

FISH COMBLES ARE DELAYED

Requirements of Cartwright Law Must Be Met in Charges Against Trust Decision in Sacramento Meat Monopoly Case Will Reach Local Malefactors

The complexities of the Cartwright law have deferred the filing of indictments against the fish trust until tomorrow with the possibility of further delays. Meantime District Attorney Fickert is giving his most careful thought to remodeling the bills, for the law is new and untried, although sound in its general aims, as is shown in the decision handed down last January by Judge Hart of the third appellate district.

Attorney General Webb, who helped prepare the case favorably ruled on by Judge Hart, believes the Cartwright act will not encounter greater difficulties here in breaking up the fish combination than in Sacramento, where it routed the meat trust.

GRAND JURY CONVINCED

The grand jury was thoroughly convinced of the conspiracy to keep up the price of fish after examining 22 out of the 43 witnesses found by the call's investigators. The trial jury will have all of this additional evidence to examine, together with important documentary matter.

"There seems to be a popular idea," said Attorney General Webb yesterday, "that a great deal more proof is needed under the Cartwright law to get convictions than is really the case. What the law attacks is only the combination among dealers to restrict trade and prevent competition. This may be shown circumstantially."

The Sacramento case, which furnishes the only decision on the Cartwright law, was successfully brought by the people against the butchers' association of that city. While it did not go further than the court of appeals, it received the tacit approval of the supreme court, which denied the butchers' plea for a rehearing. Thus the law broke up completely the alliance between the powerful Western meat company and the greedy butchers, to whom the Western furnished meat at cheaper rates than to independents.

In its results, whether or not the conspiracy to this conspiracy, Judge Hart wrote: "The legislative power of the government very properly treated combinations formed for the purpose of restricting trade very much in the light in which a loaded gun is regarded—a dangerous instrument to be lying around loose—and upon the same principle which sustains local legislative measures declaring it to be a misdemeanor to carry a loaded gun, the possession of burglarious tools and instruments. Therefore, the acts constituting the actual execution of the purpose of a criminal conspiracy are only evidence of the existence of such conspiracy."

NO DOUBT AS TO FACTS

The evidence collected by The Call and presented by District Attorney Fickert convinced the grand jury that not only was the criminal intent there, but its results. Whether or not the conspiracy was set down on paper, there remained no doubt as to the facts. All firms in the trust stood in to support the same blacklist. They drove their agents away from the independent Portola company and limited their own supply through the glue factory.

During the legislative committee's investigation last March, the members of the trust denied any combination and insisted they were acting independently. They even urged that their profits were small. Paladini and Trapani made the same statements to a call investigator the day before the grand jury began its recent work. They said there was no combination and that they were making small profits. This familiar defense was also made by the Sacramento butchers, and it brought this reply from Judge Hart: "It is idle and no answer to say, as is the fact, that the agent for the Western meat company and each of the members of the butchers' protective association positively denied that there was ever any understanding, compact or agreement between them whereby it was understood in any manner, shape or form, that the Western meat company was to charge more for meat than belonged to that association a higher or a different price for fresh meats than would be charged to members of the butchers' protective association."

HIGHER CHARGE PROVED

All the jury had to decide in the Sacramento case was whether the meat company had made an independent dealer named Robinson pay more for meat than had been paid by members of the association. On appeal the butchers attacked, among other points, the trial judge's instructions, which were strongly defended by Judge Hart. One section of these instructions reads: "It is not necessary to constitute a conspiracy that two or more persons should meet together and enter into an explicit or formal agreement for an unlawful scheme, nor that they should directly, by words or writing, state what the unlawful scheme was to be and give the details of the plans or means by which the unlawful combination was to be made effective. "In other words, where an unlawful and is sought, and two or more persons actuated by a common purpose work together in furtherance of it, and every one of said persons becomes a member of the conspiracy, even if the part he was to take therein was a subordinate one or was to be executed at a remote distance from the other conspirators."

Paladini and others active in the fish trust have been laughing at the grand jury's inquiry, according to gossip in the wholesale fish district. They have told a number of customers that the law will end, like the senate committee's investigation, without results.

FORMER ARMY OFFICER FACES SERIOUS CHARGE

Says Disagreement Is Behind Embezzlement Accusation

LOS ANGELES, May 22.—Fred H. Windsor, a former army officer, and now head of a clock company here, was arrested tonight on telegraphic advices from Fresno. He is charged with embezzlement.

Windsor's brother is said to be in jail in Fresno charged with a similar offense. Windsor declares the charge is the result of a disagreement with W. L. Evans, president of a land and water company, regarding funds collected by Windsor, who kept out a part of them as compensation.

Sixty Gowns and Dozen Hats In Mary Harriman's Trousseau



Miss Mary Harriman, daughter of the late E. H. Harriman, and Charles Cary Rumsey, the New York sculptor, to whom she will be married on Thursday.

BABIES DELAY THE BABY SHOW PLANS

Suffragists Stay Home to Mind Offspring and Meeting Adjourns Until Monday

Most of the members of the Votes for Women club had to stay at home last evening and mind their babies, so the meeting called to consider plans for a baby show to be held on June 13, 14 and 15 lacked a quorum. Adjournment was taken until next Monday, May 30, the next regular meeting day, when the babies can be left with their daddies—next Monday being a legal holiday—and the mothers can attend and plot the prizes.

While the club could not perfect its plans for the baby show, the preliminary announcement which was made in The Call yesterday morning was supplemented by further details of the entertainment.

NO ORDINARY DISPLAY

This is not going to be an ordinary baby show. The circular which the club is sending out is as follows: "Dear Madam: Votes for Women club of San Francisco, desiring to demonstrate to the community that its finest babies and young children are the offspring of suffragists, will hold a Human Flower Show at its clubrooms, 315 Sutter street, on the three successive afternoons of June 13, 14 and 15, from 2 to 5.

"Prizes will be awarded to the finest and healthiest babies, to the children wearing the prettiest costumes and to the best performers on the program. BABIES ADMITTED FREE

"Admission free to babies and their escorts. "A charge will be made of 10 cents for children and 25 cents for adults. "Your co-operation is earnestly desired to make this affair a complete success.

"For further information apply to the clubrooms 315 Sutter street, from 10 a. m. to 4:30 p. m. "Mrs. Mary McHenry Keith, honorary president. "Miss Selina Solomons, acting president. "Mrs. Isabel Johnson, vice president. "Mrs. Lehman Blum, treasurer. "Mrs. Francesca Pierce secretary."

CHICAGO STREETCARS IN RECEIVERS' HANDS

Action Taken Following Adverse Suit for \$1,344,684

CHICAGO, May 23.—The receivership into which the Chicago Railways company was thrown today sent its most active stock—series 2 participating certificates—off an extreme 9 points in the local exchange, with only a slight recovery.

This stock participates only after the payment of bond interest and dividends on certificates of series 1, but the earnings of the company recently were believed to indicate an early dividend on series 2. Thousands of shares were unloaded when news of the receivership became known in La Salle street.

The appointment of the receivers—John M. Roach, president of the company, and Henry A. Blair, a heavy stock holder—was precipitated by the fact that the company had neither sufficient assets to pay a judgment of \$1,344,684 rendered against it by Judge Ball in the superior court last week, nor to provide sufficient bond to secure a stay of execution by means of an appeal.

CHANGE FOOD And Lose That Uneasy Feeling

A man who has always been a "skinny scap," although hardly ever ill, tells of the way he put on flesh and reduced his irritability and nervous condition.

By chance he had a taste of Grape-Nuts food at the table of a friend and enjoyed the flavor so much that he began to have it every meal. He says: "In a short time I found myself another person, the old feeling of discontent and uneasiness left me entirely, it became a pleasure to go about my work, whereas, before, for years, I had always had the feeling of being a little weary, now I seem to have a surplus of energy for everything. My weight has increased 11 pounds in 4 weeks, and I am still gaining."

"I have never been very sick, and am satisfied that if my present improvement in health continues I shall not be. "The change that this food has made in my life has been remarkable and so satisfactory that I am glad of the opportunity to tell you."

Read the little book, "The Road to Wellville," in pkgs. "There's a Reason."

Ever read the above letter? A new one appears from time to time. They are genuine, true, and full of human interest.

BIG GRAND OPERA SEASON ASSURED

W. H. Leahy Completes Negotiations for Italian Troupe to Sing Here Next Winter

W. H. Leahy and wife are home in San Francisco from their trip to Europe. Their return was hastened by the illness of Leahy's mother, who is now recovering at her home in Marin county. Leahy is full of plans for a four weeks' grand opera season he has arranged to begin in this city about the first of December. He has negotiated with what he describes as one of the finest operatic organizations in Italy for 10 weeks in Los Angeles, San Francisco, Portland and Seattle.

This company is now on its way to Brazil and later will go to Mexico City before it comes to California. Its full quota, as it will appear in South America, includes 250 persons all told, and Leahy is planning to bring about 125 of the best of them to this city after the Mexican engagement.

The conductor is George Palacco, whom music lovers will remember as having achieved a great success at one of the best of the old Tivoli grand opera seasons.

A house for the December appearance of Leahy's company has not yet been secured, but probably the Van Ness theater will be the place. Leahy is so enthusiastic about the excellence of the performers that he says they will fill any building anywhere.

Among the new operas they will produce are "Loreley," "Boris Godounov" and "Germania."

Ginger is shipped from Jamaica in bags, generally containing 100 pounds each. Last year the crop of ginger in that island was 2,000,000 pounds, of which 650,000 pounds came to the United States.

SCULPTOR TO LEAD HEIRESS TO ALTAR

Daughter of Railroad King and Charles Cary Rumsey Will Be Married Thursday

[Special Dispatch to The Call] NEW YORK, May 23.—Miss Mary Harriman is at the Harriman country estate, busily completing her trousseau for her approaching marriage to Charles Cary Rumsey on next Thursday in the Little Church at Arden, New York. As the family is yet in deep mourning the wedding will be a very quiet affair. It was at the beautiful country estate of the Harrimans that the young sculptor wooed and won his "milkmaid" (for Miss Harriman is proprietress of the Arden farms dairy). Friends of the young couple are making this match as romantic as possible. They prefer to believe that the prospective groom is a "poor but talented young sculptor" when, in truth, his family is very wealthy and socially prominent in Buffalo, and young Rumsey is a graduate of Yale.

Miss Harriman's trousseau is as plain as might be expected under the circumstances, though none the less costly.

Inasmuch as it was the young man's gallant horsemanship that won the heart of the heiress, it seems particularly appropriate that great attention should be given the young woman's riding habits. Several of the habits have been designed and executed by Redfern of heavy linen and gray oxfords. The coats are particularly long to display Miss Harriman's plump figure to advantage. The habits are rather daring in cut, being a compromise between the bloomer and skirt. In the trousseau there are more than a dozen hats costing from \$100 to \$200 each. Several of them are pure white.

FAKE POOLROOM CASES DISMISSED

Edmund Blum and Edward Parry of Sausalito Freed of Conspiracy Charges

Grand Jury Hopes to Hear Alleged Confession of Convict Frank MacSherry

[Special Dispatch to The Call]

SAN RAFAEL, May 23.—The cases against Edmund Blum and Edward Parry, charged with conspiracy in connection with the Sausalito fake poolroom, were dismissed by Superior Judge Lennon this morning upon motion of District Attorney Boyd, who declared that evidence was lacking and that the men had been sufficiently punished by 61 days' confinement in the county jail. Blum and Parry are both Sausalito men. They played only minor parts in the "pay back" game, it is probable that the man whose story the grand jury is investigating, Supervisor L. C. Pistolesi was also around the court-house today. He did not meet Abbott. Although Abbott is said to know little of the arrangements that were made for the "pay back" game, it is probable that his testimony will suggest a line of investigation for the grand jury.

Joseph Abbott, whose confession resulted in the indictment against H. P. Jannery, received the \$500 which he put up for Parry's bail. Abbott still exhibits a marked interest in the developments that have followed Flannery's "indication." He will remain in San Rafael to be on hand when the grand jury is in session Thursday and Friday. It is expected that his testimony will be needed when the question of who gave the bunkmen protection at Sausalito is investigated. Superintendent L. C. Pistolesi was also around the court-house today. He did not meet Abbott. Although Abbott is said to know little of the arrangements that were made for the "pay back" game, it is probable that his testimony will suggest a line of investigation for the grand jury.

Frank MacSherry, now serving a year at San Quentin for his share in the game, is the man whose story the grand jury men are anxious to hear. An effort will be made to induce MacSherry to talk. According to the statement made by Sheriff Taylor on the witness stand during the Flannery trial, MacSherry has already made a confession involving Pistolesi in the fake poolroom, and it is this alleged confession that District Attorney Boyd is desirous of having the convict repeat before the grand jury.

Investigations into the alleged jury tampering are being conducted quietly. Subpenas will be issued for James Cochrane, Flannery's confidential attorney, and also for a nephew of one of the jurors. Jerome Bassity will also be in attendance again, as well as Flannery's night manager, William Elliott. Other witnesses who testified last week in regard to Juror William Genazzi will also be on hand Thursday, when interesting developments are expected.

CIGARETTES MADE OF LEAVES OF HYMNAL

Prisoners Steal Book to Roll Their Smokes

LOS ANGELES, May 23.—Driven to desperation because they had no paper with which to roll their cigarettes, several prisoners in the city jail stole a hymnbook yesterday from evangelists who were conducting a religious service behind the bars and were found several hours later inhaling clouds of smoke to the tune of the hymns they had recently joined in singing.

The remains of the hymnbooks were seized by the jailers and returned to a sorry looking clergyman who had called for his missing psalms.

Blame for the theft can not be placed, but punishment is being meted to all, for every prisoner in the "tank" was smoking a cigarette rolled in a leaf of the book.

DO YOU GET UP WITH A LAME BACK?



Have You Rheumatism, Kidney, Liver or Bladder Trouble?

To Prove what Swamp-Root, the Great Kidney, Liver and Bladder Remedy, will do for YOU, all our Readers May Have a Sample Bottle Sent Free by Mail.

Pain or dull ache in the back is evidence of kidney trouble. It is nature's timely warning to show you that the track of health is not clear.

Danger Signals

If these danger signals are unheeded more serious results follow; Bright's disease, which is the worst form of kidney trouble, may steal upon you. The mild and immediate effect of Swamp-Root, the great kidney, liver and bladder remedy, is soon realized. It stands the highest for its remarkable curative effect in the most distressing cases. If you need a medicine, you should have the best.

Lame Back

Lame back is only one of many symptoms of kidney trouble. Other symptoms showing that you need Swamp-Root are being obliged to pass water often during the day and to get up many times during the night.

Catarrh of the Bladder

Inability to hold urine, smarting in passing, uric acid, headache, dizziness, indigestion, sleeplessness, nervousness,

SAMPLE BOTTLE FREE—To prove the wonderful merits of Swamp-Root you may have a sample bottle and a book of valuable information, both sent absolutely free by mail. The book contains many of the thousands of letters received from men and women who found Swamp-Root to be just the remedy they needed. The value and success of Swamp-Root is so well known that our readers are advised to send for a sample bottle. Address Dr. Kilmer & Co., Binghamton, N. Y. Be sure to say you read this generous offer in The San Francisco Daily Call. The genuineness of this offer is guaranteed.

DR. ONG TING SHEW

Chinese Famous Doctor Over 10 years with Oriental Dispensary, Chinese Tea and Herb Sanitarium. Diseases cured exclusively by Chinese Wonderful Herbs; over 1,000 varieties used. Suesy Chee, Tong & Co. Chinese Drug Store, Wholesale and Retail. 11-13 Braham Place, between Washington and Clay Streets, opposite Portsmouth Square Park. Get out at corner Kearny and Clay sts. Telephone—China 695; Home 5323. Doctor's office hours—10 to 12 a. m.; 1 to 3, 7 to 9 p. m.; Sunday, 10 to 12 a. m. and 7 to 9 p. m.

Advertisement for Ladies' Day at Lurline Baths, featuring Natatorium of the Lurline Salt Water Baths, reserved exclusively for women and girls, located at Bush and Larkin Sts. Includes contact information for Oriental Limited.

Large advertisement for John Breuer & Co. Furniture, featuring a 'One-quarter off' sale. Lists various furniture items like hall racks, chiffoniers, desks, pedestals, and parlor settees with their respective prices. Includes the company name in a stylized font and address: 281 Geary Street, Near Powell.

Advertisement for Shopping by Telephone, featuring The Pacific Telephone and Telegraph Company. Promotes the convenience of buying goods over the phone, with a list of items and prices. Includes the company logo and address: 281 Geary Street, Near Powell.