

Cases Under the Domination of Schmitz and Abe Ruef

Theater Managers Appear Before Grand Jury

It was matinee day yesterday in the Grand Jury investigation. Actors, managers and booking agents of the local theaters were called as witnesses. It was shown that, with one exception, none of the places of amusement comply with the building laws or fire ordinances.

It also developed that Ruef or a close personal friend of his holds an interest in almost every playhouse now in operation in San Francisco. While no manager would admit that he paid money to Ruef, it was stated by witnesses that the financial influence exercised such a powerful control over the theatrical business in the city that no enterprise could hope to succeed if it incurred the enmity of Ruef. The Grand Jury will continue to inquire to learn how these interests of Ruef secured their interests in local theaters.

Twenty witnesses were summoned yesterday and fourteen gave testimony. Among those who took the stand were two young women, Gertrude Plumb of the National Theater, and Miss Reselle of the Novelty Theater. Neither one could furnish evidence of importance, but they smiled pleasantly upon the jurymen and gave cheer to what was otherwise a dismal day.

It was brought out that Charles Leonard, an administration pet, owns stock in the Novelty Theater; that Zick Abrams, whose poolrooms at Ellis and Powell streets long ran by grace of administration favor, owns 50 percent of the shares of the National, and it will be shown later that Marcus Blum, the Mayor's messenger, owns an interest in the Empire. The developments of yesterday explain why the theatrical managers will oppose each other in their desire to supply talent for the Schmitz reception at Dream-land skating rink.



MAYOR IN CONTROL

Jury Considering Another Witness Techau Tavern Hold-Up Against Mayor's Brother

The testimony taken yesterday would indicate that Mayor Schmitz and Abe Ruef had a theatrical trust of their own in San Francisco. After the fire the Mayor took upon himself the sole power of granting theatrical permits. Others might build as they desired, but the theatrical managers had to consult the Mayor. Schmitz carefully went over the plans of every amusement enterprise. He inquired as to the stockholders, the amount of capital invested and acquainted himself with every detail of each proposition. To only the favored few, however, did he give the stamp of his approval.

After such approval the theaters blossomed forth and in their directorates were, generally very close friends of the administration. Tombs, Shanks and any old thing did for a theater as long as the Mayor was satisfied. These building permits were temporary and revocable at any time, but none of them have been canceled.

C. W. Kolb and Max Dill were among the witnesses yesterday. They stated that they had no interest in the Central Theater, where they played, but appeared on a percentage agreement. All was questioned at length, as in the troublesome case of the roof.

"What do you know about the roof?" he asked.

"Abraham or the one on top of the theater?" he inquired.

He later explained that the management had begun the construction of an iron roof, but was constantly interrupted in the work by President Duffey of the Board of Public Works. After it became known that the Grand Jury intended to investigate the roof, the work was interrupted. M. M. Dodge and E. E. Howell, proprietors of the Central Theater, corroborated this testimony. They added that they had never paid Ruef for protection. Both stated that they had heard that other theatrical men were held up.

E. Friede and Mrs. Friede of the Mission Theater denied that they had paid tribute to any one.

STOCK FOR RUEF'S FRIEND

Archie Levy, a booking agent, who is connected with Sam Lovich and Tony Lubelski of the Novelty and Lyric theaters, also gave testimony. He was followed by Lovich, Lubelski and J. E. Dally, auditor for the Novelty and Lyric. The books of the Novelty Theater were produced and a close scrutiny made to learn how the profits had been distributed. In the Novelty Company are 25,000 shares of stock. Of this, 23,000 shares are held between Lovich and Lubelski. The other 2,000 are owned by a man named Lust and Charles Leonard.

The Grand Jury was not fully satisfied, and will resume the investigation on this point next Tuesday. Leonard, Pierce's remedies.

Bad Stomach Makes Bad Blood.

You can not make sweet butter in a foul, unclean churn. The stomach serves as a churn in which to agitate, work up and integrate our food as it is being digested. If it be weak, sluggish and foul the result will be torpid, sluggish liver and bad, impure blood.

The ingredients of Dr. Pierce's Golden Medical Discovery are just such as best serve to correct and cure all such derangements. It is made up without a drop of alcohol in its composition; chemically pure, triple-refined glycerine being used instead of the commonly employed alcohol. Now this glycerine is of the highest quality, instead of a deleterious agent like alcohol, especially in the cure of weak stomach, dyspepsia and the various forms of indigestion. Prof. Finley Ellingswood, M. D., of Bennett Medical College, Chicago, says of it:

"In dyspepsia it serves an excellent purpose. It is one of the best manufacturing products of the present, and its action upon enfeebled, disordered stomachs, especially if there is necrosis or catarrhal conditions of the mucous membrane, is a most efficient preparation. Glycerine will relieve many cases of pyrosis (heartburn) and flatulence, and also of chronic indigestion, especially the flatulent variety, and in certain forms of chronic constipation, stimulating the secretory and expulsive functions of the intestinal glands."

When combined, in just the right proportions, with Golden Seal root, Sigsbee's root, Black Cherry bark, Queen's root, Bloodroot and Mandrake root, or the extracts of these, as in Dr. Pierce's Golden Medical Discovery, there can be no doubt of its great efficacy in the cure of all stomach, liver and intestinal disorders and derangements. These several ingredients have the strongest endorsement in all such cases of such eminent medical leaders as Prof. R. H. Barlow, M. D., of Jefferson Medical College, Philadelphia; Prof. Robert A. Hare, M. D., of Medical Department, University of Pennsylvania; Prof. Lawrence Johnson, M. D., of Cornell University, New York; Prof. Edwin M. Hale, M. D., of Hahnemann Medical College, Chicago; Prof. John M. Scudder, M. D., of the University of California, San Francisco; and others, and the leading medical men of our land can not doubt the curative virtues of a medicine the ingredients of which have such a professional endorsement.

Constipation cured by Doctor Pierce's Pleasant Pellets. One or two a dose.

All Jurors Prove That They Have No Bias

That there was no anti-administration sentiment in the Grand Jury, nor any secret oath taken to preserve inviolate the proceedings of that body was proved on the sworn testimony of the members at yesterday's hearing before Judge Lawlor of the cases of Supervisor F. P. Nicholas, accused of agreeing to take a bribe from Holmes Bros., furniture dealers, and Peter N. Duffy, indicted on a charge of perjury. Attorney H. C. Fairall of Stockton for the defendants fished with avidity to catch a snag in the indictment, but each juror declared that he had heard the cases free from bias.

The spirit of the jury was shown in the testimony of Jeremiah Deasy. "I felt going on the jury," he said, "I felt that I would be pleased to find that the things said against the administration were not true. I would have liked to have seen the good name of the city saved—as sure as I am sitting on this chair."

An attempt was made by Attorney Fairall to discover if some blood-curdling half-curing oath was not demanded of the jurors within the dark, mysterious precincts of their jury chamber—an oath not provided for in the codes—which was to bind the jurors not to divulge what transpired at the sessions of the jury. He asked of Foreman Oliver: "Were there any additional oaths taken by the grand jurors in the Grand Jury room besides the regularly administered oath in the court when the jury was impaneled?"

Assistant District Attorney Henry interposed a technical objection on the ground that the question was not relevant, competent or material. Judge Lawlor overruled the objection and Henry replied:

"No," replied Oliver.

"No oath was taken by the jurors not to divulge what transpired in the jury-room."

"No, sir," declared Oliver emphatically.

"Was there not an agreement that if any member should divulge anything the jury would indict him?"

"No, sir."

Expedition was given the proceedings by the stipulation voiced by the defense that it would agree to the testimony taken in the examination of the grand jurors on the Nicholas case should apply to the Duffy case. The attorneys finished with the grand jurors in the morning, and the court held the time for hearing arguments in abeyance. Monday morning was first decided on, but then it was recalled that the Schmitz and Ruef cases will require the presence of the attorney in Judge Dunne's court at that time.

When the court opened yesterday morning Attorney Frank J. Murphy, for the defense, moved that the typewritten transcript of the report of the impaneled of the jury be submitted with the case. It was agreed that arguments on the motion be continued until some future time.

Henry then called Grand Juror James E. Gordon to the stand. The witness said that he had never agreed to act as a juror until the day before the indictment was brought, and that in bringing the indictment he had acted solely on the evidence presented.

It was a matter of concern to Fairall that E. J. Gallagher, the next juror examined, should have been in the contracting business and never have spoken to Rudolph Spreckels, nor have negotiated any contracts with Spreckels. E. J. Gallagher declared that he had not known Spreckels, and he considered the case at issue in a manner free from bias.

Jeremiah Deasy was next called. Fairall was particular to know if on the night on which District Attorney Longton was removed by acting Mayor Gallagher he did not go to the house of his son, who is in the Bond and Warrant Clerk's office, and walk with the son at 2 o'clock in the morning to the office. Deasy answered that he did, that he had been called up on the telephone to inform his son of Longton's removal and to request his attendance at the office at once. Fairall was curious to know if Deasy had not talked of municipal corruption while with his son at that time. The witness said that he had not.

"Did you not express an opinion as to the administration at that time?"

"Well, I didn't think it was a good administration," replied Deasy. Then he continued to state that when he was on the Grand Jury he had desired to give the city's good name, if that were possible in the face of the rumored charges of corruption. He said that he had no bias or prejudice against Nicholas.

Grand Juror Rudolph Mohr testified that he acted impartially in the matter. He was not interrogated by Fairall.

Another fishing journey was made by Fairall when Juror Frank A. Dwyer was on the stand. "Were you and Mr. Mohr not told that if you stood pat on an indictment you would be taken care of?" asked Nicholas' attorney.

"No, sir," emphatically and positively, no, sir," said Dwyer.

After the panel had been examined in the Nicholas matter the Duffy case was taken up and Oliver and G. G. Burnett, secretary of the jury, examined. Their testimony was the same as they gave in the Nicholas case. Attorney Murphy then made the stipulation that the testimony offered in the case of the Supervisor be entered as in the case of the janitor, and this was agreed to.

The fact that Juror Wallace C. Wise had been called as a trial juror within a year was offered by the defense as a reason for invalidating the defense. Wallace played and returned the indictment. Henry contended that the fact that Wallace qualified when the Grand Jury was empaneled was sufficient to establish his right to serve. The question will be argued when the cases are next taken up.



WHAT JOY THEY BRING TO EVERY HOME

as with joyous hearts and smiling faces they romp and play—when in health—and how conducive to health the games in which they indulge, the outdoor life they enjoy, the cleanly, regular habits they should be taught to form and the wholesome diet of which they should partake. How tenderly their health should be preserved, not by constant medication, but by careful avoidance of every medicine of an injurious or objectionable nature and if at any time a remedial agent is required, to assist nature, only those of known excellence should be used; remedies which are pure and wholesome and truly beneficial in effect, like the pleasant laxative remedy, Syrup of Figs, manufactured by the California Fig Syrup Co. Syrup of Figs has come into general favor in many millions of well informed families, whose estimate of its quality and excellence is based upon personal knowledge and use.

Syrup of Figs has also met with the approval of physicians generally, because they know it is wholesome, simple and gentle in its action. We inform all reputable physicians as to the medicinal principles of Syrup of Figs, obtained by an original method, from certain plants known to them to act most beneficially and presented in an agreeable syrup in which the wholesome Californian blue figs are used to promote the pleasant taste; therefore it is not a secret remedy and hence we are free to refer to all well informed physicians, who do not approve of patent medicines and never favor indiscriminate self-medication.

Please to remember and teach your children also that the genuine Syrup of Figs always has the full name of the Company—California Fig Syrup Co.—plainly printed on the front of every package and that it is for sale in bottles of one size only. If any dealer offers any other than the regular Fifty cent size, or having printed thereon the name of any other company, do not accept it. If you fail to get the genuine you will not get its beneficial effects. Every family should always have a bottle on hand, as it is equally beneficial for the parents and the children, whenever a laxative remedy is required.

ROBBER ATTACKS PERHAPS STUDENTS MISS HOEFLER TOOK MIRRORS

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then cornered a Spanish desk in another corner of the room, removing a pile of books on the lid. He got nothing valuable in the desk and then went upstairs to the room occupied by the girl. It was in the bureau in this room where he secured the most valuable of his plunder, the stolen articles including a turquoise and pearl necklace, a necklace of pearls and garnets, a gold locket set with small diamonds, a watch, two gold bracelets, a string of coral beads, two gold rings and three ornamental pins.

SMOKES MANY CIGARETTES

The thief smoked continually while he was in the house. Cigarette stumps were found in nearly every room he entered. In Miss Hoefer's room he left half a package of them on the bureau.

Detectives Dowe and Kessing, who were among the men detailed by Chief of Police Dinan to investigate the robbery, are confident the thief is a convict just released from San Quentin. This man has a half-dozen aliases, but is best known as "Kid" Miller.

Miss Hoefer gives a rather accurate description of the robber.

"The room was not quite dark," she said, "and I could see his features distinctly, but I am sure that he was of slight build and smooth shaven. He was about 27 or 28 years old and of medium height. I remember that he was in his shirt sleeves. He came so close to me that I could see that he had on a light gray or almost blue shirt. I think he must have been either in his stocking feet or wore rubber shoes, as he did not make any noise whatever when he walked. I think I would have no trouble whatever in recognizing him."

"I was of course greatly frightened when I saw him, but I had no idea that he was going to strike me. I could tell from the first blow that the thing he struck me with was made of leather and was loaded with lead or shot. The first blow stunned me for a moment, but I was able to talk to the man immediately afterward and begged him to leave the room. He said he would, but while he was talking and saying that he would hurt me he struck me twice more. When I revived I got out of bed and ran upstairs."

SHOOT RIVAL SUITOR

STOCKTON, Dec. 7.—After quarreling over a woman who occupies what is known as the "Red Ark" on the San Joaquin River about four miles north of Tracy, George Hough shot and probably fatally wounded Al Aldrich today. With two other men they occupied an ark near the red boathouse.

Odd Fellows, Take Notice

If you are an Odd Fellow when it comes to buying cutlery see us. Stoltz's Cutlery House, 1835 Fillmore st., above Sutter.

BRINGS CAPTAIN'S REMAINS—Victoria, B. C., Dec. 7.—The steamer Queen City, from the Vancouver Island coast, arrived today with the remains of Captain L. W. Ross, master of the barkentine Skagit, who was drowned, together with the cook, when that vessel was wrecked on October 25 off Cape Oso. The remains will be shipped to Seattle tomorrow.

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EDITOR W. A. BOYCE DIES SUDDENLY

SPECIAL DISPATCH TO THE CALL

SANTA BARBARA, Dec. 7.—William A. Boyce, one of California's pioneer newspaper men, died in this city at an early hour this morning, after a short illness. Boyce was stricken with paralysis Wednesday morning, and up to the time of his death did not recover consciousness. He was 43 years of age. He was born in Lockport, N. Y., and as a young man was engaged in newspaper work in that town. He came to Santa Barbara in 1876, and spent a year on a ranch near the city. He then went to San Francisco, and for twenty years was connected with The Call, and was for some years its managing editor. Two years ago Boyce went to Los Angeles, and after a brief service with the Herald went to the Times as news editor. He had been living with his parents in this city since the San Francisco disaster, and had been intending to return to that city and again take up newspaper work. Mr. Boyce leaves a widow and two sons.

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SECURE A SITE NOW.

The advent of spring will mean doubly increased values. As a home place or for speculation no property has so many advantages.

WE ARE SELLING AT FIRST FIGURES.

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Jury Considering Another Witness Techau Tavern Hold-Up Against Mayor's Brother

The Techau Tavern hold-up, Ruef's companion graft to the Belvedere scandal, is in the hands of the Grand Jury. That body has the books of the concern and is tracing the course of 30 percent of the stock which the "greediest boss in America" demanded of the owners of the cafe. J. W. Pauson and W. Morrison, managers of the resort before the fire, were subpoenaed before the Grand Jury on Tuesday and brought the books of the establishment. They have not yet been called as witnesses, the jurors desiring to study the documentary evidence carefully and then hear of the extortion from the mouths of the men who were Ruef's victims. Special Agent Burns has traced the stock and the money involved to the hands of Ruef's agent.

The Techau Tavern appropriation by the boss was practically identical to his absorption of stock of the Belvedere, and Myrtle Cerr served as go-between in both cases. The chief difference was that Ruef made the Tavern people give 30 percent of 25 percent of the stock, which was his price in the matter of the O'Farrell-street dive. The Techau Tavern company, after joining with the defunct Thompson Cafe Company, planned to remodel the Mason-street restaurant as a theater and reopen Thompson's restaurant in the Kreling building on Eddy street, which was managed by "Doc" Leahy, now president of the Board of Police Commissioners. The promoters of that scheme were J. W. and Sam Pauson, M. Selig, at one time manager of Joe Gans, the dusky lightweight; Sam Bernard, Captain John Barneson and W. Morrison.

hardt has enjoyed the favor of the administration for a number of years. C. H. Grauman of the National Theater and I. W. Cahen of the Auditorium, at Fillmore and Page streets, completed the list of witnesses.

Ed Ackerman of the Empire, Sidney Grauman and Supervisor Sam Davis of the Davis Theater were present, but were not called upon to testify.

The theater graft will be taken up again next Tuesday. The case of the Baldwin Theater, in which Ruef held up Manager Tiffany for 45 percent of the stock, will be considered next week.

ARRAIGNMENTS POSTPONED

Cases of Ruef and Dinan to Come up Next Wednesday

Judge Dunne yesterday set the arraignment of Abe Ruef and Chief of Police Dinan on the charges preferred against them in the indictments returned last week by the Grand Jury for Wednesday morning at 10 o'clock.

The defendants must answer an indictment charging them jointly with conspiracy against public morals in connection with their interest in the notorious resort at 620 Jackson street. Dinan must also face a charge of perjury based on his testimony given before the Grand Jury concerning this same brothel.

The case against Max Adler, charged with perjury on his testimony concerning the French restaurant graft, has not been set for arraignment by Judge Lawlor, to whom it was assigned.

Another Witness Techau Tavern Hold-Up Against Mayor's Brother

Another witness is ready to state under oath that Herbert Schmitz, brother of the Mayor and former president of the Board of Public Works, fattened his purse on the shame of women at 620 Jackson street. He has been subpoenaed by the Grand Jury and was at Native Sons' Hall yesterday, prepared to testify. He is Chris Gibson, former bartender at the bagnio.

His story was not told yesterday because the jury had turned its attention to the technical graft. Gibson will testify that Herbert Schmitz had a one-fourth interest in the place and frequently visited the resort. He will corroborate in every essential particular evidence given by Paul Heudiar, manager of the bagnio.

Herbert Schmitz, in defense of the family name, has loudly denied that he was interested in the place at all, and declares that he never visited 620 Jackson street. Gibson will swear that he saw him in the infamous place, evincing the liveliest concern over its financial welfare and taking a deep interest in the proceeds of the establishment. Gibson will take a solemn oath that he knows and knew Herbert Schmitz, brother of the Mayor, and could not be mistaken concerning his identity. It was a matter of fact, he will declare, that the brother of the city's chief executive was about the place often.

"No, sir," emphatically and positively, no, sir," said Dwyer.

PANIC WHEN FUSE BLOWS OUT

OAKLAND, Dec. 7.—Smoke pouring from under the forward platform of Eight-street car No. 120 tonight at Eighth and Union streets caused a panic among the passengers and several people were more or less bruised in the scramble to escape from the car. None of the passengers was injured, however, although all were badly frightened. Efforts on the part of the motorman and conductor to extinguish the fire were for a time fruitless, and an alarm was turned in from box 341, at Eighth and Union streets, but before the Fire Department arrived the fire had been extinguished.

The fire was caused by the blowing out of a fuse, which ignited the wood-work of the platform. The damaged car was hauled to the shops.

FOOTPADS DESTROYED BY CITIZEN

OAKLAND, Dec. 7.—B. H. Wyckoff, 2213 Chestnut street, was attacked by two footpads at 11 o'clock tonight near his home. One of the robbers struck Wyckoff on the head with a club, but the victim grappled with his assailant and fought him off.

So hard a tussle did Wyckoff give the highwayman that the second man called off his companion.

The pair disappeared in the direction of Emeryville without getting any plunder. The police were notified.

Piles Cured in 6 to 14 Days

Pazo Ointment guaranteed to cure any case itching, blind, bleeding or protruding piles 6 to 14 days or money refunded. 50¢

DIES FROM INJURIES—Oakland, Dec. 7.

Richard E. Beattie, who on November 23, while employed at a night watchman for the E. B. & A. L. Stone Company at Livermore, was struck on the head by a derrick, sustaining a fractured skull, died today at the County Infirmary as a result of his injuries. An inquest will be held.