

MARKET-STREET RAILWAY STOCK.

The Facts Disclosed by Testimony of the Accountants.

METHOD OF VALUATION.

Proceedings Against Assessor Siebe in the Superior Court.

THE WALLACE ASSESSMENT.

Did the Judge Make Affidavit That His Personal Property Was Worth Only \$1900?

Much interesting testimony was brought out yesterday in Judge Wallace's court during the preliminary examination of Assessor Siebe on the charge of perjury.

It came out incidentally and in quite a matter of fact way in the testimony of George T. Folsom, accountant of the road, that \$10,000,000 had been added to the capital stock simply to make the books balance and to account for the issuance of the extra ten millions in bonds.

It was admitted that dividends were paid on this ten millions of imaginary security.

E. Black Ryan has proved thus far the clearest of all the witnesses on behalf of the railroad company. He has most remarkable memory which instantly forgets every fact that might come into conflict with the interest of his employers and which remembers instantly, positively and in detail whatever might inure to the benefit of the corporation served by him.

Mr. Ryan is a small, wiry man, with a Missouri goatee and an air of Yankee shrewdness. Mr. Clunie did not get much out of him yesterday. The witness did not seem in the least flurried by the questions put to him and answered some directly and others by saying that he forgot or did not remember.

Mr. Ryan was the first witness yesterday morning, and said that in the statement he had presented to the Assessor he had placed the value of the franchise at \$1,325,000, but he was unable to say upon what basis of calculation that sum was obtained. He had put it down as a general lump sum, he said.

In making his estimate of the value of the road Mr. Ryan did not include the cost of construction. He took into consideration the roadbeds and ways.

"What inquiries did you make concerning the value of this property?" asked Mr. Clunie.

Mr. Ryan replied that he did not know whether he had made any; that he had forgotten. He said in answer to another question that he supposed he had been appointed to his position in the railroad company because he looked sharply after the assessments and did what he could to prevent them being made too high. As to the manner of his obtaining the appointment all that he knew was that he fell into the place.

The symptoms of paresis so alarmingly observable in Secretary Willcutt's demeanor on the day before had vanished and he informed the court that from October, 1893, to December of the next year the gross earnings of the combined companies were \$620,878.25. In 1894 the gross earnings were \$2,958,436.14, with \$1,920,286.70 operating expenses, \$2,934.72 and \$23,500 taxes and \$44,000 for sinking fund.

George T. Folsom, accountant of the road, came on the stand with an armful of books. Mr. Folsom is an affable gentleman and gave his testimony behind a perpetual smile. He knew nothing except what was in his books. He supplemented Secretary Willcutt's testimony with the statement that the further sum of \$452,633.54 should be deducted from the earnings of 1894 for interest on large sums borrowed for construction. There was also an item of \$24,680 loss in the sale of car-horses after the consolidation. He admitted also that he had in his office inventories of the property of all the companies as the property stood before the consolidation. These inventories he promised to bring into court to-day.

This statement caused some surprise, as Secretary Willcutt had testified on the stand the day before that he did not know of any inventories.

Mr. Folsom explained that the new issue of \$17,500,000 bonds covered all the indebtedness of the companies which entered into the consolidation. The original debt was \$7,000,000. Those bonds sold at prices ranging from 95 cents to \$1.05. The only ones sold below par were 150 to Charles F. Crocker, 25 to H. E. Huntington and 25 to M. T. Smith.

Mr. Clunie asked the witness whether he did not know that, prior to the sale of the bonds at 95 cents, L. W. Hellman had made a contract to take the whole \$17,000,000 issue at par.

The witness consulted his books and replied that \$1,800,000 worth of bonds had been sold at \$1.05 and \$200,000 at 95 cents, but he registered to say that his books did not reveal the names of the purchasers. It was possible, he explained, with a smile whose frankness raised the temperature several degrees, that those names might be found in the books of some other official of the railroad company.

He had an idea, of course, but it was only an impression, and he would not be willing to swear to it. In fact—and here the childlike and bland smile lighted up Mr. Folsom's face again—he would not be willing to swear that he knew who was the president of the road. He had a vague impression—something akin to intuition—that Charles F. Crocker was the president, but he could not swear to it.

Then Mr. Folsom went on to explain that as soon as a cable road was displaced by an electric road the capital invested in the cable road immediately disappeared, and he attempted to create the impression that the railroad people made this change simply for the accommodation of the public, and not for the purpose of increasing their revenue. Mr. Clunie, however, by his pertinacity in demanding facts, drew out of the witness the admission that all changes in the roads were made for the purpose of increasing the revenues of the corporation. In other words, that corporations, although devoid of souls, were human in their desire to accumulate wealth.

"But," added Mr. Folsom dolefully in speaking of the change of horsecar roads to cable or electric systems, "think of all

the horses that have to be sold for next to nothing or given away!"

Mr. Clunie suggested that horses on street railways become worn out or died of old age, but the witness did not deign to notice the suggestion. He was positive that he did not know anything that was not down on his books. He did not know positively who the directors were. If the names of the directors were in his books he would know who they were, but if they were not he would know absolutely nothing.

Several times during the testimony of the smiling accountant Secretary Willcutt stepped up to the stand and held whispered conferences with Mr. Folsom, evidently coaching him. On such occasions every one in the courtroom smiled and Judge Wallace looked surprised.

Mr. Willcutt found that his visits had become so frequent that he decided to remain in the platform reserved for witnesses, and comfortably seated himself in the armchair while Mr. Folsom continued his testimony standing.

After Mr. Willcutt had stepped up to Mr. Folsom several times and whispered in his ear Mr. Clunie objected to examining a double-headed witness, and in obedience to his suggestions Mr. Willcutt resumed his seat outside the railing among the common people.

Mr. Folsom explained that he had added to the cost of the permanent way and franchise enough to make it fit the \$18,750,000 of capital stock, "because," he added apologetically, "our books must balance, you know. It wouldn't do to have them not balance, you know," and the accountant smiled in a most engaging manner at Mr. Clunie and Judge Wallace.

"My only explanation of this increase of capital stock," he continued, "is that it was deemed necessary in order that the enormous future expenses of the road might be provided for and in order that it might agree with the amount of the bonds. We simply added \$10,000,000 to the capital stock in order to properly open our books."

Judge Wallace asked: "You simply added this \$10,000,000 to the capital stock so as to support the issue of the bonds?"

The witness admitted that such was the fact. In the course of his testimony he said something about the cost of franchises.

"A franchise does not cost anything?" suggested Judge Wallace.

"Not necessarily," replied Mr. Folsom. "Why not necessarily?" asked Mr. Clunie. "Have you any account in your books showing the cost of your franchises? Do franchises cost anything in San Francisco?"

"I understand," replied Mr. Folsom, "that when a franchise is asked for a bid is handed in to the Board of Supervisors."

"Has that been your experience ever since you have been connected with the road?" inquired Mr. Clunie; "I don't mean private bids, I mean public bids. Bids have been required only for the past year or two?"

The witness hastened to state that he had nothing on his books showing the cost of franchises.

Mr. Freidenrich, who appeared to be somewhat uneasy at the fluency of the accountant, interposed an objection. He thought that all the facts in relation to increasing of the capital stock by \$10,000,000 were already before the court.

Judge Wallace remarked that he understood the testimony to be that on the 13th of a certain month the railroad companies had a certain quantity of property. On the next day, the 14th, the companies, having neither more nor less property than they had on the day before, added \$10,000,000 to their capital stock, and paid themselves dividends on that amount.

Edmund Davis Thomas, auditor for the Market-street Railroad Company, was asked whether legal expenses were included under the term, "operating expenses," and he replied that they were. The auditor did not have with him the book containing a detailed statement of legal expenses.

The Siebe-Wallace Case. Assessor Siebe appeared before Police Judge Campbell yesterday morning with Charles L. Ackerman as his attorney. Mr. Ackerman gave notice that this evening at 7:30 o'clock he would move the dismissal of the perjury charge based upon Mr. Siebe's assessment of Judge Wallace's property. The attorney declared that he would show that the arrest had been instigated by malice and for the purpose of annoying Mr. Siebe and Judge Wallace.

Assessor Siebe regards his arrest on the charge of undervaluing the personal property of Judge William T. Wallace as a trick or stroke of malice. The Assessor said yesterday in his assessment of the same. A personal property assessment blank is delivered to every property-owner in the city. He fills it in and makes the following oath before me:

"I do swear that I am a resident of the City and County of San Francisco, that the above list contains a true and correct statement of all property subject to taxation of the City and County of San Francisco, as a member, or any corporation, association or company of which I am president, cashier, secretary or managing agent, owned, claimed, possessed or controlled at 12 o'clock on the first Monday in March last, and which is not already assessed to me this year; and that I have not in any manner whatsoever transferred or disposed of any property or placed any property out of said county, or my possession, for the purpose of avoiding my assessment on the same, or of making this statement, and that the debts therein stated as owing by me are owing to bona fide creditors of this State, or to firms or corporations doing business in this State.

"When a man takes oath as to the valuation of his property I must accept it as a statement of his property into his house and make an inventory of his possessions. If I am not satisfied I can cite him to appear and undergo an examination as to his property, but no man who understands the nature of an oath will swear to a false statement and then afterwards less he is a perjurer to save a few dollars.

"I think my arrest," said Mr. Siebe, "was a petty political trick inspired by some one who wished to make it appear by implication that Judge Wallace had made a false return of his (Wallace's) personal property. As it could not benefit me and could not work me an injury it must have been aimed at the Judge."

REGISTRATION BEGUN. Ninety-Six Men Received Their Certificates Yesterday. John D. Spreckels Being the Second.

The registration office in the basement of the City Hall opened for the first time at 9 o'clock yesterday morning, with eight clerks ready, willing and anxious to register prospective voters, but the expected rush did not materialize, and up to 4:30 yesterday afternoon four less than 100 men had given the necessary particulars regarding themselves.

The first man to present himself was William Henry Rickard, secretary of the Republican County Committee, who was promptly registered. Within a minute of the time Mr. Rickard took the oath John D. Spreckels had become qualified to vote, being the second to register. It happened that both John D. Spreckels and Mr. Rickard were at the office to see that their watches were on hand and doing their duty, and thought they might as well register and be done with it at once.

As there are still 150 days in which to register, no rush is expected by the bureau for the present at least. Extraordinary precautions are being taken by the leaders of the Republican party to prevent fraudulent registration, and watchers will be kept at the bureau every day until it closes.

"But," added Mr. Folsom dolefully in speaking of the change of horsecar roads to cable or electric systems, "think of all

ANNIVERSARY OF IRELAND'S BARD.

Grand Celebration of Thomas Moore's Birthday.

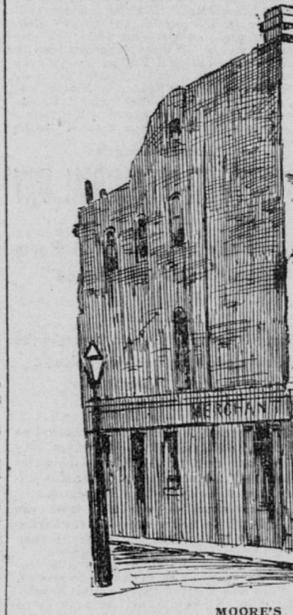
TRIBUTE TO HIS GENIUS

The Balfre-Moore Club Will Give a Novel Entertainment.

LEADING IRISHMEN UNITE.

They Have Decided to Hold an Evening With American Poets and Composers.

The one hundred and sixteenth anniversary of the birthday of Thomas Moore will be celebrated by the Balfre-Moore Club



MOORE'S BIRTHPLACE.

of this City at Metropolitan Temple on Friday evening.

The character of the celebration will be novel, as it is intended to surround the recollections of Moore, not with the flowers of his own exquisite fancy, but with the choicest gems of American song and music.

Nothing has been left undone by the Balfre-Moore Club toward insuring the success of the celebration. An elegantly printed programme entitled "An Evening With American Poets and Composers" and including "An Address on Longfellow, by John McNaught" has already been mailed to friends of the members.

On the evening of the celebration a beautiful souvenir commemorative of the event will be presented to each member of the audience. Oliver Wendell Holmes' famous poem in eulogy of the genius of Thomas Moore will be a leading feature of this interesting souvenir.

Byron's tribute to the sweet bard of Ireland will find a place beside Holmes' exquisite lines. The little memento is a golden harp with a green background, and, as if by special design, these poems that are in themselves the laurels of genius, appear upon the space where the golden strings would make sweet melody. In one corner is the brief legend:

THOMAS MOORE. Born Dublin, Ireland, May 28, 1780. Died February 26, 1852.

The beautiful poem of Holmes is as follows: AFTER A LECTURE ON MOORE. Shine soft, ye trembling stars of light That strew the morning skies; Hushed in the silent dews of night The harp of Erin lies.

What thoughters thousand years have past Of poets, saviors and kings— Her echoes only hear the last That swept those golden strings.

Fling o'er his mould, ye starlit bowers, The balmeat wreath ye wear, Whose breath has lent your earth-born flowers Heaven's own ambrosial air.

Breathe, bird of night, thy softest tones, By shadowy grove and rill; Thy song will soothe us while we own That this was sweeter still.

Stay, pitying time, thy foot for him Who gazes on the graver's side; Nor let thy envious shadow dim The light his glory sheds.

If in his cheek unglorious hour Burned for one youthful hour, 'Twas but the flashing of the sword That blooms a milk-white flower.

Take him, kind mother, to thy breast, Who loved thy name so well; And spread thy mantle 'er his rest Of rose and asphodel.

The bark that sailed the midnight sea, The wave without a shore, That veiled thy parting sail to thee— "A health to thee, Tom Moore!"

And those long lingering on the strand, His bright-hued streamers furled, Was loosed by age with trembling hand, To seek the silent world.

Not silent! no, the radiant stars Still shone but the flashing of the sword. Unheard through earth's imprisoning bars, Have voices sweet as thine.

Wake, then, in hapless realms above The songs of thy gone years; Till angels learn those airs of love That ravished mortal ears!

The numerous friends of Frank McGlynn, the young attorney, are preparing to give him an ovation on this occasion, as it is his last appearance on the platform in San Francisco. He has determined to give up the law and study in New York for the stage, for which he has had a strong affection for many years.

MERCHANTS' ASSOCIATION. The Annual Meeting and Election Will Be Held To-Night.

The Merchants' Association expects a large attendance at its annual meeting and election this evening at 26 O'Farrell street. All the improvement and progressive clubs in the City have been requested to send representatives and discuss the new charter. At this meeting the board of directors will be elected. The nominating committee recently named the following members

for the ensuing term: A. S. Baldwin, Charles Bundschu, James S. Conwell, W. G. Doane, F. W. Dobmann, William Doxey, A. G. J. Fesenot, Hugo D. Keil, Manfred S. Kohlberg, Henry Michaels, R. F. Osborn, M. A. Ruchel, Joseph Simonson, Vanderlynn Stow and Frank A. Swain.

A NEW ATHLETIC GROUNDS.

A Grand Opening Announced for Memorial Day.

The new Presidio athletic grounds, at Bay and Francisco streets, will be opened on May 30—Memorial day—with a grand series of attractions, of which a baseball game between the Pacific and Oriole clubs, and a balloon ascension will be the principal events. On Sunday following a game between the California and Imperial clubs will be played. The four clubs constituting the City League have been engaged for the season to play on Saturdays and Sundays, with an occasional Wednesday game thrown in. It is the purpose of Manager Rockwell to afford a continuous round of amusements for the especial benefit of lovers of outdoor sports, and for this purpose there will be added to the baseball equipment of the grounds a quarter-mile bicycle track, a track for sprinting, a range for rifle-shooting, and, eventually, a bowling alley. The grounds are spacious, 600 by 400 feet in dimensions, and afford ample room for the largest crowd. The grand stand seats 18,000 people, and the bleachers will accommodate 5000 more. Under the grand stand will be provided refreshment saloons and dressing-rooms for the players, which are fitted up with shower-baths and other necessary conveniences. The grounds are well sheltered from the winds and fog and are convenient of access, being only two blocks from the Union-street cable line, and approached by broad sidewalks. The manager promises some startling features for the opening day programme.

Owing to difficulties being placed in the way of the Valley road securing the necessary rights of way its entrance into Merced is being delayed and its progress between Merced and Fresno retarded.

Track is now laid within two or three miles of the town of Merced, but a few individual property-owners are barring its entrance into the town, owing to the unreasonable demands made on the company. As the matter stands, it will probably be ten days before Merced will be able to celebrate the advent of the Southern Pacific Company's competitor. All track-laying has been virtually suspended. Had there been no interruption the road would be completed into Merced by to-morrow.

Similar troubles are being experienced between Merced and Fresno. To such an extent is this the case that the force of graders has been divided into eight gangs, each employed on a different section of the road, and this undesirable method of working will have to be continued until all matters pertaining to right of way are satisfactorily settled.

Freight traffic on the road is not to be undisturbed before the middle of August, at the earliest, and possibly not before September 1. Passenger business will not be regularly carried on before October 1.

At the last meeting of the directors six Pullman coaches were ordered from the Pullman Company to be ready for delivery at Chicago within ninety days. At the same meeting there were also ordered eight cabooses and two combination baggage and passenger cars. The last named are to be used as smelters.

White the road itself will be ready for freight business between Stockton and Merced within a short time, it will not be begun earlier than as stated owing to the lack of engines. The seven orders about a month ago, which include four freight and three passenger locomotives, will not be here until about the middle of August.

Lumber is now being hauled for a warehouse to be built just south of the Tuolumne, and another warehouse will be put up shortly about half way between the Tuolumne and Merced. The latter is now in course of removal by the Grange Company from Montpelier on the Southern Pacific road.

NEW TO-DAY. BREATH BROUGHT BACK. A Curious Case of Weakened Heart-Action.

A West Virginian Who Could Not Move Without Exhaustion Within Two Weeks Runs Half a Mile Without Effort.

WHITEFIELD, W. VA., May 27.—The good people of our town are about to form an anti-tobacco club. The direct reason for this agitation is the remarkable case of Colonel D. R. Banks who for a long time enjoyed the greatest store of tobacco in West Virginia.

The colonel said to-night: "Yes, I smoked over twenty years and over 2000 cigarettes a week. Always smoked five at a time. I was always an active man and thought I was thoroughly sound, but one day I had to make a run to catch a train and in less than 100 yards I fell over, apparently lifeless. My heart had stopped beating."

"Tobacco-reek," said the doctor who brought me back to life. Another attack was likely to be fatal, for most cases of death from heart-failure are really cases of tobacco-reek. That set me figuring on a cure.

"Well, I am cured. Took two boxes of No-To-Bac and it cured me. Can run half a mile now without a long breath or any oppression. I tell you it's great stuff," and the colonel dug his knuckles into the reporter's ribs and chuckled. "There are no flies on No-To-Bac. When you get old and worn out, think you're worn strong and bring back vitality and vigor. Your own druggist sells it under absolute guarantee to cure or money refunded. Read the famous book 'Don't Smoke and Smoke Your Life Away,' mailed free, with written guarantee and sample for the asking. Address The Sterling Remedy Company, Chicago or New York."

Supervisors Will Be Petitioned to Purchase Two Blocks in the Mission.

Residents of the Mission are becoming enthusiastic over the prospect of having a park. For years they have had no recreation grounds nearer than Golden Gate Park, and they have long watched with a feeling of injustice the extensive improvements made in the numerous parks and squares of the Western Addition, while the whole Mission district has been left with but one park, Columbia Square, which is far from being centrally situated for Mission people.

Strong efforts are being made to secure the old Jewish cemetery grounds, bounded by Eighteenth and Twentieth, Dolores and Church streets, for a park. Toward this end the members of the Mission Improvement Union are circulating a petition, a copy of which has already appeared in THE CALL.

"The petition that is now being circulated will soon be presented to the Supervisors," said George Walcott, secretary of the Mission Improvement Union, yesterday. "The site in question is conceded to be the only available one in the Mission. The representative of the Eureka Benevolent Society and the Emanuel Congregation, the owners of the property, ask \$150,000 apiece for each of the two blocks desired, but it is thought that both may be secured for \$250,000, which local real estate experts pronounce a fair price."

Judge Van Reynege is quite enthusiastic over the new park. "Just look at this map," he said, pointing to a wall map of the City. "Over there in the Western Addition and north of Market street neighborhood there are no fewer than eight parks, while in this whole Eleventh Ward, which is much greater in area, we have only two or two small squares."

The site desired is admirably situated for a park. It is protected from the wind by the high hills to the west, which also break the fog banks into light scattering clouds. If there is ever a spot of sunshine on the whole peninsula you will find it in this locality.

"The price asked for the two blocks is not exorbitant, when you consider how large the blocks are. Roughly speaking, these two blocks contain more square feet than five ordinary Western Addition blocks."

"It is only fair," he continued, "that the Eleventh Ward should receive back some part of what it pays in taxes. The property in this ward is assessed at \$100,000,000 and pays annually \$100,000 taxes. During the past twenty years less than 1 per cent of the taxes paid by the Eleventh Ward has come back in the form of improvements."

While the opinion is practically unanimous throughout the Mission that this location should be secured for a park, there is some difference of opinion as to the method of raising the necessary funds for the purchase of the property. Some of the more enthusiastic and impatient promoters of the movement are in favor of providing in next year's tax levy for the purchase of the blocks. The City and County Attorney has said that the Supervisors have the power to make such an addition in the tax rate. Or, if deemed advisable, the payment for the land might be made by bonds, the present owners having signed their perfect willingness to accept in payment 4 per cent City bonds.

Many of the more deliberate and conservative property-owners, however, believe that to increase the tax rate would be a serious detriment to all interests. They would prefer to wait until the City could sell some of its property and thus obtain the necessary funds. There is a strong sentiment in favor of the City selling Buena Vista Park for this purpose.

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ERIE MEDICAL CO., Buffalo, N. Y.

HAMPERING THE VALLEY ROAD.

Its Progress Barred by Trouble Over Rights of Way.

TRACK-LAYING STOPPED

Entrance of the Competing Line Into Merced Delayed by Land Complications.

PASSENGER COACHES ORDERED

It Is Expected to Have the Road Ready for All Kinds of Traffic in Four Months.

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