

WILLCUTT EXPLAINS THE BALANCE SHEET

It Contained All the Expenditures Since the Beginning.

PLUS FICTITIOUS SUMS.

Market Value of Stocks and Bonds of the Railway Company.

REGULATED BY THE SUPPLY.

The Secretary Persists in His Refusal to Deliver the Books for the Inspection of the Court.

Yesterday was a dry day in Judge Wallace's court, the burden of Secretary Willcutt's efforts being to convince the public that the trial balance sheet of the company produced in court could not throw any light whatever on the value of the property.

Table with financial data including 'Sinking fund expense', 'Income', 'Expenses', and 'Total'.

Mr. Willcutt glibly explained that that had been the valuation plus money expended on repairs and also fictitious sums added in order to make the books balance.

Mr. Willcutt explained that the trial balance sheet of the company produced in court could not throw any light whatever on the value of the property. According to the testimony of the rail-

Mr. Freidenrich Engaged in Bearing the Stock of the Market-Street Railway Company.

way officials the accounts were kept by the aid of the imagination, and that the only way by which Assessor Siebe could fix any value on the property at all was by imagining it.

The contempt cases have gone over until Monday, the railroad people being firm in their determination not to produce the books.

On the opening of court yesterday morning Mr. Clinie presented an affidavit reciting that one of the material issues involved in the action was the value of the property of the Market-street Railway Company; that one of the elements of that value was the net earnings of the company; that those net earnings were to be ascertained from the books, and that the issue of perjury on the part of Assessor Siebe could be proved by the fact that the books would show that the sum of \$10,000 or thereabouts was paid to John D. Siebe or his agents by the Market-street Railway Company for the purpose of having the assessment on the property of that company fixed at a sum much less than the cash value as required by law.

Secretary Willcutt was asked whether he had brought with him the books of the company as commanded by the court on the preceding day. Pointing to four big boxes tied with straps and four redwood boxes Mr. Willcutt remarked:

"Those books were brought here inadvertently, simply on the order of the court. I have been advised that the law does not permit me to remove them from the office of the company."

Judge Wallace smiled quizzically at this Supreme Court decision by the railway company and its witnesses, and remarked that if there was any law in existence prohibiting the production of the books in court as against the order of court he would like to be informed on the subject.

Mr. McEneaney staved off any disagreeable disclosures of subterranean laws by suggesting that the matter of contempt should be deferred until Monday, and that the taking of oral testimony and of such documentary evidence and pencil memoranda as the railway company might choose to give, should be proceeded with. This was agreed to by both sides, and Mr. Willcutt proceeded to read the tax inventory of the property of the railway company, to which nobody listened because it was so long and tedious.

Mr. Willcutt was shown the following trial balance and the items were read off one by one:

Table with financial data including 'MARKET-STREET RAILWAY COMPANY, TRIAL BALANCE, FEBRUARY 28, 1896', 'Capital stock', 'Reserve capital stock', 'FIRST MORTGAGE BONDS', 'Powers and Franchise', 'Construction expenses', 'Real estate and buildings', 'Machinery and equipment', 'Materials and supplies', 'Deposits', 'Accounts payable', 'Accounts receivable', 'Interest on bonds', 'Taxes', 'General expenses', 'Premium and discount on bonds and stock'.

Broker Edward Barry Telling How the Stock Dropped \$2 50 a Share Within the Last Three Days.

duced the amount of cash on hand by the sums paid out, but Mr. Willcutt still clung to the tax. He supposed that the treasurer had entries in his cashbook of those tags with the appropriate dates.

On cross-examination by Mr. Freidenrich Mr. Willcutt said that the item of \$21,000,000 in the trial balance sheet for permanent way and franchise had been swelled by the addition of "what you might call an artificial amount" in order to make the books balance.

"There was nothing to prevent it being \$10,000,000," inquired Judge Wallace.

"Nothing at all."

"It was simply based upon imagination?"

"Yes, sir."

Couched by Mr. Freidenrich the witness explained the sums entered on the trial balance sheet by saying that they did not mean at all what they appeared to mean; that when \$21,000,000 was set down it didn't mean \$21,000,000, because it was largely fictitious, but he could not tell how much of it was fictitious and how much real. He said that the items represented all the expenditures made by the consolidated companies before and after the consolidation for cars, equipments, etc., and had nothing whatever to do with the value of the property. They represented moneys expended by the companies from the date of their organization up to March 28, 1896, and some of those companies had gone out of existence. In those items was also included the original cost of car horses which had run their course and died.

Then there were items of expense of construction, including superintendents' salaries and roads changed from one system to another, all of which did not represent any property whatever.

Judge Wallace remarked that the companies before the consolidation were rival business concerns, and despite these large sums of money that were wasted or thrown away they were enabled to keep their bonds in the market above par and to pay 6 per cent interest on them. This was an indication to the mind of the Judge that the bonds represented tangible values.

In the afternoon Secretary Willcutt related instances of several railway companies sold under the hammer for prices much less than the par value of the bonds or of the capital stock. Thus the San Diego cable-road, bonded for \$225,000 and with a capital stock of \$500,000, was sold for \$57,000. The Los Angeles cable road, bonded for \$3,000,000 and with a capital of \$4,000,000, sold for \$1,500,000.

These citations were made by Secretary Willcutt for the purpose of establishing the rule that the bonds and capital stock of a railway company, like the trial balance of the Market-street Railway Company, was no indication of values whatever.

Judge Wallace seemed very much interested and edified with this statement of figures that mean ciphers and bonds and stock that represent imagination, and he pointedly asked whether the stocks and bonds of the companies mentioned were sold at par, but Mr. Willcutt did not know what their market price was.

The ability of the company to pay the interest on its bonds was the criterion. In some cases he knew where companies had borrowed money to pay the interest when due, and that, in his opinion, was the beginning of the trouble.

The witness did not know that Assessor Siebe ever looked at the inventories. Mr. Siebe had never called upon the witness for an inspection of them.

Here Judge Wallace enlivened the Sahara of the proceedings with the oasis of a joke tinged with sarcasm.

"If Mr. Siebe asked you for the inventories," said the Judge, "you would not let him have them without an order from the board of directors, would you?"

"Oh, yes," replied the witness, who did not appear to perceive the keen point of the sarcasm.

"If all the stock were thrown on the market to-day," replied the witness to the question by Clinie, "I would not be willing to pay more than \$10 per share. You see, I would have to look at the future prospects, the increase of taxation, the fact as to whether the enemies of the company would increase or decrease, the probability of hostile legislation and so forth."

"Take a gloomy outlook, for instance," suggested Clinie pleasantly, "take the outlook that this company should be required to pay taxes on its real cash value, now how would you give for the stock then?"

"I wouldn't be willing to give more than \$10 a share, but when you speak of cash value the question arises as to what is cash value," and the witness went on over the same story of dead horses and transferred cable roads and earnings and operating expenses and the rest of the items that are keeping the rags and tatters of poverty on the backs of the railroad magnates.

Then Mr. Willcutt was let go, and Edward Barry, secretary of the Stock and Bond Exchange, told how Secretary Willcutt had made written application to have the stock and bonds of the Market-street

Company listed on the exchange. He produced a statement from the Market-street Railway Company, in which, after the printed questions as to assets and liabilities, there were the words "statement not yet prepared," instead of figures. Mr. Barry supposed that the investigating committee of the exchange had done their duty by looking into the matter and had been convinced that the corporation was solvent.

Soon after the suit had been decided in the Supreme Court, the bonds of the Market-street Railway Company were listed on the board.

On the first Monday in March, 1896, there were bid in the exchange the following for the bonds of the companies named: Ferris and Cliff bonds, \$104; Market-street Railway, \$122; Omnibus cable, \$119; Park and Ocean, \$110; Park and Cliff, \$108; Powell-street, \$110. The stock of the Market-street Railway Company sold for \$49 1/2.

People estimated the value of stocks, Mr. Barry explained, by the dividends which they expected those stocks would pay. The value of bonds depended upon the rate of interest paid and the condition of the company.

"The Market-street 6 per cent bonds are \$122 in the market to-day, and you can't buy them," added Mr. Barry. "Since these proceedings were commenced the price of the stock dropped \$3 a share. It was in consequence of the reports in the newspapers of the trial of this case that caused people to want to sell, and nobody wants to buy."

"It was because this imaginary ten millions was put into the permanent way and franchise, wasn't it?" queried the attorney.

MISS MARY MERCADO AND MR. CHAUNCEY BOARDMAN.

Boardman, second son of Mr. and Mrs. George C. Boardman.

While the engagement was not altogether unexpected, the early announcement came somewhat in the nature of a surprise to the numerous friends of the popular young couple.

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UNION MEN EMPLOYED.

Labor Council Indorses the Action of the Union Men.

The principal feature of the regular weekly meeting of the San Francisco Labor Council at 1159 Mission street last night was the endorsement, after the four years' war, of two breweries which are down on the list as members of the Brewers Protective Association in strong opposition to the two congresses of the Entente and Broadway breweries. The resolutions conclude:

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Vice-President T. F. Burns informed the assembled delegates that Olgar-manufacturer Jacob Brandt had broken his promises in reference to the employment of white and union labor, and he considered from the chair to propose some action that would bring the manufacturer to time.

The Mr. Brandt is trying to lead several white men from the straight path of unionism into his shop to labor with yellow labor, and he is yet at work somewhere in the city, and he is trying to get Mr. Brandt ten days' notice to put his shop on the union list, or a boycott would be declared against him, and he would be asked to grow from whom he gets his tobacco, that such notice had been sent him.

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The letter also stated that considering the action already taken by the Supervisors toward the abolition of the transfer system the members of the council have cause for congratulation.

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Rev. J. Q. A. Henry will lecture this evening at the Metropolitan Temple under the auspices of the Good Citizenship Committee on the subject of "The New Emancipation Proclamation."

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Why Richard Cayford Left the Hawaiian Islands.

A Story in Which There Seems a Tinge of Fate—Mrs. Cayford Stricken With Paralysis, and Yet She Has Been Cured—The Residents of the Mission District Look Upon It as a Miracle.

From the Examiner, San Francisco, Cal.

Residents of the Mission District of San Francisco have for months been marveling over the peculiar case of Mrs. Anna Cayford, the wife of Richard Cayford, who resides at 313 Seventeenth street. Several years ago Mr. and Mrs. Cayford took up their residence in the Hawaiian Islands, which Cayford, who is by trade a blacksmith, applied himself diligently at his occupation, until at length he had, by reason of his hard work and frugality, placed himself comfortably upon a fair way to prosperity. He had begun to look forward to the enjoyment of a quiet, happy life upon the beautiful islands of the Pacific, and in his fancy had built for himself and his family a comfortable and pleasant home on the island.

His wife shared with him in the contemplation of the happiness that the future appeared to hold for them. She had been at the age at which rest and contentment count for so much in a woman's life, when she was suddenly stricken with nervous prostration. Her condition became very serious and her physician advised her that she must leave the islands and return to her native land. Acting upon this advice, Mr. Cayford disposed of his business and removed to San Francisco. Mrs. Cayford improved slightly with the change of climate and in July, 1893, she was stricken by paralysis of the left arm and leg, and was entirely deprived of the use of her limbs, having in the meantime been decorated with La France roses, and as far as was possible all the table accessories were in token of a party for her fourteenth birthday.

The Misses Morrison of San Jose gave a charming dinner party last Saturday evening at their home, corner First and Julian streets, in honor of Judge W. B. Gillett of the Court of Appeals. The guests were Judge Gilbert, Mrs. Ricketts of Washington, D. C., Miss Bellinger, daughter of Judge C. B. Bellinger of Portland, Or., James D. Phelan, Colonel Moorhead, Judge Roughton, J. W. Findley, L. G. Nesmith, H. B. O'Connell and others.

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MEMORIAL FIREWORKS.

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AND CO THEY WILL BE MARRIED.

Chauncey Boardman and Miss Mary Mercado to Wed.

THE BRIDE IS A BELLE.

The Groom Prominent Both in Social and Commercial Circles.

GUNN TUG PARTY TO-DAY.

Austin Pink Luncheon Complimentary to Mrs. Thomas Keane—Morrison Dinner.

An interesting engagement to announce is that of Miss Mary Mercado, niece of Mrs. Monro Salisbury, and Chauncey

Boardman, second son of Mr. and Mrs. George C. Boardman.

While the engagement was not altogether unexpected, the early announcement came somewhat in the nature of a surprise to the numerous friends of the popular young couple.

It is a lovely match pure and simple—a fact which renders it all the more interesting.

Miss Mercado has long deserved the favor of a popular belle. Charming and unaffected, she has endeavored herself to all who have been so fortunate as to meet her socially or on her many errands of mercy, prompted by her generous qualities both of mind and heart.

She is a native daughter and received her education in the public schools of this, her native city.

In appearance Miss Mercado is a tall, graceful, demi-blonde, with that irresistible charm our Perisian brethren describe as "chic." She is talented and accomplished, excelling especially in drawing and painting. She made her debut in society some four seasons ago at the home of her aunt, Mrs. Salisbury. During that lady's absence Miss Mercado is at present making her home with her cousin, Mrs. Sanchez, at the corner of Sutter and Pierce streets.

Mr. Boardman, the fortunate young man, is a popular favorite in social and commercial circles, as well. He is connected with the firm of Shattuck & Buckbee, occupying the responsible position of cashier. No arrangements have as yet been made for the wedding which will probably be celebrated early in the winter.

Mr. and Mrs. J. O. B. Gunn will give a tug party this afternoon on board the Fearless, in honor of the twenty-first birthday anniversary of their only son, Mr. J. O. B. Gunn, Jr., who was born on Thursday last.

On Thursday last Mrs. Joseph Austin gave an elaborate luncheon, complimentary to Mrs. Thomas Keane. The table was handsomely decorated with La France roses, and as far as was possible all the table accessories were in token of a party for her fourteenth birthday.

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Memorial day will be observed at the Chutes this evening and a programme that has been in course of preparation for some weeks will be illuminated.

Highlighted views of famous battles and portraits of the heroes of the North and South will be shown, and a pyrotechnic representation of the capture of Fort Donelson with a gunboat firing from the lake will be one of the principal features. The military band will be increased for the occasion and a programme

of National airs will be rendered. Only rain will interfere—fog does not matter. In the afternoon there will be a balloon ascension.

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Is your body fire-proof?

Speaking of infectious diseases, Dr. E. Brown says: "We ought to learn to keep our bodies invulnerable to contagion as a fire-proof building is impervious to fire; that is, we should be able to resist such moderate quantities of disease germs as we necessarily encounter through life." Each man and woman and child should fortify their own body by healthy living, that the soil for the growth of germs be not available. Scott's Emulsion of Cod-liver Oil strengthens the barriers that Nature raises against all intruders by giving the system the resistive force needed to throw off disease.

SCOTT'S EMULSION OF PURE COD-LIVER OIL WITH HYPOPHOSPHITES.

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