

# GLARING EVIDENCE OF CRIME BY SAN QUENTIN PRISON RING SHOWS COLOSSAL OPERATIONS ON PART OF STATE OFFICIALS

## Bills of Numerous Firms Are Forged by Prisoners and Certified To as Correct

## Blank Bill-Forms Are First Secured by Trickery From Mercantile Organizations

**F**URTHER investigation by The Call of the criminal acts of the corrupt ring that controls the financial affairs and administration of San Quentin prison has revealed a gigantic mass of fraud, forgery and theft by State officials.

The Call has demonstrated that prisoners sentenced to punishment at San Quentin prison, have been forced by their official guardians to falsify public records and substitute forged bills, in order that Warden Martin G. Aguirre, the favorite and bosom friend of Governor Henry T. Gage, and others of Aguirre's malodorous band, might secure public funds by felony in order to pay for unauthorized supplies for themselves and their intimate friends.

To-day The Call presents more proof of the criminal acts of the ring that controls San Quentin prison. The evidence secured by this paper discloses the fact that systematic fraud, forgery and theft of public supplies have been carried on by the men in control of San Quentin prison.

The vast amount of incriminating data secured by The Call is but an iota compared to what can be uncovered by an official investigation by duly authorized State officials. When this official investigation is held, as it should be, the revelations will astound the people of the State of California.

### DEMAND FAIR INQUIRY.

President R. M. Fitzgerald of the Board of Prison Directors has stated that no investigation can be held by the board until every member is able to be present. The board consists of Governor Gage, ex-officio a member, R. M. Fitzgerald, president, J. H. Wilkins, R. T. Devlin, Don Ray and Warren Porter.

If the Board of Prison Directors holds the investigation, it must do so in a thoroughly impartial manner. If any member of the board, during his term of office, has received as a present or purchased any article made in San Quentin prison by prisoner labor other than jute bags authorized by law, he is disqualified from sitting on the investigating board and the investigation must therefore be held by other State officials.

President Fitzgerald says an investigation can only be held in the presence of all the members of the board. The State Board of Examiners may be also disqualified from holding an investigation of the affairs of San Quentin prison. This official body and the Board of Prison Directors have had large numbers of forged bills presented to them and they have been duly passed for payment. The Board of Examiners consists of Governor Gage, the Attorney General and the Secretary of State.

When the Governor is absent, the secretary of the board, Dan Kevane, votes for the Governor.

Gross carelessness could alone permit the forging of forged bills upon the Prison Directors and the Board of Examiners. The people of the State, of California are entitled to a perfectly impartial body of investigators in the matter of the San Quentin prison frauds.

Justice demands that when the verdict is rendered it should say whether the prison Board of Directors and the Board of Examiners are to blame for allowing forged bills to be foisted upon them. The Board of Directors and the Board of Examiners cannot sit in judgment upon themselves.

### CANNOT JUDGE THEMSELVES.

Justice demands that the investigating body should possess judicial power and be absolutely impartial. The investigating body should be able to subpoena witnesses, administer oaths and compel the production of the books of firms that have sold supplies to San Quentin prison.

In the course of its investigations The Call has discovered a mass of evidence of fraud, forgery and theft at San Quentin prison that would require many weeks to publish in detail.

To-day this paper presents further positive proof of its charges that the corrupt ring in control of San Quentin prison has forced prisoners to forge bills, and accounts; books and public records have been falsified and altered; luxuries have been obtained by members of the ring, and payment has been made with public funds secured by felony.

Bills and accounts prepared by prisoners have been passed by the Board of Prison Directors, the Board of Examiners and the State Controller. These bills have been duly certified to by Commissary Francis Foley and Warden Martin G. Aguirre.

The cunning hands of prisoners were utilized to do the crooked work for the members of the corrupt ring that controls San Quentin prison. Bill-heads have been cut from genuine bills of business houses and pasted by prisoners to blank paper in order to prepare forged substitute bills and thus secure payment by the State for unauthorized supplies. These supplies of every variety, from table delicacies and snowily napsery to silk underwear and ladies' nightgowns, have been obtained by fraud and forgery, not for the use of prisoners but for the benefit of Warden M. G. Aguirre and his band of cronies and bosom friends.

### MANY CRIMES COMMITTED.

The people of the State of California have been cheated in order that the members of the San Quentin prison ring and their friends might live in luxury and dress in stolen finery. To cover up crimes, other crimes have been committed. The supplies have been charged

to various prison accounts and, by direction of their guardians, the unfortunate prisoners have been forced to further jeopardize their souls.

A few days ago The Call presented in close detail the evidence showing how goods had been obtained by the ring at San Quentin from Levi Strauss & Co. and forged bills substituted and foisted on the Prison Directors and Board of Examiners for payment.

The forged bills of Levi Strauss & Co. are reproduced to-day in The Call in order that the public may judge and compare the writing of the prisoner who filled them out with a number of bills purporting to be from well-known business houses, that are also printed herewith.

The hand of the prisoner who was directed by his official guardians to forge the bills on Levi Strauss & Co.'s bill-heads, cut from genuine bills, has been used by his jailors to forge other documents purporting to be from L. Lebenbaum & Co., H. S. Crocker Company, C. Grosjean & Co. of San Rafael, and Burtchell & Co. of the same city.

In some cases bill-heads have been cut from genuine bills and used for the purpose of preparing the forged documents. In other instances blank bills were secured from the business houses by Commissary Foley and used by the prisoners at the direction of their custodians.

### OBTAINED BLANK BILLS.

Inquiries made of L. Lebenbaum & Co., H. S. Crocker Company and Grosjean & Co. show that Commissary Foley had secured blank bills by stating to clerks that the firms had made an error in charging "contract" and "non-contract" supplies on one bill, or that he desired a monthly statement. Foley was always pressed for time and would state that he had only a few minutes to catch his boat at the ferry depot. When the clerks would inform Foley that they did not have the time to make out the corrected bill or statement the San Quentin official would ask for the blank bills and say that he would have prepared the desired bills.

Bills of L. Lebenbaum & Co. and other firms are reproduced in The Call to-day as samples of the forgeries on file at Sacramento. They have been shown to members of the firms mentioned and have been declared to be forged. To take all the bills on file at Sacramento, purporting to be for prison supplies furnished by Lebenbaum & Co. and other firms and compare them with the books of the business houses, would take a vast amount of time.

Jesse Meyerfeld of the firm of Lebenbaum & Co. was shown photographs of some of the forged bills of his firm that were certified to as being correct by Commissary Foley and Warden Aguirre and foisted on State officials for payment.

Mr. Meyerfeld was asked what was the custom of his firm in making out bills for goods supplied to San Quentin prison and replied:

"We always send the original bill and a duplicate of it."

The duplicate bill is kept at San Quentin prison while the original is sent to Sacramento, after being certified to.

When Mr. Meyerfeld saw the photographs of the forged bills he at once declared that they were not written by any of the clerks in the employ of his firm. In one case where a bill-head had been cut from a genuine bill of the firm and pasted to a blank sheet of paper by a prisoner who then prepared the forged document, Meyerfeld at once recognized the handwriting of one of his clerks in the date line and the words "Cala. State Prison, San Quentin."

### FOLEY WAS HURRIED.

Meyerfeld could not explain how blank bills of his firm had come into the possession of officials and prisoners at San Quentin prison, but the cashier of the firm was able to give the information. He told how Commissary Foley had often visited the offices of the firm and asked for monthly statements. When he would say he only had a few minutes to catch his boat at the ferry depot and the clerks would reply that they did not have time to make out the bills, Foley would ask for the blank bills and say he would fill them out himself.

Mr. Meyerfeld stated yesterday that his clerks were fully conversant with the "contract" and "non-contract" goods sold to San Quentin prison and the articles were always separately billed.

A bill of Lebenbaum & Co. dated February 28, 1902, for \$21.91 shows that it was filled in by the prisoner who prepared the forged Levi Strauss & Co.'s bills, that are reproduced to-day by The Call. This bill is certified to as being correct by Commissary Foley and Warden Aguirre.

Another bill purporting to be from Lebenbaum & Co. is dated March 21, 1901. It is for the sum of \$18.65. The bill-head was cut off a genuine bill of the firm and was pasted by a prisoner to a sheet of ruled paper. An inspection of the photograph shows the right hand corner of the lower part of the bill-head to be loose, clearly disclosing the work of the prisoner who pasted the bill together. The bottom part of this bill shows that still further

## WARDEN AGUIRRE ASKED MANY TIMELY QUESTIONS ABOUT SHIPPING FURNITURE

**W**ARDEN AGUIRRE, did you on July 1, 1899, succeed Warden Hale as the chief executive officer of the State prison at San Quentin?

Did you thereby assume official responsibility for the proper and legal management of that State institution on the date mentioned, and has your responsibility continued uninterruptedly to the present time?

Is any other official responsible for the conduct of the State prison at San Quentin?

Warden Aguirre, did you, on the 15th day of August, 1899, install Prisoner Virgin on the second floor of the sash and blind factory building at San Quentin prison, in a carpenter shop, fitted up for the Warden's especial benefit?

Did you not relieve Prisoner John Hagerman from duty in the jute mill at San Quentin and assign him to be an assistant to Prisoner Virgin?

Warden Aguirre, were not two inlaid tables, in September, 1899, taken to the Warden's house and from there to the water front at San Quentin, in the commissary wagon of the prison, and thence shipped away from San Quentin on the steamer Caroline?

Will you deny, Warden Aguirre, that six inlaid bird-cages, made in December, 1899, and one inlaid table, made in February, 1900, were manufactured by the prisoners under your charge at San Quentin prison?

Did you not cause one horn hatrack, fully eight feet high, to be shipped from San Quentin prison on the steamer Caroline?

Were there not in March, 1900, four inlaid picture-frames and four bird-cages that were made by San Quentin prisoners taken to the Warden's house?

Did you not cause one inlaid table to be shipped from San Quentin prison to San Francisco in April, 1900?

Is it not true, Warden Aguirre, that in May, 1900, two picture-frames, the handiwork of State prisoners at San Quentin, and also four prison-made bird-cages, were taken to the Warden's house from the prison?

Did you have shipped, from the San Quentin water front, in June, 1900, a wardrobe and a hatrack, which were first taken to the Warden's house, and which were carried to the water front in the prison commissary wagon?

Is it not true, Warden Aguirre, that, with your knowledge, one inlaid table made by Prisoner Irwin was, in July, 1900, taken to the Warden's house and from there shipped to Governor Gage at Los Angeles?

Warden Aguirre, was not an inlaid table, made by Prisoner Irwin, shipped to San Francisco from San Quentin prison in August, 1900?

Is it not true, Warden Aguirre, that in September, 1900, an inlaid table was sent to San Rafael from San Quentin prison in a wagon, the driver being your cousin?

Did you not, Warden Aguirre, cause a looking-glass frame six feet high, inlaid, to be shipped to Governor Gage's residence at Los Angeles in October, 1900, from San Quentin prison?

Warden Aguirre, did you not have one dozen horns, brass mounted, and two bird-cages, in the shape of a house, shipped from San Quentin prison on the steamer Caroline for Governor Gage's house at Los Angeles?

Warden Aguirre, did not Prisoner Murphy make for you in prison, in January, 1901, two bowie-knives and one hunting knife, the handles of which were inlaid with pearl?

Did not Prisoner Alviso make in the prison, for the Warden, in January, 1901, two Spanish bridles?

Will you deny that three picture-frames and one inlaid table were made by prisoners at San Quentin and shipped from the San Quentin prison to San Diego, by the Warden's brother, in February, 1901?

Did you not have shipped from the prison at San Quentin to the Governor's residence, in March, 1901, a bedstead, carved by Prisoner Saville, on the head-piece of which was the letter G?

Was not a duplicate of the carved bedstead that was made for the Governor in the San Quentin prison in March, 1901, made for the Warden in the prison in April, 1901?

Did not the prisoners under your control at San Quentin make a double set of harness and one single set in the prison for Governor Gage in May, 1901?

Warden Aguirre, were not one-half dozen chairs, of walnut, made in San Quentin prison, in June, 1901, for Governor Gage?

In the same month, last mentioned, was one rolling-desk shipped from San Quentin prison to San Francisco?

Did not Prisoner Virgin, in July, 1901, make in the prison at San Quentin four inlaid checker-boards and four crib-boards? Were not six brass crib-boards made in the machine-shop in the prison and taken to the Warden's house?

Is it not true, Warden Aguirre, that one bedroom set was shipped to Los Angeles from San Quentin prison in July, 1901?

Warden Aguirre, why does not the wharf shipping-book at the San Quentin prison show the shipment of these articles before enumerated or of others that have been sent out to beneficiaries of the prison management?

Is it not true that Prisoner Earl has been employed in making a dress-suit case for Shipping Clerk McDougall, and that the leather for the same was cut in the shoeshop by Prisoner Wilson?

Warden Aguirre, did you cause Prisoner Martin Lyman to do the upholstery work on all the furniture that was made at San Quentin prison for Governor Gage?

Warden Aguirre, will you deny that when two representatives of The Call visited the prison to inquire about the manufacture, in prison, by prisoners, of furniture, you had the prison-made furniture hidden away?

Is it not true that hardwood that has been received at the prison for the purpose of being converted into furniture for the beneficiaries of the prison has been charged up to the San Quentin prison books to the jute mill?

Is it not true, Warden Aguirre, that at this time Harry Hawes is installed in the Warden's house and is engaged in painting chinaware, landscapes and other pictures for the Governor of California?

Warden Aguirre, when the representatives of The Call were inquiring at San Quentin for information concerning furniture manufacturing at San Quentin prison, week before last, is it not true that there were then being completed by prisoners the following named articles for the Warden of the prison: Nine covers for inlaid tables, tops all finished; one rosewood bed, carved; one sideboard, carved; ten large armchairs, partly finished; twelve fancy chairs, carved?

Warden Aguirre, have not the prisoners in San Quentin prison been making for General Overseer J. A. Aguirre a complete set of furniture to be used in furnishing a house for him in Berkeley?

Warden Aguirre, have not the prisoners in San Quentin prison been recently engaged in making for Mr. McClure of Los Angeles, a friend of the Warden of San Quentin, the following articles of furniture: One desk, one bookcase, six chairs, one dressing-case, one table, the articles being made of quarter oak?

Warden Aguirre, did you not constantly employ two life prisoners, named Pedro and Gonzales, in making valuable Spanish lace?

Did you not as Warden of San Quentin prison detail Pedro and Gonzales as cell-tenders, in which position they would only have to work about one hour a day, so that they could put in the balance of their time making lace?

Was not the lace, Warden Aguirre, sent to your house and given by you to North friends in Los Angeles?

Is it not true, Warden Aguirre, that you assigned Prisoner Virgin to the duty of shipping furniture from the Warden's house that had come there from the prison wrapped in blankets?

Warden Aguirre, was not the upholstering material and hair that was received at San Quentin for the manufacture of furniture charged to repairs?

Warden Aguirre, do you not know that each and every one of such acts as is indicated in the foregoing questions is a violation of law of the State of California, and the majority of such acts is designated by the Penal Code as felony?

## Public Records at Capitol Reek With Documents That Point to Felonies

## Original Accounts Sent by Shippers Are Changed for Others Prepared in Prison

pasting together of sheets of paper was done in San Quentin prison. The photograph of the bill shows where the lower portion was pasted together.

### IS PRONOUNCED FORGERY.

This bill, certified to as being correct by Commissary Foley and Warden Aguirre, is a forgery of the most pronounced type. It was written by the same prison hand that filled out the forged bills of Levi Strauss & Co. whereby a bill of goods for \$112.13, including nightshirts, was procured by fraud and the State was made to pay for the same by a bogus item of a bale of cassimere for prison clothing.

The forged bill of Lebenbaum & Co. dated "May 17, 19--," was written by the same prisoner who filled in the Levi Strauss & Co.'s bills and was done under direction of officials of San Quentin prison.

The corrupt methods of procedure employed by Warden Aguirre and his skillful staff of prisoners at San Quentin were still further revealed yesterday by an investigation of the transactions with C. Grosjean & Co. and Burtchell & Co., two of the principal grocery houses of San Rafael. It was at these two stores that Commissary Francis Foley purchased some of the supplies for Aguirre and his dependants and the inquiry yesterday developed that it was on the bills of these firms that the prisoners at the penitentiary were called in to use their skill. Photographic reproductions of these forged bills are given in to-day's Call.

When photographs of bills purporting to be of his firm were shown to E. S. Rake, president of C. Grosjean & Co., he straightway declared that they were not made out by him or any one in his employ. He said that Commissary Foley had applied to him for a number of blank billheads. Foley gave as a reason for his request that he needed the billheads to make out triplicate copies of each bill in order that one might be kept at the prison and two sent to Sacramento.

### FORGED GROCERY BILLS.

Rake instructed his bookkeeper to furnish the commissary department with billheads, which was accordingly done. From the evidence which has been obtained, these bills were secured not for the purpose of making copies as was claimed by Foley but so that the prisoners could more easily make forged bills to cover up the purchase of other supplies used by Aguirre and his dependants. Rake said he was informed that triplicate copies of each bill had to be made so that one could be retained at the prison and two sent to Sacramento. As a matter of fact only one bill is sent to Sacramento. Why Commissary Foley should demand three copies when only two were necessary is a mystery that could not be explained by Rake.

Rake was greatly surprised when he was shown photographs of the forged bills. One of these bills was dated September 1, 1901, and made out for the following items: One ham at \$2.48, two rolls of butter at 80 cents, six dozen eggs at 20 cents a dozen, 4 dozen eggs at 20 cents a dozen, one box of pears at \$1, one box of apples at \$1.25 and one box of peaches at \$1. After carefully examining this bill Rake said that with the exception of the date line all the rest of the bill was written by some one who was not in his employ. The writing on the forged bills of this firm was done by prisoners.

The writing on this bill, however, is not the only portion of it to excite suspicion. The upper part of the bill, or the head on which Rake said the date line was in the handwriting of his bookkeeper, has been torn from another bill and affixed and pasted on a piece of paper on which were written the items above given.

The second photograph of a bill which was presented to Mr. Rake for his inspection was for seventy dozen eggs at 18 cents a dozen and two dozen Plymouth Rock roosters at \$7.75 per dozen. As in the case of the first bill, Rake also declared this bill was written by some one outside of the firm, with the exception of the date line, "March 25, 1902." He was certain in his assertion that it had never been drafted by any one in his employ and positive that he had not drafted it himself.

### GAVE FOLEY BLANK BILLS.

When asked if he ever allowed any of his billheads which were not filled out to be given to the San Quentin prison commissary department, he said: "Yes. In order to save my bookkeeper's time I instructed him to give them a number of empty billheads. You see they wanted triplicate copies and I thought they could make them out as well as my bookkeeper."

In the case of the bill from Burtchell & Co. the crooked work is even more perceptible than in the case of Grosjean's bills. Burtchell & Co.'s bill in the first instance as made out by Burtchell, proprietor of the store, was for the purchase of thirty dozen eggs at 46 cents a dozen, a total of \$12. After the bill passed into the hands of prison officials it was changed. Three more items were added to it, making the total \$15.30. When T. Finlayson, who is Burtchell & Co.'s chief clerk, saw the photograph of the bill yesterday he immediately declared that the last three items had been added to it after the bill had been made out by Mr. Burtchell. The date line and the item for the thirty dozen of eggs, which were in Burtchell's hand, were written in rather large firm characters, while the three items which were subsequently inserted were

written very lightly and rather closely together and in a hand that is very seldom employed by a business man. The forged bill was also the work of prisoners at San Quentin.

Finlayson stated that Commissary Foley had also requested Burtchell & Co. to give a number of blank billheads, but that the request had been refused both by himself and Mr. Burtchell. Notwithstanding the refusal and the fact that no blank billheads were ever given to the prison commissary department, Finlayson said that on one occasion one of the men employed in that department showed up at the store with one of the firm's billheads all filled out. Finlayson said that he was unable to say where the billhead in question had been obtained. As in the case of Grosjean & Co. Commissary Foley had always demanded that the bills be made out in three copies although but two were necessary.

### CAN AGUIRRE EXPLAIN?

It will be difficult for Warden Aguirre and other officials of San Quentin prison to explain why bills purporting to be from the well known firm, H. S. Crocker Company, have been forged by unfortunate prisoners acting on directions, certified to by Aguirre and Foley and foisted on the Board of Prison Directors and the Board of Examiners and duly paid.

Inquiry made at the offices of the H. S. Crocker Company elicited the information that in no instance were any of their bills to customers written in ink but were always typewritten.

The Call to-day reproduces photographs of two bills which are on file at Sacramento, the contents of which were filled in by prisoners at San Quentin on blank bills of H. S. Crocker Company.

The information was given at the offices of the firm that Commissary Foley had often asked for corrected bills, and when told that it would take some time to make them out, the San Quentin official would say that he had but a few minutes to catch a boat at the ferry and requested that he be given blank bills and statements, in order that he might fill them out himself. This shows another instance of how bills have been forged at San Quentin on billheads of prominent firms of this city.

The deliberate juggling of the books and records of San Quentin prison will make it a very difficult task to unravel the fraud, forgery and theft that have been carried on by members of the corrupt ring that controls that institution.

It is the duty of an impartial investigating body to spare no expense in cleansing the Augean stables of the foul mass of corruption and criminality that has grown up as the result of Governor Henry T. Gage placing his bosom friend, Martin G. Aguirre, in control of the affairs of San Quentin prison. The people demand a thorough investigation of affairs and the swift punishment of the guilty parties, no matter what position they may occupy.

### FIESTA AND CARNIVAL FOR POINT RICHMOND

Business Men's Committee Plans Big Entertainment for Townspeople and Visitors.

POINT RICHMOND, May 31.—Point Richmond's business men are planning a fiesta and flower carnival for their town. A number of them met in Samuel Curry's office last night and chose the following committee to plan for the fête: J. B. Semorile, chairman; P. M. Dean, vice chairman; E. J. Summerville, secretary; J. G. Mottosa, R. H. Curry, B. Oakland, Allen, Charles Greer, Sidney Lewellyn, directors; D. A. Mason, treasurer.

Information as to the details of the project among the business men supplied the committee with suggestions for the entertainment. Among these will be a flower parade, athletic sports and bull fight. It is proposed that the affair shall extend over a period of eight or ten days. The committee has been assured of the support of all the townspeople.

### Licensed to Marry.

OAKLAND, May 31.—Licenses to marry were issued to-day to Claude H. Allen, aged 22, and Clara Isabelle Madison, 23, both of Livermore; Charles C. Sullinger, 24, Oakland, and Grace E. Maghel, 18, Sacramento; Ernest H. Humbers, 26, and Jennifer, 22, both of San Francisco; Carl M. Behr, 28, Oakland, and Magdalena Stonich, 27, Santa Clara County; George W. Eustice, 23, and Alice Cole, 21, both of San Francisco; Joseph Oliver Jr., 29, Niles, Cal., Theresa Brown, 18, Oakland; George L. Ireland, 21, and Laura Rodefeld, 19, both of San Francisco; James Jordan, 27, San Francisco, and Annie McLaughlin, 25, Oakland; Hugh O'Keane, over 21, Oakland, and Bridget O'Neill, over 18, Bakersfield.

### Blind Pupils' Concert.

BERKELEY, May 31.—The annual concert of the blind pupils of the State institution for the deaf, dumb and blind will be given on "Friday" afternoon, June 6, at 2 o'clock. On the following Wednesday six graduates of the institution will receive their diplomas. There are at present 220 inmates of the home, of which number sixty-three are blind.

### New Gun Club to Shoot.

BERKELEY, May 31.—The recently organized College City Gun Club will hold its first handicap shoot to-morrow on the new range back of North Berkeley. Merchandise prizes are offered for the competition.

### President Nominates Army Men.

WASHINGTON, May 31.—The President to-day sent the following nominations to the Senate: Army: Colonels to be brigadier generals—Samuel M. Whitdale and Sumner H. Lincoln. Infantry: Lieutenant colonels to be colonels—William Quinton and Jesse C. Chance. Majors to be lieutenant colonels—Ralph W. Hoyt and George H. Cornish. Captains to be majors—Charles H. Bonesteel, Lyman W. M. Kenefee, William Lassiter, Charles C. Norton. First lieutenants to be captains—George F. Baltzell, Edgar T. Conley, Seaborn G. Chiles, E. T. Collins and Lyman W. Welch.

George W. Bisbee to be Receiver of Public Moneys at Orange City, Or.