attorney Brandeis, representing Louis R. Glavis and others, sprang a surprise by requesting that Secretary Ballinger be called as a witness. Brandeis said at first that he wished Ballinger to identify two letters to be introduced in evidence at this time. Questioned further by members of the committee as to his intent he admitted he desired to conduct a general examination of the accused cabinet official.

BALLINGER'S ATTORNEY OBJECTS

Counsel for Ballinger objected to this and called forth from Brandeis the remark that from his letters he had always supposed Ballinger to be ready to appear whenever and as often as any one connected with the inquiry desired.

Some members of the committee seemed to think that Ballinger, as the person most interested in the inquiry, should have an opportunity to make his statements first in his own way before subjecting himself to cross examination. The matter was passed over to be decided later in executive session.

The witness stand was occupied during the afternoon by Stephen Birch, managing director of the Morgan-Guggenheim syndicate in Alaska. It was thought at first that Birch's testimony would be largely perfunctory in character and would follow the lines of his recent statement made before the senate committee on territories, but this was not the case.

WITNESS CLOSELY QUESTIONED

Members of the committee became deeply interested in the operations of the Alaska syndicate and they piled the questions upon the witness in every possible angle. Much of the questioning was intended to show that the Guggenheims practically control Alaska.

Birch was asked by Representative Brandeis to state whether he had control of the coal lands in Alaska what would there be left?

Birch said he did not think this was a fair question to ask him. He admitted the Guggenheim interests were large, that they had invested some \$15,000,000 already and had contracted for the expenditure of other millions. There had been no returns from these investments as yet. But the syndicate was not satisfied with that.

OPTION ON CLAIMS

As to the Cunningham claims, Birch produced the option that a committee of the claimants had given to Daniel Guggenheim, July 20, 1907. He declared this option had been accepted by the Guggenheims. December 7 of that year. The claimants, however, had never lived up to its terms, he said. Cunningham, he said, in January or February, 1908, had contended that the Guggenheims had violated the option by changing their railroad base from Katala to Cordova, and furthermore, the option was of no effect because a majority of the claimants had never ratified it.

Brandeis sought to show that the Morgans and Guggenheims with their "great power and influence in this country" must have brought pressure to bear during the last two years to get the patents granted the Cunningham claimants. Birch declared, however, that he knew of no such efforts.

"What could we have done?" he protested.

"Ah, Mr. Birch, you can answer that far better than I," dramatically exclaimed Brandeis.

PROBLEM OF TRANSPORTATION

As to his estimate that coal in Alaska was worth 50 cents a ton and therefore the Cunningham claims represented an actual value of \$25,000,000, Birch declared it was just as probable to say the icebergs in Alaska were of inestimable value. The icebergs, he said, would be valuable if they could be brought to market in this country. So it was with the coal, but first the transportation facilities had to be provided.

It was evident today that members of the committee are growing irritable, and this irritability extends to counsel. There were frequent clashes and both Brandeis and Vertrees apologized at the close of the session for impatient remarks.

The "prosecution" is expected to conclude the presentation of its case by tomorrow night. The concluding days of the "prosecution" will be taken up with an explanation by Brandeis and others of a mass of documentary evidence submitted at one of the sessions last week. The alleged interests of the Guggenheim-Morgan syndicate in the Cunningham claims also will occupy the attention of the committee.

DEFENSE PREPARES CASE

John J. Vertrees, counsel for Secretary Ballinger, has been notified to be ready to proceed with his case next week. He undoubtedly will prefer the presentation of evidence by a preliminary statement of what the "defense" expects to prove.

The chief interest in the defense will rest with Ballinger. The committee undoubtedly will have to decide just how many of the attorneys for the "prosecution" are to be allowed the privilege of cross-examining the cabinet official. It may take the course of allowing Brandeis to conduct the cross-examination as to Alaskan matters and Pepper to handle the water power site situation.

Immediately after the committee met Brandeis said that when Birch and Steele of the Morgan-Guggenheim syndicate had given their testimony, he desired to call Secretary Ballinger, and would like to have him appear today.

Vertrees was on his feet in an instant.

"Mr. Ballinger," he said, "is the person most interested in this inquiry. We ought to be allowed the discretion as to indicating when he should appear."

Brandeis said he desired from Secretary Ballinger certain letters that could be proved best by him.

SAYS BALLINGER WILLING

"Mr. Ballinger has already contemplated appearing more than once before this committee," continued Brandeis. "His letters to the committee show that he is ready to come at any time."

"The committee will decide this matter in executive session," ruled Chairman Nelson.

Glavis' Lawyer Springs Surprise By Seeking to Call Ballinger

WASHINGTON, March 25.—Attorney Louis Brandeis, representing Glavis and others, sprang a surprise before the Ballinger-Pinchot investigating committee today by declaring that he wished to call Secretary Ballinger as one of his witnesses. Attorney Vertrees, representing Ballinger, objected. The committee will decide the matter in executive session.

The question of the Guggenheims' vast Alaska holdings was the subject of many inquiries by members of the committee. The "prosecution" is expected to have its evidence all in by this evening.

attorney, "with the explicit statement on our part that we would lay before the committee those facts which seemed vital to the investigation. We desire to leave it to you, upon the presentation of that evidence, to determine what disposition should be made.

"We particularly desire to make charges. We desired the committee to formulate those charges, and to defer until a later period of the inquiry our suggestions as to what conclusions should be reached by the committee.

"When this inquiry began Ballinger sent a letter here in which he expressed the desire to leave the committee untrammelled. He did not even desire to have counsel, just that he should hamper the committee in its search for the facts.

"It is perfectly clear that we should not be brought to a stop in our inquiry without being able to lay before the committee those facts which Mr. Ballinger alone is aware of and can best enlighten this committee. I know of no proceeding in which we would be denied this opportunity. We certainly ought not to be denied it in what the chairman has characterized as a 'free, full and open inquiry,' and not limited by the ordinary rules of evidence."

SAYS TESTIMONY NEEDED

Representative Madison asked Brandeis if he regarded Ballinger as a witness to material facts, and the attorney declared that he did.

"And you intend to examine him on all points that you consider material?" inquired Representative McCall.

"Yes, sir."

"In other words, what you mean is that you desire your cross examination of the witness to precede the direct examination?" suggested Secretary Sutherland.

"I would not put it just that way," replied Brandeis. "Mr. Ballinger has already had the opportunity to make his statement. He has had the advantage of being able to confer with the president and has made two statements to the president."

"Doesn't that apply to all the witnesses in this proceeding?" asked Representative Denby.

"No; my client, Mr. Glavis, has not had an equal opportunity."

Brandeis admitted he desired to have the right to examine Ballinger in his own way. Representative Olmsted said he thought Ballinger should have the opportunity to make his statement to the court in his own way. Brandeis was directed to proceed with his other witnesses, the Ballinger matter being deferred for the time being.

Stephen D. Birch, manager of the Morgan-Guggenheim syndicate in Alaska, then was sworn. He said the syndicate was composed of J. P. Morgan & Co. and some members of the firm of M. Guggenheim's Sons. Birch repeatedly asserted that the syndicate had no interest in territories and gave the testimony which he repeated today. He said he first saw Clarence Cunningham in connection with his claims in Seattle early in April, 1907.

The witness said he saw Cunningham several times in Seattle.

COPY OF AGREEMENT

Brandeis then read into the record a copy of the memorandum agreement entered into July 20, 1907, by Clarence Cunningham, Miles C. Moore, A. B. Campbell and the other Cunningham claimants as vendees to Daniel Guggenheim as vendee, stating terms under which the claimants would convey a half interest in their coal lands.

"And Daniel Guggenheim represented the 'Guggenheim syndicate'?" asked Brandeis.

"Yes, sir."

Representative Madison called attention to the fact that at the time the agreement was dated several Cunningham claims had not gone to court.

The Guggenheims finally notified Cunningham that they had been advised by counsel not to purchase the claims in their incomplete state and had requested that the patents be hurried.

In reply Cunningham wrote that the issuance of patents was a matter resting with the convenience of the government and could not be hurried, although he had been informed that Secretary Ballinger had intimated that the matter would all be "cleaned up" in 90 days.

CHAIRMAN CAUSES LAUGHTER

John N. Steele, attorney of the Morgan-Guggenheim syndicate, had been called upon from time to time by Brandeis for statements and letters while Birch was on the stand. It was suggested that Steele be sworn. Chairman Nelson caused laughter in swearing the witness by pledging him to the truth of "statements already given and to be given."

Following this ceremony Brandeis read a telegram from Daniel Guggenheim to Clarence Cunningham, dated September 7, 1907, finally accepting the proposition made in the memorandum agreement of July 20, by Cunningham, Moore and Campbell on behalf of themselves and their associates. A letter from Cunningham acknowledging receipt of the telegram also was put in evidence.

Birch said that in none of his conversations with Cunningham was Ballinger's name mentioned or any promise recited to him by the secretary of the commission of the land office.

Birch testified that the Guggenheims had projected a railroad from Katala to the coal lands. Later they changed their plans to build from Cordova to the copper fields. When Cunningham heard of this change, early in 1908, he told Birch that the agreement had been violated, that it was no longer binding, and would not be lived up to.

JUSTIFIES AFFIDAVITS

In the testimony of Birch that Cunningham stated early in 1908 that he considered the affidavits which the Guggenheims null and void, Attorney Vertrees claimed justification for the Cunningham affidavits of March and September, 1908, in which he declared the Guggenheims had no direct or indirect interest in the claims. There has been talk of possible prosecution for perjury and subornation of perjury in connection with these affidavits, one of which was presented by Ballinger to Secretary Garfield.

Resuming his testimony, Birch said he did not know that Ballinger was commissioner of the land office in 1907.

"Mr. Birch, what is the value of the Cunningham coal property?" asked Vertrees.

BATTLE FOR LIFE IN HUGE ICE BOX

Lt. Col. Kniskern and Aid Are Trapped in Refrigerator of the Transport Logan

Make Desperate Fight for Six Hours Before Being Rescued

Barely to escape from death in the great refrigerators of the United States army transport Logan was the thrilling experience of Lieutenant Colonel Albert D. Kniskern of 2821 Elmwood avenue, Berkeley, purchasing commissary of the transport service, just before the troopship last sailed for the Philippines.

READS CUNNINGHAM AFFIDAVIT

Brandeis read to the witness the affidavit made by Cunningham in March, 1908, in which he declared the Guggenheims had no interest in the claims and that there had been no written agreement with any corporation.

"Did Mr. Cunningham confer with you before making that affidavit?" demanded Brandeis.

"No, sir."

"When did you first learn of that affidavit?"

"Just now."

The Alaska syndicate, Birch contended, has no interest in any Alaska coal claims other than the interest it "may have" in the Cunningham group. Brandeis and the witness got into a wordy wrangle as to the latter's proposition to buy an interest in the Hartline group of claims. The attorney sought to show Birch was acting for the Guggenheims. The witness asserted he was capable financially of buying the whole Hartline group. He wanted that thoroughly understood. He was willing to take it as a speculation.

"When did you first learn of that affidavit?"

"Just now."

Representative Graham asked the witness the department of the interior to show the Guggenheims practically have a monopoly of transportation facilities to Alaska from the United States. Birch declared the syndicate owned 12 ships, while competing lines operated 28. He denied the Yukon and White Pass railroad was controlled by the syndicate or by any of its members.

Birch said if anybody else wished to get to the copper country they tried to do so the Guggenheims did—build a railroad.

"Now, Mr. Birch," concluded Representative Graham, "if the syndicate owned the Alaska coal it would own Alaska, would it not?"

"How much money has the syndicate invested in Alaska?" asked Brandeis.

"About \$15,000,000."

PAYS NO DIVIDENDS

"What dividend does this syndicate pay?" asked Representative Olmsted.

"None. We have put all that money in and have not got a cent out yet."

"Doesn't the department of the interior have a monopoly of transportation facilities to Alaska from the United States?"

Representative Madison asked if it were not a fact the Alaska syndicate steamship company handled more business from the United States to Alaska than did all the other lines put together.

Birch was not willing to admit this. He said he would submit the figures later.

Birch said if there was no competition to Alaska the rates would be much higher.

In behalf of his fellow witness Steele said he thought the committee was investigating the department of the interior and the bureau of forestry. He did not see what the details of all the investments of the Morgan-Guggenheim companies had to do with it.

Representative Madison wanted also to know if it were not true there was a "gigantic scheme on foot to control a great part of Alaska."

"That is your inference," remarked the witness.

Brandeis drew from the witness that the development of Alaska depended almost wholly upon the opening of the coal fields. When he had done this he turned fiercely upon the witness and demanded to know if, in view of this fact, the Guggenheims had secured for two years and made no exertion to have patents issued for the Cunningham group.

"All we did was to tell Cunningham to hurry up with his patents."

USED NO INFLUENCE

"Do you mean to say, with all the influence and power of the Morgans and Guggenheims in the country, they made no efforts in this direction except your feeble efforts? Is that what you wish this committee to understand?"

"It is."

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THE PIANOLA	
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| Breast of Beef, per lb. | 6c |
| Round Steak, per lb. | 10c |
| Sirloin Steak, per lb. | 12 1/2c |
| Porterhouse Steak, lb. | 17 1/2c |
| Lamb Stew, per lb. | 6c |
| Lamb Shoulder Roast, per lb. | 7 1/2c |
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