

SENATE PASSES MEASURE RELATING TO HIGH SCHOOL FUND

Bill Will Greatly Assist the Public Educational Institutions of San Francisco.

Controller Is Asked to Furnish a Statement as to Diminutions of Assessment Values.

SPECIAL DISPATCH TO THE CALL.

SACRAMENTO, June 6.—The San Francisco delegation's bill providing for the reappointment of the High School fund was passed by the Senate today upon motion of Keane. This bill will greatly aid the San Francisco School Department, for it provides for the appointment of one-third of the school fund on the basis of number of schools and teachers and two-thirds on a basis of average daily attendance.

The bill authorizing School Trustees to compromise litigation growing out of the late disaster, without recourse to the courts, also passed. This bill will enable the settlement of many claims growing out of damage to schoolhouses in course of construction.

Belshaw of the finance committee reported favorably on three bills appropriating \$2,000 for the Home for Feeble-minded, \$25,000 for the Mendocino hospital and \$25,000 to Agnew.

A telegram from Congressman E. A. Hayes was read by Lieutenant Governor Anderson, informing the State that the Congressional conference report

appropriating \$1,500,000 for new army buildings at Fort Mason had been agreed to.

Shortridge called for action on his resolution appropriating a contingent fund of \$25 for each member. "I can borrow enough for my needs," said Shortridge, "but I want to look out for these timid members that need the money."

"The resolution is in committee, and the committee has ten days to report," responded the presiding officer. "You cannot reach it without suspending the rules."

"If that is the case, I think I will canvass the situation a little," answered Shortridge, and everybody laughed. The committee, however, reported back the bill without recommendation.

Shortridge then moved the adoption of the resolution, supporting his motion with a witty address. Belshaw opposed the motion, but it passed while the gallery applauded.

"The constitution gives us this \$25," said Shortridge; "the constitution is good enough for me."

Carter introduced a resolution calling on Controller Colgan to furnish the Senate a statement as to the diminution of the assessment value of the property of the State. Lukins informed the author of the resolution that Mr. Colgan had informed him that after carefully considering the question and noting increased values throughout the zone not affected by the earthquake it was his opinion that the decrease would not exceed \$150,000,000. However, the resolution was adopted, and Colgan will officially report his views.

The Senate finally passed the committee substitute for bill 64, providing for the maintenance of action in rem by property owners to quiet title to their holdings where the records have been destroyed. This is one of the important measures before the Legislature.

The San Francisco delegation bill authorizing Justice courts to stay executions of any judgment in the case of forcible entry or unlawful detainer for a period not exceeding ten days was passed this afternoon.

WILL HONOR ALL ITS POLICIES

EVERY CENT TO BE PAID SAYS EVANS

Continental's President Is Desirous of Having Clean Record.

Right in the midst of the excitement in San Francisco about the actions and attitude of the insurance companies in reference to fire losses notice has been received by insurance Commissioner Wolf that a new corporation, to be known as the Fidelity Fire Insurance Company of New York, is in formation that will do business in this State. The authority for this statement is Henry Evans, president of the Continental Insurance Company.

The last named corporation is a loser to a large amount by the San Francisco fire. The new corporation, so Evans writes to Commissioner Wolf, will be formed by stockholders of the Continental. They are evidently of the opinion that there is money in starting a new insurance company with a clean sheet in view of the doubling of rates due to the losses at San Francisco.

"Continental stockholders," so writes Evans, "have decided to form a new fire insurance company, and the preliminary steps looking to the formation of a company with \$1,000,000 capital, \$1,000,000 of surplus paid in and an additional sum of \$500,000 to be placed to the credit of the reinsurance reserve fund, are being taken. We hope to have this company in the field by the first of July. Its management will be under the direction of the writer."

WILL PAY EVERY CENT.

This announcement will be of much interest to the policy-holders of the Continental, the formation of a new company, as it is understood here, does not mean that the Continental stockholders are prepared to reinsure their risks. On the contrary, in a letter addressed by Evans to Charles F. Harsh, the Pacific Coast representative of the Continental Company, Mr. Evans gives instructions to pay the Continental policy-holders 100 cents on the dollar. The letter of instructions has been sent to the National Fire Insurance Company, in part Evans writes regarding payments:

"The Continental is a solvent company and we want to pay every honest claimant 100 cents for every dollar that we owe him. We would rather pay him 101 cents than 99 cents. If we are in any case entitled to any reduction because of an earthquake damage it is perfectly proper to demand it, because our policy does not cover other than the fire loss."

"Under no circumstances, no matter what any other company does, or what all the other companies will do, will the Continental force a settlement that is not fair to our policy-holders. We do want to be associated with any loss committee which has for its purpose or intention such settlements as you say are being advocated. Every effort is being made by the Continental to reach our policy-holders on the coast having claims to make against this company."

ALLEGED CONSPIRACY.

In the statement that Evans refers to are the following allegations that are set forth in a letter, of which a copy has been sent to Commissioner Wolf:

"It was freely stated in a meeting of Eastern men held at Hatfield's office that in no event would the policies be in several companies, among whom the loss is apportioned in accordance with the faces of policies. Small property owners seldom have any one policy carried by more than one company, because of the difficulties and delays in adjustments where more than one underwriter is concerned, and because insurance companies do not take the trouble to solicit the small and scattered business of such owners."

Consequently the adjusters from the East will continue to deal in their individual capacity with the thousands of small homes, household furniture, etc., and the joint meetings of adjusters at the fire building will be occupied with large matters almost exclusively. The large owners are men of business and are not easily cajoled or deceived. They will be in the position to make and unmake the reputation of underwriters on the record of the adjustments reached in their losses. The pathetic scenes that may be daily viewed about insurance offices in this city and in Oakland, where widows and men of small means meet with scant courtesy, will not be repeated at the fire building.

(None the less will interest be attached to the hearings, any one of which will involve thousands of dollars, to be expended in new buildings, in new stocks of goods and in the business future and development of San Francisco.

TRADERS' CASES MAY GO TO COURT

Rehabilitation Talk Declared by Attorney Bates to Be Bosh.

Special Dispatch to the Call.

CHICAGO, June 6.—Thomas Bates, who investigated fire insurance conditions in San Francisco for some of the stockholders of the Traders' Company, which is in the hands of a receiver, and who returned yesterday, advises his clients to "hold on to their money."

"Hearing that Commissioner Wolf had called a meeting of policy-holders," Bates said, "I attended and laid before them a tentative offer of the stockholders. I said if 90 per cent of the company's creditors there would accept 60 per cent of their claims, I would take the proposition back to my clients. The sentiment seemingly was strongly against such a compromise."

"Commissioner Wolf and others appear to have the impression that the California law holding stockholders liable for the full amount of the loss could be made to apply to an Illinois corporation. I believe they are in error in this."

"Talk of rehabilitating the Traders is bosh. There appears to be no course left but for the claims to be fought out in the courts. It was to avoid this expense, I believe, largely, that I sought the compromise."

paid regardless of what the loss was, one of the representatives even going so far as to say that if the loss was \$10,000 and the insurance only \$1000 his company would not pay the \$1000 unless forced to do so by the action of other companies. And another made a warm speech saying that the companies should stand together and complain and sue the stockholders, rather than their object in doing so being to force some of the smaller companies to the wall, and that the larger companies should stand in with the smaller ones and enable them to get compromise settlements on all their policies."

Commissioner Wolf says that a great many losers by the San Francisco fire have not filed their proofs of loss. He expresses great surprise that they are negligent in this regard, for they place their rights under their policies in jeopardy needlessly.

WILL WATCH COMPANIES.

Oakland Chamber of Commerce Will Scrutinize Settlements of Insurance Concerns.

OAKLAND, June 6.—Insurance companies and their methods of dealing with and settling the fire losses of San Francisco claimants are to be closely watched by the local Chamber of Commerce. That organization has made known its attitude in the matter by the adoption of the following:

"Whereas, The adjustment any payment of losses caused by the conflagration of June 4, 1906, in San Francisco has been unduly delayed; be it

Resolved, That a special committee of three be appointed to report to the Merchants' Exchange the names of all insurance companies that are causing delay and inconvenience in the settlement of losses in the recent disastrous fire in San Francisco.

President Harry Williams of the Merchants' Exchange, the late named Director A. H. Schuster, D. C. Brown and Wilber Walker as a committee to ascertain and report upon how the various insurance companies are dealing with their clients in adjusting and paying claims.

Of the six big German companies that carried insurance in San Francisco all were hard hit. The firm that came through with the lightest loss was the Prussian National, the Habilitates and the Prussian National. Theodore W. Letton, Pacific Coast manager of this company, is at present in New York. It was given out today at the office of the Prussian National, 321 Broadway, that the company is to pay its losses on an equitable basis as any other company and that it would remain in the Pacific Coast field, which it entered twenty-five years ago. The management of the Prussian National advises that policy-holders be patient and deal reasonably and fairly with the company, and in this way they will bring about a settlement that will be satisfactory to all parties concerned.

Judge James Nicholls, president of the National Fire Insurance Company, has arrived from the East to take a hand in directing the local affairs of the corporation and advise its representatives as to the plan to be pursued in settling the San Francisco losses of the company. The Pacific Coast department of this company was until recently managed by George D. Dornin, who retired from that position ten days ago, giving as his reason that he could not conscientiously demand of policy-holders that they accept a horizontal cut of 25 per cent in the amounts of their policies, this cut having been ordered by the directors. When the local management of the local management H. A. Smith, assistant secretary of the company and a son-in-law of Judge Nicholls, was sent from the East to assume charge. The offices of the company have been removed from 111 Broadway to rooms 5 and 7 in the Webber House on Twelfth and Franklin streets, Oakland.

ATTORNEYS BELIEVE THEY SEE A JOKER IN THE BILL RELATING TO NEW TRIALS

Fear If It Becomes a Law It Will Result in Miscarriage of Justice in Several Cases Pending in Courts.

SPECIAL DISPATCH TO THE CALL.

SACRAMENTO, June 6.—Lawyers from San Francisco and local attorneys are throwing rhetorical bricks at Assembly Bill 13, introduced by Treadwell, providing for the disposition of actions in which the record of the proceedings upon the trial has been lost or destroyed.

The bill provides that whenever the reporter's notes of the proceedings upon the trial of any action or proceeding are lost or destroyed, without the fault of the parties thereto and no transcript thereof or bill of exceptions or statement of the case containing such proceedings exists, and such action or proceeding is under submission, or partly tried, or subject to review by motion for new trial, or appeal pending at the time of such loss or destruction, and it is by the court in which such action or proceeding is pending deemed impossible or impracticable to restore such proceedings so as to enable the court to decide such action or proceeding or to review the judgment or order therein by motion for new trial or by appeal, the court may set aside the submission of such action or proceeding if the same be under submission, or vacate the proceedings therein, if the same be partly tried, and may grant a new trial of such action or proceeding if at the time of such loss or destruction a motion for a new trial be pending therein, and may reverse the judgment or order and grant a new trial of such trial or proceeding if the same be subject to review on appeal then pending, and such action or proceeding shall thereupon be tried anew.

"How easy it would be," said a San Francisco attorney this morning, "for the memory of the trial court, providing for a new trial only in event counsel refuse to stipulate and the memory of the court fails."

fault of the parties to the action." "But this is not the gravest phase of this bill. Among the notable cases in San Francisco that would forthwith fall within the lines of this bill are the Davis will contest, which cost \$100,000 to try and which was in process of appeal when the fire occurred, the Monnier will case, in which a disinherited son secured justice, the Talbot maintenance case, in which Mrs. Talbot secured a preliminary decree, and many others. In the Davis will case the original and probably most of the copies of the exemplars have been destroyed and the witnesses scattered by the calamity. Obviously it would be practically impossible to try this case. A better law to fit all these cases would be to settle the bill of exceptions through stipulation of counsel, aided by the memory of the trial court, providing for a new trial only in event counsel refuse to stipulate and the memory of the court fails."

Resolved, That we are at a loss to understand the real object of the action so far taken, and therefore appoint a committee of five to confer with the owners and obtain such explanation from them regarding their purposes and desires as they are willing to give.

MUST IMPROVE BUILDINGS.

Chicago Inspector Pays a Visit to the Packing Plants.

CHICAGO, June 6.—The Chicago packers have inserted in all of the daily papers of this city a full page advertisement and an order to the effect that they will inspect their plants and by means of a personal inspection satisfy themselves regarding the purity and wholesomeness of their products and the cleanliness and sanitary condition of the buildings. The invitation is extended to everybody in the United States, and particularly to the residents of Chicago and vicinity.

Building Commissioner Barzen and twelve deputy building inspectors went to the stock yards today to make an inspection of every building in the place. The Commissioner declared before leaving the City Hall that he would correct the violations of every violation of the building ordinances that might be found.

The first place visited was the hog plant of one of the large packing houses and it was found that the stairways and fire escapes were not sufficiently ample for the number of the employees, and the owners of the plant were instructed to put from one to two stairways in each building of this class. They promised to do so at once.

Commissioner Barzen personally went to the hog killing department of one of the large packing houses and described the conditions he found there as "filthy and dirty."

To Cure a Cold in One Day
Take Laxative Bromo Quinine Tablets. Druggists refund money if it fails to cure. E. W. Grove's Big, on each box, 25c.

GREAT BATTLE IS EXPECTED IN THE LEGISLATURE

Continued From Page 1, Column 3.

of the city of San Francisco for two years. It has been published that this bill is in the interest of the manufacturing, commercial and mercantile and property classes of this city. To our certain knowledge we are positive the measure in question has excited general condemnation. The property classes of this city are opposed to any contemplated changes in the avenues and streets of the business district. It will prevent the quick rebuilding of this city and the rehabilitation of San Francisco's commercial supremacy. This act ties the hands in every direction and all commercial and manufacturing enterprises.

Above all, we protest against the Senate and Assembly surrendering their just rights in the supervision of legislation for the city and county of San Francisco. The supervision in normal times has been wise, and now in this crisis we see no reason why our State representatives should not continue to take the same interest in the city whose water front the State owns and controls. We, therefore, respectfully request that the act for the suspension of the San Francisco charter be not passed.

John F. Boyd, chairman committee; Parrott & Co., Davis Estate Co., John M. Curtis, L. F. Morrow, Walter E. Knight, George D. Toy, the Johnson-Locke Mercantile Co., Frank S. Johnson, J. M. Rothchild, Boyd Estate Co., South Estate Co., Starr estate, Adams estate, A. A. Moore Jr., Matt L. Sullivan.

intendent Roncovert of San Francisco, have agreed on the rate of average daily attendance of children of the public schools of San Francisco on which to base an appropriation of \$350,000 of the rate of daily attendance last year over that of the year before was 4 per cent, and this has been chosen as a basis for the new appropriation.

Oliver, from the partial records of the school department that escaped destruction and Superintendent Roncovert's records figured that the rate should have been 5 per cent. This was taking into consideration the growth in the attendance at the public schools, which increased remarkably during the last winter. Superintendent Kirk, however, was in favor of a lower rate, and appeared before the committee on education of the Assembly to uphold his view. Oliver, however, presented him with the records secured by Roncovert, together with the increase in the average attendance for the last ten years and a compromise was reached.

As the recommendation of the State Superintendent will be accepted by the committee, it is assured that this year's appropriation will exceed last by a 4 per cent increase.

in the purchase of such sites and the erection of such buildings. Of this amount \$300,000 is to become available on July 1, 1906.

Will Oppose the Measure.

SACRAMENTO, June 6.—While the committee on constitutional amendments is still considering the measure providing for new powers to be granted the Supervisors of San Francisco members of the Assembly from districts outside the city of San Francisco are openly announcing their intention of opposing the measure when it shall be reported. Members of the Assembly a telegram requesting that the words "conduits and wires" be stricken out of the amendment and affirming that it means confiscation of the company's property.

AGREE ON THE ATTENDANCE.

School Officials Secure Slightly Increased Appropriation for City.

SACRAMENTO, June 6.—After several days of uncertainty State Superintendent of Public Instruction Kirk, and D. H. Oliver, representing School Super-

intended Roncovert of San Francisco, have agreed on the rate of average daily attendance of children of the public schools of San Francisco on which to base an appropriation of \$350,000 of the rate of daily attendance last year over that of the year before was 4 per cent, and this has been chosen as a basis for the new appropriation.

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Formerly of 118 Sutter st. and 65 Geary st., now running full blast at 1818 Divisadero st., near Bush. Their stock of watches, diamonds, wedding rings and presents of all kinds are invaluable souvenirs saved from the great fire of April 15.

Would Bar Women From Mines.

LONDON, June 6.—The seventeenth miners' international congress at its session today adopted motions demanding the passage of laws totally prohibiting the employment of women in the mining industry, the employment of children under 14 years of age and the employment of boys under 16 years of age in underground work. These motions were supported by the American delegates.

HOUSEHOLD GOODS
Complete stock of Enamelled Ware, Kitchen Utensils, Tinware, Ice Cream Freezers, Coffee Percolators, Refrigerators, etc.

PAINTS, VARNISH, ETC.
Sherwin & Williams' Mixed Paints, Furniture Stains, etc., in cans of all sizes.

SPORTING GOODS
Fishing Tackle, Rods, Guns, Ammunition, Camping Supplies and Athletic Goods of all descriptions.

HARDWARE
Contractors' and Builders' Supplies, Mechanics' Tools and General Hardware. We have the most complete stock in the city.

All goods are sold at the old prices, and we can offer you prompt service and polite attention from experienced salesmen.

CROCKERY AND GLASSWARE
Plain Porcelain and Semiporcelain Dishes in complete sets or single pieces. Glasses, Pitchers, Creams and Sugars, etc. Exactly what you want for everyday use.

STOVES AND RANGES
Garland and other Gas Ranges and Water Heaters, Stoves, Steel Ranges, Gas Plates, etc. We have style and sizes to please the most exacting. We can install and connect all stoves promptly.

CUTLERY AND TABLEWARE
Knives, Forks and Spoons in large variety of styles and prices from the very cheap to the finest silver-plated goods which rival the Sterling silver designs. Carving Sets, Pocket Knives, Razors, Shaving Outfits and Supplies.

LOGE HOLDS BUSY SESSION

Special Dispatch to the Call.

SANTA CRUZ, June 6.—At the morning session of the Grand Lodge of Odd Fellows a telegram of greeting and sympathy was read from the Grand Lodge of the State of Washington. An amendment to the constitution was adopted by which the Grand Lodge may hold its annual session outside of San Francisco if it is so decided. Heretofore it has been imperative that the session be held in San Francisco.

The following special commissioners were appointed:

On Odd Fellows' Cemetery Association.—T. H. Selvaige, Fortuna; E. E. Katz, San Bernardino; Joseph Foster, San Diego; Frank W. Lovey, Hollywood; George Parley, St. Helena.

On death of James F. Thompson, Past Grand Master, and grave of L. L. Alexander, Past Grand Master.—George F. Roesch, San Francisco; Edwin Taylor, San Diego; George Parley, St. Helena; E. J. Baldwin, Los Angeles; A. M. Brand, San Francisco.

On honored dead.—W. A. Conn, Fresno; James Fleming, Token Lodge; Charles Ward, Pasadena; P. Brown, Four Creeks; C. A. English, Santa Clara.

On resolutions.—William H. Barnes, Unity Lodge No. 181; L. L. Dennett, No. 14; William Nichols, Olive Lodge No. 14; George Parley, St. Helena; John Gleason, San Francisco.

Los Angeles was chosen as the next meeting place of the Grand Lodge.

Grand Master W. W. Phelps, Grand Chaplain E. J. Baldwin, Past Grand Representative J. W. Linscott addressed and brought fraternal greeting to the Rebekah Assembly. The question of erecting a monument to the memory of Past Master L. L. Alexander and resting monuments in the Odd Fellows' cemetery was referred to the Grand Lodge standing committee.

The secretary, treasurer and Trustee of the Orphans' Home gave encouraging reports.

The subordinate lodge degree was exemplified tonight by the Merced lodge.

At the Rebekah Assembly the report of Grand President Mrs. Kastenstein was read this morning. She reported during her term of office a net gain of 1624 and a total membership of 26,331 and twelve new lodges instituted.

Militia Puts End to Rioting.

DILLONVILLE, Ohio, June 6.—The militia in full control of the situation in the mining district around Bradley, Smithfield, Plum Run and Dillonville, and no further trouble is expected.

RETAIL & CO.
SUCCESSIONS TO C. H. PHILPOTT CO. AND OLYMPIC ARMS CO
Southeast Corner Van Ness Avenue and Turk Street

NEW TENT FOR SALE. Size 60 feet by 160 feet. Can be set up in 110 feet or 60 feet lengths. :: :: ::

STORES FOR RENT

SPECIAL INDUCEMENTS TO DESIRABLE TENANTS

Fine corner store, 36 feet on Market Street by 75 feet on Van Ness Avenue. Also inside space, 75 feet on Market Street, for rent as a whole or in part.

Two stores, 25 feet front, Van Ness Avenue, between Market and Fell Streets.

The new retail and civic center. Rents reduced. Immediate delivery light running WHITE sewing machines, famous WHITE steam cars. Our garage and machine shop running full capacity.

White Garage Building
Van Ness Ave., Market & Fell Sts.