

Now New York has declared that vertical handwriting, which the schools have been struggling for years to master, must go. Read of the new style in

The Sunday Call

THE CALL



"The Gentle Forefathers of the Native Son" is the subject of a page of fun which every native (and non-natives, too) will want to preserve, in

The Sunday Call

VOLUME CL—NO. 68.

SAN FRANCISCO, WEDNESDAY, FEBRUARY 6, 1907.

PRICE FIVE CENTS.

Oakland Victor in Battle of Decades Jerome Batters Thaw's Defense and Delmas Furiously Secures Control

PRISONER'S FATE IN HANDS OF QUARRELERS

Excited at Reverses, Counsel Clash and Californian Emerges the Victor

DISTRICT ATTORNEY CARRIES BIG POINT

Court Refuses to Hear Testimony Regarding Sanity of Collateral Relatives

NEW YORK, Feb. 5.—"It's a farce, an infernal, damned farce!"

Thus did D. M. Delmas furiously characterize the defense of Harry K. Thaw, as conducted by Attorney John B. Gleason today. And as furiously as he vented his opinion Delmas demanded control of the case. Astounded at reverses that nearly spelled rout for them, the associates of Delmas were in no spirit to oppose him and lose him from the case. So Delmas wins.

In consequence of serious dissension that arose between the counsel for the defense, promising for a while to force the withdrawal of all the attorneys except Mr. Gleason, a long conference was held tonight at which the conflicting elements fought out their differences. As a result Delmas will assume absolute charge of the case tomorrow, with Daniel O'Reilly as his active assistant and Gleason, Hartridge, McPike and Peabody acting in an advisory capacity. Delmas and O'Reilly will conduct all the examinations alternately and the former will have the final decision in all points that may arise.

Fiasco following hard upon fiasco in the trial disrupted the forces of the defense. Nothing daunted by the failure of his opening address, Gleason took matters out of the hands of Delmas, who was to have conducted the examination of witnesses today, and choicely crowned the legal farce show of the day before with a medical expert comedy that was at times too poignant for laughter. It was then that Delmas pounded the table and cried: "It's a farce, an infernal damned farce!"

BLOCKED BY JEROME
The task of proving to a jury that Thaw was insane, through heredity and mental stress, when he shot and killed Stanford White, was taken up. Gleason endeavored in vain to place before the jury evidence tending, it was said, to prove a vein in the collateral branch of the defendant's family, but they were blocked at every point by District Attorney Jerome, whose objections were upheld by the rulings of Justice Fitzgerald.

Gleason did, however, get before the twelve men in the box the testimony of an expert, Dr. C. C. Wiley of Pittsburg, that in his opinion Harry Thaw was suffering from insanity the night of the tragedy. Mr. Jerome assailed the evidence of the alienist, and for three hours put him through a cross-examination as severe as was ever heard in a New York court. The prosecutor was relentless in his attack, and before he had finished Dr. Wiley protestingly declared:

"I didn't come here as an expert. I came as a witness to a fact, and I have been converted into an expert without being prepared for it."

When called to the stand Dr. Wiley, in answer to questions by Attorney Gleason, said he had devoted much of his life to a study of insanity.

Dr. Wiley was asked to state his recollection of an incident in 1905 in which Harry Thaw was concerned.

"In the summer of 1905," said the witness, "I was a passenger on a street car on the Fifth avenue line in Pittsburg when Harry Thaw came in. Without any apparent reason Thaw rushed for one of the blinds to a window, drew up the blind, slammed it down again and then drew it up once more. He had a quarrel with the conductor."

"What was Thaw's manner?"

"It was dominant, vague, and his eyes flashed from right to left."

"As an expert, and from your personal observation, can you say whether his actions were rational or irrational?"

"Irrational."

Mr. Gleason here formed a hypothesis.

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THE CALL'S BRANCH OFFICES

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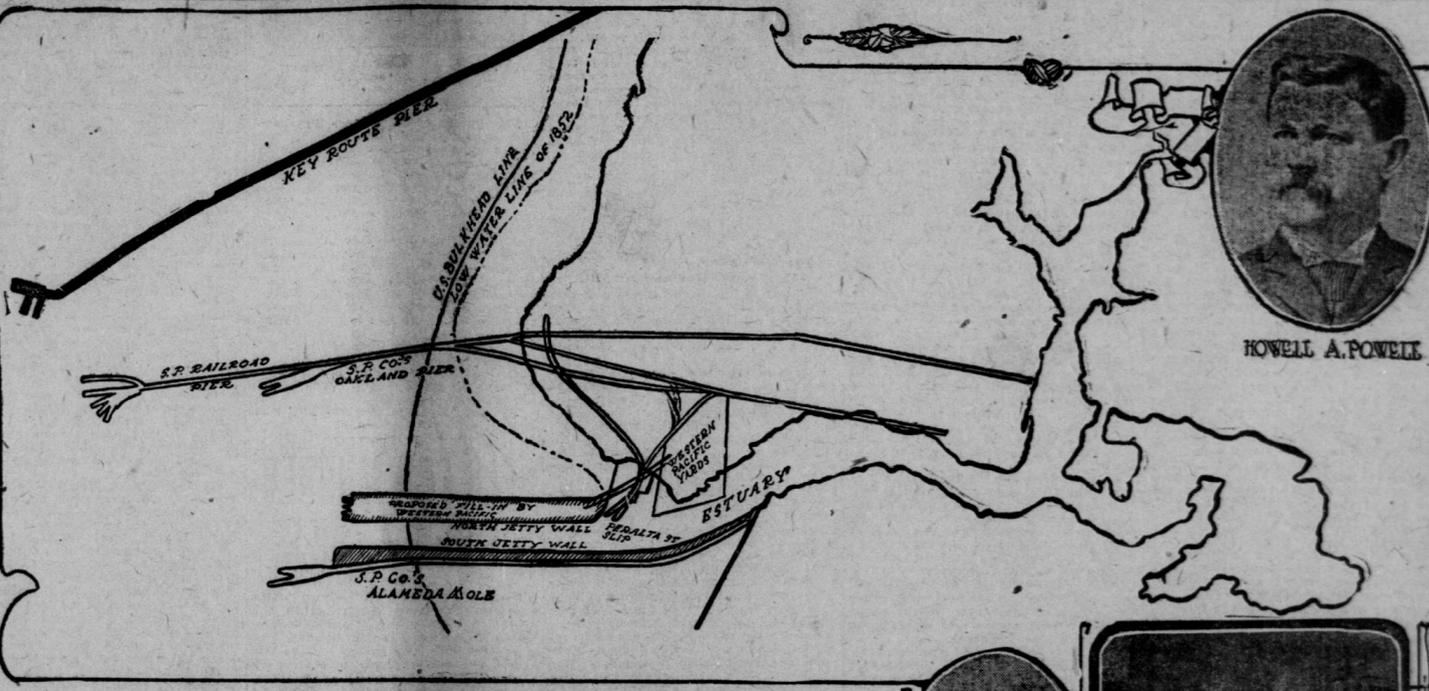
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Rothschild's Branch.
1531 CHURCH STREET
George Prewitt's Branch.
3290 FILLMORE STREET
Woodward's Branch.

COUNSEL taking the side of the City of Oakland in the water front litigation says the decision of the Circuit Court of Appeals restoring to the people the right to control the water front and harbors of the State is a million times more important than the right of any railroad to reach tide water. In Oakland the decision does not merely settle a dispute over a 2000-foot strip of land, but it gives to the people eleven miles of water front and places it under their sole control. Mayor Mott says that he will summon the city's special counsel on water front litigation to confer today on the decision.



PORTRAITS OF ATTORNEYS WHO HAVE TAKEN PART IN THE TIDE LAND LITIGATION, AND DIAGRAM SHOWING A PART OF THE OAKLAND WATER FRONT AND THE NARROW STRIP BETWEEN THE LOW TIDE LINE OF 1852 AND THE SHORE TO WHICH THE RAILROAD'S CLAIM OF OWNERSHIP IS LIMITED BY THE DECISION OF THE CIRCUIT COURT OF APPEALS. BAYWARD OF THIS STRIP THE STATE HAS FULL CONTROL AND CAN ESTABLISH A WATER FRONT LINE OUTSIDE THE RAILROAD LAND, MAKING THAT CORPORATION AN UPLAND HOLDER. THE RAILROAD PIERS OUTSIDE THIS LOW TIDE LINE ARE ON STATE LAND AND MAY NOW BE CONTROLLED BY THE STATE, AS ARE THE SAN FRANCISCO WHARVES.



HOWELL A. POWELL



W.R. DAVIS



JOHN E. FOLDS

Governor Determined to Abolish Four Expensive Commissions

Bill He Will Back Up With Message Will Do Away With Boards and Save Engineers' and Architects' Fees

By George A. Van Smith

CALL HEADQUARTERS,
1007 EIGHTH STREET.

SACRAMENTO, Feb. 5.—The abolition of four commissions or boards, making a saving of more than \$20,000 a year in salaries alone, and radical changes in the methods of letting contracts for State work are involved in the first of the sweeping reforms proposed by Governor Gillett, and to secure which he caused bills to be introduced today in both Senate and Assembly. The bills will be followed by a message vigorously advocating their enactment.

Gillett proposes the abolition of the Highways Commission, Board of Public Works, the Debris Commission and the Harbor Engineering Board, and proposes to replace them with a State engineering board, to consist of State officials as ex-officio members, with assistants and administrative officers,

at an aggregate salary of \$23,080, as compared with \$44,000 paid in salaries to the four commissions he seeks to wipe out. The Governor's plan contemplates not alone the abolition of these commissions, but a radical change of the law controlling the manner in which contracts for State work must be let. The plan advocated by the Governor provides for the awarding of all contracts by the one commission, and permits the commission to award contracts for the completion of an entire project instead of in parts, according to the class of work, as must be done under the present law.

SAVING OF \$20,000 A YEAR
The first stroke of the gubernatorial new broom threatens to spoil a lot of executive patronage by wiping out several jobs, but the Governor thinks the State will be able to bear up under this loss in servants at a saving of \$20,000 a year in salaries and a further saving through the application of strict business methods that cannot readily be figured, or even estimated.

The bills prepared at the instance of the Governor and introduced today by Senator Leavitt and Assemblyman Stanton provide for a State department of engineering. The administrative officers of this new board are to be a head engineer at \$4800 a year, a chief architect at \$4000, two assistant engineers at \$3000 each, one architect's draughtsman and two engineers' draughtsmen at \$2000 each, a stenographer, clerk at \$1800 and a porter at \$450. Upon this staff is to be imposed all the work of preparing plans and specifications for public highways, State buildings, river and harbor improvements and the supervision of the work. Contracts for State work are to be let by the commission proper, which is to consist of the Governor, the chief engineer, the superintendent of State hospitals and the chief harbor commissioner of the port of San Francisco. The office of the new department is to be at the State hospital.

Into law there will be no more architects' fees, no more supervising engineers' fees and one board, headed by the Governor himself, instead of several, will be responsible for the conduct of all State work. The Governor's bills and earnest advocacy of them come in the nature of a surprise, indicating as they do a disposition to work a real reform and passing a responsibility for the failure of his scheme up to the Legislature. The latter element takes the grandstand feature out of the movement.

Some of the wheel horses are at a loss to understand why the political advantages of the scheme could not have been sufficiently conserved had Gillett waited until after his first Legislature had adjourned to talk about legislating jobs out of existence, simplifying and economizing in the State's business methods.

There is more than appears on the surface of these Gillett bills. The saving in salaries is only an item. Based on the experience of the last four years, an annual saving of more than \$18,000 in the architects' change in the system of letting contracts contains the real milk of the cocoon. Under the present law contracts must be let under the seven prescribed subdivisions. In fine, the State cannot let the contract for a complete building to one responsible bidder. The masonry, carpentry, painting, iron work and so on must each be bid on separately and awarded separately. The net result is loss to the State, both on the amount of the contracts and the endless delay and annoyance. The Gillett bill provides for the reception of bids under the subdivision now provided, but it also provides for the reception of bids on the whole project and authorizes the commission to let the work as a whole.

GOVERNOR'S VIEWS
Referring to his bills, Governor Gillett said yesterday:
"I have caused these bills to be introduced and I shall leave nothing undone to secure their passage."

I want to wipe out all these useless commissions that are sucking the life blood of the State. Yes, it will spoil a few political jobs, but none that the people of the State cannot afford to dispense with. We have a highway department, with its engineers and assistants; a Debris Commission, with its staff; a Board of Public Works and another big staff, and then the Water Front Engineering Board at San Francisco.

These commissions are in charge of big projects. The State's money is being spent. The whole business is scattered and conducted with no particular head. Large expenditures are made and without proper, if any, check. I think the whole system unbusinesslike. I propose a system conducted under the immediate supervision of one staff directly responsible to the Governor. It will effect a saving in salaries and it will spoil some jobs, but those are the least considerable reforms. Our contract system is all wrong. There is no necessity for the payment of big architects' fees. Why, for a concrete example, with this proposed system we would save \$5000 on architects' fees in Santa Clara County alone, on the Agnew and Normal School improvements. There is no way of computing with even approximate accuracy what will be saved by replacing the present local and disjointed system by real business methods.

FREE SCHOOL BOOKS

Bill to Enable Counties to Provide Them Is Introduced
SACRAMENTO, Feb. 5.—A bill that will enable counties to provide free school books at their own expense passed the Assembly today by a vote of 51 to 16.

The measure was prepared by the Assembly committee on education. It provides that when a majority of school districts of a county, by their school boards, petition the County School Superintendent for the issuance of text books to be loaned to the pupils without cost, that official shall make an estimate of the cost and the Supervisors shall call a special election to decide the question. A majority vote is all that is necessary to adopt the system, but it will take a two-thirds vote to discontinue it.

ANTIVACCINATION BILL
SACRAMENTO, Feb. 5.—Owing to the illness of Assemblyman Eshleman.

Populace Realizes That the Water Front Is Its Property Solely

"A million times more important than the right of any railroad to reach the tide water is the right of the people to control the water fronts of the harbors of the State, and that right has been restored by the decision of the Circuit Court of Appeals handed down yesterday. Here in Oakland it is not alone the question of a mere strip of 2000 feet for which the two railroads were contending, but it gives to the people eleven miles of water front and places it under their sole control. By the constitution of the State the people cannot alienate it. No private party nor corporation can again control it. The people of the State can now establish a line outside and bayward of the Southern Pacific's tide lands and make that line the water front of Oakland, and the railroad will thereby become an interior upland holder. The wharves which the Southern Pacific has built can be controlled by the State, and the State can charge a toll for every ton of freight which is moved over them. The railroad has no ownership in them. They are on State land and the railroad is a holder by intrusion and sufferance alone."

BECOMES UPLAND OWNER

In these words William R. Davis spoke yesterday of the far-reaching and sweeping effect of the decision written by Judge Gilbert, which overruled Judge Morrow at every point. No man has had a more intimate connection with and knowledge of the dispute over the title to the Oakland tide lands than Davis, and his opinion is the result of years of study of these suits, which have been carried up and down the courts of the State from the day on which Carpentier bought the entire water front of Oakland for a schoolhouse and a wharf till the Circuit Court of Appeals on Monday reversed a long line of decisions springing from an original fraud and restored to the people the rights which the Central Pacific and its successors had sought for half a century to hold to themselves.

The point of the recent decision is that it is now appreciated that the title to the submerged lands in front of the town of Oakland—and in all like cases for that matter—

Continued on Page 6, column 1.