

INSURANCE COMPANIES WILL NOT DELAY PAYMENT

PRESIDENT REPLES TO CHANDLER

Explains Rate Bill Interviews With Senators.

Denies He Insisted Upon Modifying Measure.

Moody Tells of Conference With Two Democrats.

WASHINGTON, May 14.—A lengthy statement regarding the rate bill incident in the Senate on Saturday was issued at the White House this evening. It consists of a letter from Attorney General Moody to the President, signed at the request of the President's request, of the conference which Moody had with the President's direction with Senators Tillman and Bailey regarding the rate bill.

As Senator Tillman brought in your name in connection with the rate bill, and I accordingly directed my secretary to make an appointment for Mr. Chandler to see me. My understanding was that he was the representative of Mr. Tillman.

SPEAKS FOR TILLMAN

In this first interview he stated to me the views of Mr. Tillman with respect to the rate bill. He called on me several times. During the same period I saw other gentlemen who professed to give the views of other Senators. In addition I saw numerous Senators, both Republican and Democratic, some of them once or twice, some of them many times. I also saw numerous outsiders—railroad men, shippers, newspaper men and students of the law, including especially the Attorney General and the members of the Interstate Commerce Commission—and on two occasions I saw groups of newspaper men in a mass. To all of these Senators, representatives of Senators and outsiders alike, I made the same statements; those that I made to Mr. Chandler being the same in substance as those that I made to those of his colleagues of both political parties with whom I had any extended conference on the subject. The letter of the Attorney General, which I enclose, shows fully the facts as to the conferences which in my instance he held with Senators Tillman and Bailey. Those conferences were precisely such as, at my instance, he held with many other Senators to determine the phraseology and the effect of amendments proposed by them.

"To all whom I saw I stated that the Hepburn bill was in its essence entirely satisfactory to me. The Hepburn bill as it passed the House simply recognized the right of review by the courts—that is, the jurisdiction of the courts—but did not attempt to define it, thus leaving the courts to prescribe the limits of their own jurisdiction. This was in accordance with the ideas of the Attorney General, his belief being that thereby we avoided all danger of the bill being declared unconstitutional because of attempts to confer either too much or too little jurisdiction on the courts.

QUESTION OF JURISDICTION

"I also repeatedly stated that while it was entirely satisfactory to me simply to leave the Hepburn bill in substance as it was that in the question of defining the jurisdiction of the courts, but without any attempt to define that jurisdiction, that I was entirely willing that there should be a definition, provided that this definition did not seek to grant a broad review, but explicitly narrowed it to the two subjects, which, as a matter of fact, I believe that the courts would consider in case of any attempt to attempt to define the limits of their review, that would limit it to the question as to whether the commission had acted ultra vires and as to whether any man's constitutional rights had been impaired. I stated that in the question of defining or limiting the review was brought up at all I personally felt that this was the way in which it should be limited or defined.

"At different times at least a score of tentative amendments were either prepared by the Attorney General at the request of Senators or submitted to me by Senators. As to many of the amendments (including among others the substance of the so-called Long, Overman, Bacon and Spooner amendments) I stated that I would be entirely satisfied to have them in the bill; as to others, I suggested modifications which would make them satisfactory.

PROPERTY RIGHTS IN JEOPARDY

Destruction of Records Will Lead to Many Difficulties.

Former Superior Judge Edward A. Belcher has just concluded a careful examination to determine what records were saved by the Recorder, and he made the following statement to The Call yesterday as to the situation regarding property rights:



A BIT OF THE PRESENT BUSINESS CENTER OF SAN FRANCISCO.

The Recorder saved some records that will prove of inestimable value, notably the map books. The records of the latest deeds, comprehended in books 1624 to 2186, with a few gaps, and covering the years 1894 to date, were rescued. The four map books and the indexes were saved. These are all of the map books and indexes. The original maps were destroyed. However, the maps in the books were certified copies, and for all purposes, therefore, are now originals.

Of the records of the early deeds, books A, B, N, F, G, H, E and L and Nos. 1 to 8, Nos. 10 to 39, inclusive, and all within the files, and Nos. 91 to 98 and 141 to 226, inclusive, and all within the files were saved. Volumes 1, 2, 27, 38 to 43 and Volume 61 of "Index Deeds" were saved. "Transfer Deeds," books A and B; the "Alcalde Grants of Fifty Years," from 1847 to 1849; the "Spanish Records Translated"; the "Spanish Records of Water Lots," books B and C; the "Original Spanish Grants," book B; the "Almond Records"; "Spanish Blotter," book B; "Miscellaneous Index of Certified Grants," volume 1, and the last book of "Certified Residences" were saved.

Of the "Index of Mortgages," books 62 and 1136 (the latter about 1888) were saved. Book 230 of "Satisfaction of Mortgages" (in the late nineties) was saved. All of the "General Indexes" from 1 to 240 were saved. These are indexes of all save releases of mortgages, births and marriages. The following mortuary records were saved: From 1850 to 1851; April 1, 1852 to 1858; and books Q and R, July, 1904, to July 1, 1905.

Of the "Register of Births," volume 2 (very early) was saved. Of "Marriage Certificates," index 24 was saved. Indexes 22, 23, 24, 30 and 36 of "Paper on File" were saved.

Because of this wholesale destruction of records, in numerous instances title to real property will necessarily depend upon proof of possession and payment of taxes for the statutory period. The condition of liens of every nature, both contractual and statutory, is so uncertain that a true predication cannot be made at this time. The mortgagee who has saved his mortgage is, unfortunately, but the situation of the mortgagee who kept his mortgages in his own safe downtown is not so pleasant to contemplate. As to mechanics' liens, probably they are in most instances utterly destroyed; that is, the lien and the record. Real property titles will require in many instances judicial proceedings to perpetuate testimony while persons still living know the facts. All of the original papers and records in San Francisco bankruptcy cases in the office of Referee Green, Realty building, were destroyed except the bonds which were always filed with the clerk. All that exists in San Francisco's bankruptcy cases is the "Bankruptcy Register," kept by the clerk of the United States District Court, showing what court proceedings have been had, including the appointment of trustee. In pending cases it will become necessary for attorneys to stipulate a

ATTEMPTS TO WRECK STREET CAR

Peter Dempsey Places Tie Across Rails at Cemetery.

A dastardly attempt was made Sunday afternoon to wreck a fast San Mateo car on the United Railroads' line near Holy Cross cemetery. Peter Dempsey was ordered arrested by Inspector James J. Francis of the rail-



A BIT OF THE PRESENT BUSINESS CENTER OF SAN FRANCISCO.

road company. Francis saw Dempsey place a heavy tie across the rails. Francis followed his man to Twenty-ninth and Mission streets, where he had his places under arrest. Dempsey is held on the detainer book at the police station. He will be vigorously prosecuted. His defense is that he merely wanted to stop a car.

The attempt to wreck the car Sunday afternoon followed closely upon similar attempts made last February and March. Since the former attempts the motormen and employees of the railroad company have been specially alert. Sunday afternoon Inspector Francis and two men were engaged in switching cars at Holy Cross cemetery. Francis observed three men come out of the Brookville Hotel near by and start toward the track. They halted a suburban car, which did not stop. Then Dempsey dragged a heavy tie across the rails and with his friends repaired to one side to observe the wreck. When the car approached from San Mateo Dempsey's friends ran toward the rails and tried to remove the tie. Francis who had been on the lookout for the approaching vehicle, flagged the car, and the obstacle was removed. The car was crowded and but for Francis' watchfulness a frightful loss of life might have resulted.

Dempsey was placed aboard a car by Policemen J. B. McCue and A. C. Cleaver, and when he reached the city he was handcuffed and removed to the prison.

Dempsey had been drinking some, but the United Railroads' officials are not inclined to be at all lax in their prosecution of him for car-wrecking. With that object in view yesterday afternoon Inspector Francis swore to a complaint before a Justice of the Peace in San Mateo County, charging Dempsey with attempting to wreck a car, which, under Section 537 of the Penal Code is either a felony or misdemeanor, in the discretion of the magistrate. William Sheehan, attorney for the United Railroads, will prosecute the case.

SENATOR GARMACK ADMITS HIS DEFEAT AT PRIMARIES

Says He Is Sorry His Democrats of Tennessee Have Disapproved of His Course in Congress. Nashville, Tenn., May 14.—Practically complete returns from Saturday's Democratic senatorial primary show that former Governor Robert L. Taylor is nominated over Senator E. W. Garmack with a majority approximating 3000. Before leaving for Washington tonight Senator Garmack said: "I accept without bitterness or complaint the verdict of the Democratic party. I should have been pleased of course, if my course in the Senate had won its approval instead of its disapproval, but I am satisfied by the consciousness that to the best of my ability I have faithfully served the people of Tennessee."

Agents Say Adjustment Work Is Being Carried Forward More Rapidly Than at Chicago, Boston or Baltimore. OFFICES ARE TO BE ESTABLISHED IN THIS CITY



A MODEL CAMP IN GOLDEN GATE PARK.

Impatience is taking possession of many policy-holders who were made poorer by the conflagration because of the delay on the part of the insurance companies to adjust and settle losses. As a result of this feeling of uneasiness a committee representing property owners and business men of this city went before the meeting of the Fire Underwriters' Adjusting Bureau in Regd. Hall, Oakland, yesterday, for the purpose of ascertaining what the organization was doing and what it intended to do in the adjustment and settlement of claims; why the underwriters did not have quarters in San Francisco, where policy-holders could be notified of their losses and obtain reliable and authoritative information as to what course to pursue in clearing away debris in cases where the owners wanted to rebuild immediately. The committee consisted of Samuel Knight, David Rich and E. S. Rothschild.

Chairman G. W. Spencer of the Fire Underwriters' Adjusting Bureau outlined the system upon which the companies were working in adjusting claims. In answer to the question as to when payments on losses would be forthcoming, Mr. Spencer said: "The underwriters will pay all losses in full as they have done in the past, and without discounting. Men accustomed to looking great disasters in the face are now adjusting the losses so that they may be paid as soon as possible."

Rolla V. Watt said that the insurance men were farther ahead in their work than were the banks, and that the estimated losses of \$200,000,000 were being handled and adjusted faster than were the losses in the Chicago, Boston and Baltimore fires.

REQUEST UNREASONABLE

Asked as to why the insurance companies did not publish a list of their losses, Mr. Watt replied: "That would be as unreasonable as it would be to ask the banks to publish a list of their creditors and customers, and, besides, it would entail a vast amount of extra labor at this time. We cannot give any information regarding many policies that were burned, but every person who held a policy may rest assured that the underwriters will deal honestly and fairly with the holder in the final settlement."

F. J. Devlin followed Mr. Watt, and stated that many of the insurance companies were handicapped in accommodating their clients with information because of the destruction of records. "This is a time for patience and not for criticism," remarked Mr. Devlin. "The insurance companies, with perhaps one or two exceptions, will pay every dollar they owe. Insurance men, in fact, will be called upon to rebuild San Francisco, and property owners should exercise patience while claims are being adjusted."

The property owners' committee was given to understand that the Fire Underwriters' Adjusting Bureau would open a branch office in the ferry building next Monday, where general information would be furnished. The committee was told that the reason the underwriters had established themselves in Oakland was because they could not secure the necessary office accommodations here.

PERMITS TO REMOVE DEBRIS

Persons desiring to remove debris from their premises are advised by the underwriters to first go to the representatives of the companies in which they are insured, explain the situation and be governed by the instructions given them. The following losses were taken up by the general adjusting committee of the Fire Underwriters' Adjusting Bureau yesterday, and the companies named were designated to furnish men to adjust the losses: California Theater—Commercial Union Caledonian, Williamsburg City, Mechanics' Pavilion—Northern, Hamburg Bremen, Norwich Union. Emporium—London and Liverpool and Globe, Globe and Rutgers, London Lloyd, Providence—Washington, Allegheny. General Electrical Company—Union, Springfield, Northern. Seller Bros., 101 Market street—At-

las, Royal Exchange, Pennsylvania. Lillienfeld & Co., Sutter and Kearny streets—Fireman's Fund, German-American, Royal. William, McCormick, 30-38 Sutter street—Phoenix of Brooklyn, Union, Milwaukee Mechanics. Bohm-Bristol Company, 104-110 Geary street—North British and Mercantile, Aetna, Royal. Simmons Manufacturing Company, Fifth and Townsend streets—Phoenix of Brooklyn, Pacific Underwriters, Norwich Union. Andrews' Diamond Palace—Atlas, Hartford, Sun. Westinghouse Manufacturing Company—Phoenix of London, California, Insurance Company of North America. Parcels Safe Company, 216 California street—Traders, Citizens, Atlanta-Birmingham. American Can Company—German-American, Union Assurance. Vermont Marble Company, 244 Brannan street—Traders, Phoenix of Brooklyn, Home of New York. Phelan building—Royal, Home of New York, London and Liverpool and Globe. J. Spencer Turner Company, 53-59 Steuart street—Northern Insurance Company of North America, Milwaukee Mechanics. Olympic Club—Fireman's Fund, Pennsylvania, Phoenix of London. Charles Kellus & Co., 120-32 Kearny street—Union, Aetna, Sun. Callaghan Estate Company, Market and McAllister streets—Phoenix of Brooklyn, Union, Sun. Central Light and Power Company—New York Underwriters, Union, Rhine and Moselle. Martel Power Company, 145-49 Fremont street—National Union, Continental, Springfield. Pacific Coast Paper Company, 206-208 Battery—Calumet, Home of New York, Orient.

INSURANCE COMMISSIONER DENIES CHARGE OF BRIBERY

John A. Shaughnessy Accused W. F. Bechtel of Having Sworn Falsely on Witness Stand.

ST. PAUL, Minn., May 14.—The Pioneer-Press today printed a statement of Fire Insurance Commissioner John A. Shaughnessy, who is charged by W. F. Bechtel, in testimony given before the latter at his trial for misusing the funds of the Northwestern Life Insurance Company, with having accepted a bribe of \$5000 to suppress an unfavorable report regarding the condition of the company.

Shaughnessy makes emphatic denial that Bechtel paid him \$5000 or any other sum for suppressing the report. Shaughnessy says he asked to be allowed to be sworn in as a witness for Bechtel, but that the prosecution refused, on the ground that it did not wish to have the real issue obscured by the introduction of the alleged bribery. Shaughnessy says he was inspired by revenge, as the latter held him responsible for the investigation which culminated in Bechtel's resignation of the presidency of the insurance company.

KANSAS BANK WRECKER LANDS IN PENITENTIARY

Henry M. Goll Commences Serving Ten-Year Sentence for Embezzling Funds of Milwaukee Institution. Leavenworth, Kans., May 13.—Henry M. Goll, former cashier of the First National Bank at Milwaukee, recently found guilty of misappropriating the funds of that institution and making false entries, and sentenced to ten years in the United States penitentiary at Fort Leavenworth, arrived at the prison today. Goll appeared perfectly cool when he entered the prison gates and remarked that he was glad the trial was over. Warden McClaughy said he would assign the prisoner to do clerical work. He may work in the same department with Frank G. Bigelow, former president of the First National, now serving ten years for his part in wrecking the bank.

Incappacitated Through Old Age

BUDAPEST, May 13.—Right Rev. Sigmond Budich, former Bishop of Kaschau, one of the richest sees in the monarchy, who recently was forced to relinquish his sacred office because of large infirmities, has been placed under legal guardianship because of the mental incapacity due to old age. His secretary and an art dealer, who it is alleged induced the Bishop to part with large sums of money, are being prosecuted.

DIRECTORS WILL PAY THE LOSS

Traders' Insurance Company to Reimburse Policy Holders.

Dollar for Dollar Will Be Given on San Francisco Risks.

Receiver to Be Dismissed When Full Settlement Is Made.

CHICAGO, May 14.—At a meeting of the directors of the Traders' Insurance Company, which passed into the hands of a receiver a short time ago because of the losses of the company in the fire at San Francisco, it was decided to pay the losses, dollar for dollar, was soon as the directors show the court that the losses have been paid the receiver is to be dismissed and the company will be continued in business.

PHILADELPHIA, May 14.—The Pennsylvania insurance companies, nine in all, have submitted statements of their condition and showing an aggregate loss in San Francisco of \$7,460,250.

CALIFORNIA CHINESE TO FIGHT TO KEEP THEIR REGISTRATION

Los Angeles Attorney Retained by Wealthy Celestials to Readjust Matters of Grave Importance.

Burning of Certificates in San Francisco Fire Affects More than 25,000 Orientals.

LOS ANGELES, May 13.—The California Chinese are to make an effort before the highest authorities in the land for complete registration of their people. It is said that George L. McKeey, former Assistant United States Attorney, especially among the Chinese, has been called upon to assist the wealthy Celestials in their efforts. McKeey is to leave for Washington in a few days to lay the entire case before President Roosevelt.

Seen at his Hollywood home this afternoon McKeey neither denied nor affirmed that he had such a mission in contemplation. "I will say, however," he remarked, "that the burning of thousands of certificates in San Francisco makes a very serious problem not only for the Chinese themselves, but for the Federal officials as well, who must spend millions of money in straightening out this problem unless some radical measure is taken for its relief."

The contention of leading Chinese is that more than 25,000 certificates of registration, a great part of which are not duplicated in Washington, were destroyed in the fire which leveled the great Chinatown in the ill-fated city. Many of the Chinamen are bordering on panic, for they realize that should their right to be in the United States be questioned they have nothing to show their legal residence. For months to come any Chinese who has a possible knowledge of English and American customs will claim, on arrest, that his certificate was destroyed in San Francisco. The problems that now confront the immigration officials are practically endless.

The registration now in effect was made twelve years ago. The Chinese themselves claim that this was imperfect and in some respects on a wrong basis.

Brazilian Diplomats in West

SEATTLE, May 14.—Joaquin Nabuco, the Brazilian Ambassador to the United States, reached this city tonight on a pleasure trip for the country, which culminated in his departure to attend the Pan-American Congress to be held in Rio Janeiro in July. In the party with him were Vicente D'Almeida, Portuguese Minister; Colonel A. de Fedelesca, Brazilian attaché, and Harry Bastianelli, the Ambassador's secretary. The party is accompanied by and are guests of ex-Congressman R. C. Shannon.

Michigan Lumberman Dies. PASADENA, May 14.—Grove H. Antrim, a wealthy lumberman of Grand Rapids, Mich., died at his winter home, 685 East Colorado street, early this morning. He was 37 years old and leaves a widow and three children.