SUSPECT OREGON OF SMUGGLING

Acting Collector Hamilton Orders War Vessel's Goods Overhauled in Transit

MANY PACKAGES LANDED

Investigation Is Begun to Ascertain Whether Naval Officers Are Lawbreakers

Acting Customs Collector William B. Hamilton, assisted by United States Treasury Agents Caleb W. West and George E. Channing, yesterday began an investigation into a rumor that a large number of packages containing dutiable merchandise had been smuggled off the battleship Oregon last Saturday evening. Most of the stuff was placed on the cars on Sunday morning for shipment to the East by Wells, Fargo & Co.'s express. The Oregon is on the way to Bremerton for repairs, and it is believed that the goods were landed at this port so as to avoid inspection by customs officials at Bremerton.

Vessels of the United States navy are prohibited by statute from importing dutiable articles at all, but this statute is violated by almost every war vessel that comes from the Orient. Two years ago a large quantity of dutiable goods were seized by customs inspectors on board the Solace at Mare Island. None of the offenders, mostly officers, was prosecuted or punished for this infraction of law, but the Treasury Department ordered a customs official investigated on suspicion of having given the news to the press. Had he not succeeded in proving his innocence he would have lost his position.

Acting Collector Hamilton has ordered the Oregon's goods in transit to be examined for the purpose of ascertaining whether they are dutiable, in which case they will be seized, pending their disposition by the Secretary of the Treasury. Mr. Hamilton said yesterday:

Pending receipt of full report of obtainable facts I can furnish no official information in verification or in contradiction of the submitted statement. Preliminary report shows that a large number of packages were landed from the Oregon, but that the contents of those packages, whether dutiable or otherwise, have not as yet been ascertained. A complete investigation will be made and proper steps taken if there has been any violation of law.

Steamer Hunslow on the Rocks.

The Merchants' Exchange received word last night that the British steamer Hunslow, which sailed from Ancon, Panama, for Corinto, was fast on the rocks twenty miles north of the latter port.

DIES ON CHAIR IN SALOON.—John Wilson, a ship carpenter 65 years of age, went into a saloon at 233 East street yesterday morning and asked for a glass of water, saying he was sick. He drank the water and sat down on a chair. He became worse and the bartender telephoned for the ambulance, but before it arrived Wilson was dead. The body was taken to the Morgue. Death is supposed to have been from natural causes. He lived at the Contra Costa House on Jackson street, near East.

"WHO GOES THERE" PLEASES AUDIENCE

PLAY A LAUGH IN THREE ACTS

Walter E. Perkins and His Support Prove Clever in Play of Eloping Lovers.

A laugh in three acts is Du Souchet's "Who Goes There?" which rollicked out its first night at the Majestic last night. Walter E. Perkins, imported for the chief role, and the Bishop players gave a capital performance of the piece to the riotous appreciation of the large audience.

Du Souchet's material may not be new, but there is no other complaint to make of it. The plot is impossible of relation under three weeks, as the hero says, but it is plausible while you wait. Concerned in it are four pairs of eloping lovers, one irate guardian, one ditto parent, a village Foxy Quiller and four doors with real bangs. The dramatist shuffles these into every possible combination and there you are. Everybody goes everywhere except where he should go. The hero, "Toppy" Newman, is the chief sinner. He is a bashful young lieutenant who has obtained leave of absence for thirty-six hours in order to get himself married. But he has friends and "Toppy" is good-natured. They also have decided to marry on the same day, but have not obtained leave of absence. Also the stern parents are pursuing. Will "Toppy" help? And "Toppy" does, to the extent of explaining to the aforementioned stern parents that the ladies are his wives. His enthusiasm carries him even further. He gets the habit and tries to rescue two other damsels in distress in the same fashion. All this, with the usual fate of the good-natured meddler. The climax of the second act, with every one looking out of the wrong door, and the couch walking around on its hindlegs—Foxy Quiller is inside—is of the screaming kind. But it is all good fun.

Perkins as Toppy gives a neat, sturdy performance. It is not in any sense distinguished, but there is quite enough Perkins for the role. Genuine drollery his work abounds in, and as merely to produce Du Souchet's lines in their right place almost suffices, the comedian is quite sufficient to his need. Frank Bacon is very funny as the constable. As usual, his work is rich in character suggestion, quaint, humorous and thoroughly artistic. It is a character, not a caricature. Very good work again is done by George Friend as one of the lovers, Upton, an easy and manly performance, and Orval Humphreys does well as the third. George Bloomquist amuses to the limit of the part as the fourth swain, and Lloyd Ingraham as the stern father is convincing. Just why Reginald Travers plays the guardian as a sort of Texas Bill is inapparent. It is neither beautiful nor true.

Frances Slosson as the ingenuous Toppy's sweetheart and a clever young person by the name of Marie Gordon share the feminine honors. Miss Slosson is pretty and spirited, and Miss Gordon is that and perhaps more in her Sis Hopkins creation. Maggie Frances Leary brings a bit of broad, elbowy fun as the Widow Hadley, Irene Outtrim and Madeleine Maxwell completing the cast. The piece goes this week and next.

BLANCHE PARTINGTON.

Kubelik's Farewell.

The last Kubelik concert of the regular local series, which has been as a rare feast to those of the faithful who worship at the melodic shrine, was given last evening at the Tivoli. The long heralded young Bohemian, with his Beethoven profile and his Aladdin-like history, has come and gone, but not without regrets of many, who could not find satiety in his masterful playing.

From the intensely religious spirit of Handel's "Largo," which was given as an encore after the third number last night, to the sorcery of Paganini in his "Campanella," or throughout the virtuosity of Wieniawski, so beloved of all violinists, this young master, as in his other three concerts here, always rang true. There is such a true poise throughout, whatever the apparent difficulty, that one almost hopes to hear him trespass beyond his depth if but for the pure novelty of the thing, but the hope is a vain one.

There was much expectancy for his Bach. The number chosen was the famous "Ciaccona." The intonation was perfect, the fugue voices being beautifully brought out, with just the right prominence, and the stately and almost pompous music of the master was so warmed by the romanticism of the player as to be truly and beautifully human in its quality. The "Introduction et Rondo Capriccioso" of Saint-Saens was a dainty and capricious bit of musical fun that was charming. The Wieniawski "Polonaise in A major," while not the most interesting of that writer's compositions, was as acceptable as the rest.

The big number technically was of course "I Palpiti" by Paganini, with its theme and variations, double harmonics and left hand pizzicatti, which, like the "Moto Perpetuo," and the encore "Campanella" by the same writer, was simply faultless in its rendition.

The audience was as usual enthusiastic and insistent in its demands for encores. Mr. Ludwig Schwab accompanied charmingly, and Miss Agnes Gardner-Eyre played a "Prelude" of Chopin, "Traumeswirren" by Schumann, and a "Waltz" by Strauss-Tausig, the last number in particular being very pleasing.

Kubelik will play at Oakland on Thursday night.

Alcazar.

A stranger dropping into the Alcazar last night and witnessing the performance of the Belasco-Mills comedy drama, "The Wife," would wonder that three leading men should act side by side in the same company and the same play. Messrs. Charles Waldron, Lee Baker and William R. Walling are the leading men this week and the gratified audience liberally and impartially divides its applause among the three. Waldron and Walling receive it deservedly for the virility of their acting and Baker for his faithful portrayal of the Iago-like Matthew Culver.

Mis Edyth Evelyn, "the wife," has ample scope for the display of her emotional talent and earned the ringing up of the curtain at the end of the second act. Juliet Crosby holds the stage with no less interest by her faithful presentation of the jealous creole. The comedy is furnished by Maher, Osbourne and Effie Bond.

Alhambra.

At the Alhambra last evening on the first production in this city of Charles E. Blaney's melodramatic sensation, "For His Brother's Crime," every member of the stock company vied in contributing to the success of the performance. The scenic artists and stage mechanics outdid all former efforts. The enthusiasm was unbounded. The Alhambra's new soubrette, Florenne Mills, made her initial appearance. She posesses a well-trained soprano voice of exceeding sweetness. Her songs with True Boardman came in for several encores. Herschel Mayall in the dual role of the twin brothers, Ben and Victor Sterling, gave a clear-cut, forceful portrayal of these two characters. Agnes Ranken as Rose Barclay was most effective and Lillian Elliott made a delightful Mrs. Sterling.

Henry Shumer as Larry Monckton and George P. Webster in the role of an ex-pugilist furnished the villainy in which the piece abounds and were greeted with a perfect storm of hisses, the best indication of their cleverness.

James Corrigan as Dennis was well received. True Boardman as an inane dude is by far the best part this young actor has ever essayed. Little Ollie Cooper and Baby Myrtle were cast as the two children. The scenery was of the highly sensational order. The great bridge scene was the most realistic of any piece of stage realism.

California.

The Empire Musical Comedy Company, in "Casey and the Green Sod Club," entertained a large audience at the California last night. The show is another and a particularly good one of the burlesque series. The Esquimau ballet is as pretty a spectacle as was ever presented to a San Francisco audience. It shows a view of the storied life "north of 63" such as must have been designed by one who knew.

The De Van brothers with a talented canine display novelties in the acrobatic line. Miss Bessie Taylor, who is billed in the "Latest Popular Song Successes," although rather corpulent, does exceedingly well with step and voice. Roger Imhoff in the leading comedy part is as funny as a man with a frail umbrella on a windy day.

The most laughable part of the performance is an initiation where the new member of the lodge cripples the chaps who attempt to initiate him. The songs and dancing are considerably above the average.

Central.

Holy week is considered by theatrical men to be the worst "show week" in the year, but judging from the house at the Central last night the management will not have any cause to complain of business. Leander Richardson's melodrama, "Searchlights of a Great City," was the bill and it evidently pleased the large audience immensely. Landers Stevens appeared in three distinct characters. Elmer Booth as Solomon Einstein, sustained his reputation as a comedian in anything he undertakes. Edna Archer Crawford as Mary Jasper was the persecuted one, and made the part a very sympathetic one. The cast throughout was good. The vaudeville specialties are particularly good this week. Raymond Teal in white face and black made a distinct and emphatic hit. Miss Bertha Blanchard surprised her friends by displaying a remarkably good singing voice. The moving pictures were excellent. Next week, "Dangers of Working Girls" will be the bill.

Grand.

Owing to the poor attendance at the Grand Opera-house to see the melodrama, "Caught in the Web," the management decided to close after last night. The play has little or no merit and the company, with one or two exceptions, is not above mediocrity.

Columbia.

The second week of "The Lion and the Mouse" began last night at the Columbia before a large and delighted audience.

Chutes.

Mr. and Mrs. Arthur Young, presenting their rural playlet, "A Home Spun Wooing," made their first appearance at the Chutes yesterday and scored a great hit both afternoon and evening. Earl and Wilson offered a unique musical comedy skit and Seamon, Adams and Rogers, a harmonious trio, were applauded to the echo. Bothwell Browne's Gaiety Girls repeated their success of last week in "Mikado, on the Half Shell," and Nellie Montgomery, the singing and dancing comedienne, and the animatoscope, showing the latest novelties in moving pictures, completed a capital programme. The amateurs promise a lot of surprises on Thursday night and there will be a cake walk at the Chutes on Saturday evening. The scenic touring car is one of the latest attractions to be installed on the grounds of the popular resort.

Gerardy Again.

Jean Gerardy, the celebrated cellist, will, with his accompanist, Andre Benoist, be heard again next Sunday afternoon at the Columbia Theater. An exceptionally fine programme is announced. There is already a large advance sale of seats.

YOELL CONTEST IS AGAIN ON HEARING

Action Involving $200,000 Is Taken Up by Judge Kerrigan.

Again is the validity of the will of the late J. Alexander Yoell in question before Superior Judge Kerrigan. All day yesterday counsel in the case were engaged selecting a jury that will determine whether or not the testament shall stand or be set aside. At the former hearing the jury disagreed, being about evenly divided on the issues involved.

Yoell died at Highland Springs, Lake County, on July 14, 1904, leaving a will bearing date of January 27 of the same year. In this instrument he left the bulk of his $200,000 estate to Evaline Amelia Levy, Hettie Caroline Theobold and Alice Virginia Yoell, children of his first wife, Evaline P. Yoell. To the children of his second wife, Emily C. Yoell, he made but small bequests. Three of these children—Gertrude Ellen and Beatrice Ethel Yoell and Emily F. Dunne—instituted contest to his will. Four other children of the second marriage—John H., Herbert A. and William A. Yoell and Mary Genevieve Parkhurst—are not taking active interest in the contest, though they will benefit in event the will is ultimately set aside.

In their contest the plaintiffs allege that at the time the deceased executed the will in question he was not of sound mind and was under the undue influence of Evaline Amelia Levy. It is asserted that the testator labored under the insane delusion that his second wife and her children were plotting to cause his death and believed that they actually did attempt to poison him, all of which, assert the contestants, is untrue.

Furher, allege the plaintiffs, Evaline Amelia Levy induced the testator to leave his home in San Jose and come to this city to reside with her. While in her home, it is asserted, Mrs. Levy induced her father to practically disinherit the children of his second marriage to her own great benefit.

JURY IMPANELED TO TRY POLICEMAN W. I. BURNS

Accused of Committing Perjury While Testifying at the Trial of Charles Wyman.

A jury was impaneled in Judge Lawlor's court yesterday to try the case of Policeman William I. Burns on a charge of perjury. Assistant District Attorney O'Gara is prosecuting and the defendant is represented by Attorney Hiram Johnson.

Burns was detailed to the booth at 2805 Bush street in the primary election on August 9, 1904. He was a witness for the defense at the trial of Charles Wyman, convicted of fraudulent voting at that booth. Burns testified on January 12, 1905, that Wyman was not at the booth after 3:40 p. m. on election day. It is alleged that in making this statement he committed perjury.

Girl Takes Poison.

Owing to poor telephone service a young girl may lose her life. Minnie Stolker, a dance hall habitue living at 631 Pacific street, drank carbolic acid last night after a quarrel with her soldier lover. When the police tried to get the Central Emergency Hospital to call for the ambulance they were unable to do so. Finally it was found necessary to send word to the City Hall police station and have a policeman go to the hospital to give the call. Owing to the time elapsing between the quaffing of the deadly potion and the arrival of the ambulance the poisonous properties of the carbolic acid absorbed rapidly and placed the girl's life in grave danger.

MOVES FREIGHT OFFICES.—The freight offices of the Union Pacific are being separated from the passenger department at 1 Montgomery street and will be moved to the Wells-Fargo building.

RAILROADS LIFT LONG BLOCKADE

First Train Since April 1 Goes Through Tunnel 17 on the Tehachapi Line

BARRICADE IS BUILT

Despairing of Putting End to the Landslides Company Erects a Shed Over Rails

SPECIAL DISPATCH TO THE CALL.

LOS ANGELES, April 9.—The blockade on the valley division of the Southern Pacific caused by the tremendous landslides at tunnel No. 17 in the Tehachapi Mountains, which for eight days has prevented through traffic, was raised this morning and the first train passed through the tunnel since April 1. Despairing of removing the enormous mass of loose earth and rocks which had slid down the mountainside, burying the mouth of the tunnel, the railroad officials adopted the plan of removing a portion of the earth and then building a heavy bulkhead or retaining wall to hold the loose material in check. As fast as the steam shovel made a hole in the pile of dirt this bulkhead was extended, and when completed it resembled a huge snowshed made of the heaviest timbers. Above it lie thousands of yards of loose earth, which but for the wooden barrier would slide down upon the track.

The southbound Owl train arrived this evening, and the northbound Owl left on time. The Santa Fe trains are also passing the blockaded point. Freight traffic, which has congested on the coast line, will be transferred to the valley division tomorrow.

TRACKS UNDER WATER.

Colorado River Damages Roadbed of the Southern Pacific.

LOS ANGELES, April 9.—Reports received here today state that the Colorado River is rising again as a result of recent heavy rains and that floods are resulting in some sections. At the new town of Calexico and settlements across the Mexican border the situation is reported serious. A hastily constructed levee is all that now stands between the town and the river, which is very high at that point. Crops in the vicinity have been badly damaged and the Southern Pacific tracks are said to be under water, although still intact.

RESTORING DAMAGED TRACK.

Salt Lake Road Expects to Resume Overland Traffic Saturday.

LOS ANGELES, April 9.—Officials of the Salt Lake road say that regular overland service upon that system will be resumed next Saturday. The force of 2000 men working from both ends of the washout near Caliente is making rapid progress in restoring the washed-out tracks. Construction crews from the Las Vegas and Tonopah line have been sent to the scene of trouble to assist in the task.

OPERATORS HAVE A COUNTER PLAN

NEW YORK, April 9.—At the joint conference of the sub-committees of the anthracite coal miners and their employers to be held here tomorrow the operators will decline to accept arbitration as presented last week by the mine workers, and will in its stead present a counter proposition, which, if agreed to by President Mitchell and his men, will bind each side for more than two years. The operators have been working on the new plan ever since the adjournment of the joint conference of last Thursday, and the inability of the presidents of the hard coal carrying railroads to complete minor details caused a postponement of twenty-four hours of the conference scheduled for today.

It is said that the offer to be made involves an arbitration plan very different from the one presented by the miners, one that will call for the settlement of only new grievances that after an impartial investigation has been made, may be found to exist. The operators still maintain the position that the miners in their demands have not called attention to anything that has not already been passed upon by the Anthracite Coal Strike Commission. There is a strong impression among the miners' committee that the operators will propose that President Roosevelt be requested to summon the strike commission to review the entire controversy. They decline, however, to indicate how they would receive the suggestion.

The operators' representatives were closeted in conference most of the day, and that promises that unless something unforeseen should occur they will be ready with their answer to the miners' arbitration plan tomorrow.

President Mitchell announced this evening that the last of the bituminous coal operators in the Pittsburg district who had held out against the 1903 scale signed the agreement today. This action, he said, clears up the Western Pennsylvania territory and means that 40,000 men in that territory who produce from 35,000,000 to 40,000,000 tons of soft coal a year will receive an increase of 5.55 per cent in wages.

WOULD RECALL COUNCILMAN WHO VOTED FOR HUNTINGTON

First of Twenty-Two Petitions Is Filed With City Clerk of Los Angeles.

LOS ANGELES, April 9.—The first of twenty-two petitions praying for the "recall" of City Councilman Ford of the First Ward was filed today with the City Clerk. It contains fifty-seven names. About 600 names are necessary to recall the Councilman and cause an election to be held to choose his successor. The effort to recall Ford is being made because he voted with a majority of the City Council to grant Henry E. Huntington three miles of railroad franchise without financial compensation to the city. The franchise was eventually killed by the veto of Mayor McAleer.

SEVENTH BANK IS PLANNED FOR THE CITY OF STOCKTON

Secretary of Chamber of Commerce Resigns to Take Cashiership of New Institution.

STOCKTON, April 9.—Colvin B. Brown, secretary of the Stockton Chamber of Commerce, today resigned that position to accept the cashiership of a new bank which Ray Knight and other San Francisco capitalists will start in this city. A safe deposit business has been bought by Mr. Knight to secure a location for the bank and the leading men in the project will be here tomorrow to close the deal. There are now six banks in Stockton and local bankers say there is no demand for the seventh, but the men who are interested in the project think they see a good field here.

COURT IS MORE LIBERAL THAN DIRECTORS OF BANK

Allows Receiver $160 a Month, Though Financiers Claim He Offered to Work for $75.

UKIAH, April 9.—In the case of the Bank of Mendocino against Albert Brown, the receiver during liquidation, judgment for $2280 was rendered in the Superior Court this morning against the defendant. Brown had paid himself $200 a month salary, while the directors claimed he offered to take the position at $75. Judge White's decision allowed him $160.

SENATOR MORGAN OPPOSES RAIL RATE LEGISLATION

Alabaman Argues That It Is an Interference With the Rights of States.

WASHINGTON, April 9.—McLaurin and Morgan addressed the Senate today on the railroad rate question, the former advocating legislation and the latter opposing.

The Mississippi Senator announced his intention to support an amendment providing for a court review of the decisions of the Interstate Commerce Commission and also stated his adherence to the Bailey amendment prohibiting the temporary suspension of the commission's orders by the inferior courts. He criticised what he characterized as an effort to inject politics into the consideration of the bill.

Morgan took the position that the proposed legislation was an interference with the rights of the States to control the corporations created by themselves and said that the best way to check exorbitant railroad rates was to keep the waterways in such condition as to insure competition.

NEW FEDERAL JUDGE NAMED FOR STATE OF COLORADO

Robert E. Lewis Given the Place Left Vacant by Resignation of Moses Hallett.

WASHINGTON, April 9.—Judge Moses Hallett of the United States District Court of Colorado, has tendered his resignation to the President, and it has been accepted. After a spirited contest, conducted principally before Judge Hallett's resignation was received, but with a knowledge that it was coming, the President has appointed Robert E. Lewis, formerly a Judge of the El Paso County Court, Colorado, to succeed Judge Hallett.

Several members of the Colorado Congressional delegation discussed the appointment with the President today. The representatives were inclined to favor the appointment of Associate Justice Campbell of the Colorado Supreme Court, but Senators Teller and Patterson did not support Campbell. It finally was decided today, after Senator Patterson and Representatives Brooks, Bonynge and Hogg had talked to the President, that Lewis should be nominated.

ASKS FOR INVESTIGATION OF THE POWDER TRUST

Letter From Independent Manufacturer Becomes Part of Congressional Record.

WASHINGTON, April 9.—Senator Daniel today had put into the Congressional Record a letter from R. A. Waddell, president of a Peoria (Ill.) powder factory, in reply to a letter from G. M. Peters, president of the King Powder Company, which denied that the latter concern was a "trust." Waddell gave numerous incidents of powder deals which he alleged proved the existence of a "trust" and closed as follows:

"I now urgently call upon the Attorney Generals of the United States and of Ohio, Indiana, Illinois, Iowa, Wisconsin, Missouri and Kansas, where the trust is operating mills, to afford these parties an opportunity to appear before the courts and, without mental reservation or secret evasion of mind, to vindicate themselves from the specific charges I made by disclosing the truth or pay the penalty for the willful infraction of the laws of the States and nation."