Prosecutor Heney Attacks Rich Grafters and Outlines Plans to Punish Them With Aid of Big Stick

Refusal to Join With Committee of Seven Is Explained in Detail

CONTINUED FROM PAGE 1, COLUMNS 1, 2 AND 3.

In the final analysis a great majority of people are influenced for or against prosecutions involving very rich men or influential politicians by the effect upon their own personal pecuniary or otherwise selfish interests. No one understands this fact better than the criminal rich men and the criminal politicians, and, consequently, the moment these men find themselves in danger of prosecution for crimes committed by them they endeavor to make every other man in the community believe that he will suffer personal pecuniary injury by their prosecution. The influence of the banks is brought to bear upon the merchants and other borrowing classes, as well as upon the depositors. Their fears are worked upon by the bank managers suggesting that the prosecutions are injuring the fair name and destroying the financial credit of the community. This method has been adopted and is being diligently and systematically worked in San Francisco and throughout the state of California in behalf of the rich men who have been indicted.

In fact, these influences extend far beyond the confines of the state. The great banks of New York that are subject to the influence of Patrick Calhoun and his associate stock holders and bond holders in the United Railroads have brought pressure to bear upon their bank correspondents in San Francisco and Los Angeles to stop this graft prosecution against the rich men. It is destroying, they say, the little remaining credit which our stricken city possesses. Appeals are made to the selfish side of every merchant and property owner in the city and throughout the state.

The representatives of nearly all the banks in the city met in conference with Patrick Calhoun a short time ago and pledged him their support. In form they limited their promises of assistance to his fight against union labor and expressly refrained from any expression of their attention to assist him to go unwhipped of justice for the crimes for which he has been indicted. Privately, however, some of these banks immediately proceeded to hint to their patrons that the indictment of Calhoun would be detrimental to the financial interests of the city because it would encourage the striking carmen and cause the great financial institutions of Wall street to lose confidence in the ability of San Francisco to protect life and property and pay her debts. I know that they told certain customers that it was absolutely essential to the financial welfare of the city to at least postpone any criminal action against Calhoun.

Members of the grand jury were talked to by bankers and merchants along these lines. Some of the bankers have repeated this statement so many times that they have almost come to believe it is true themselves. Some bankers and some of our merchants have gone so far as to preach the doctrine of anarchy. I personally have heard some of our wealthiest citizens insist that this was the time to bring on a war between capital and labor in this city; that now was the time to annihilate one or the other, and that it would be better to have the streets of San Francisco run with blood than have the present carmen's strike compromised on any terms that would recognize the right of any man to belong to a union. Some of them call Calhoun the savior of the city, and one "highly respectable merchant" declared yesterday that "the merchants will not permit Calhoun to be convicted."

FALSE ALARMISTS WORSE THAN BRICK THROWERS

Men who make such statements are unfit to be citizens of this republic. They belong in Russia. It is the proud boast of every right thinking American that this is a government by laws and not by men. The man who willfully and deliberately would plunge this city into a condition where mob violence could be controlled only by the bullets of the military is a traitor to his country and an enemy of mankind. He is more of a savage than the ruffian who throws bricks through car windows in the ignorant belief that he is thus vindicating his right to belong to an organization which has for its object better wages and better hours.

The first duty of every good citizen is to aid in the preservation of law and order. Throwing bricks, destroying property and committing violent assaults upon individuals are the simplest kinds of violation of law and the easiest to remedy. Such violations of law must be firmly and rigorously prevented, and the man who willfully and maliciously endangers human life by throwing bricks through car windows among women and children, or even men only, should be prosecuted for assault to murder, instead of simple assault, and so far as lies in my power as assistant district attorney every case of that kind which is brought to my attention, with sufficient evidence to warrant an indictment, will be so prosecuted.

There are other crimes, however, which are equally injurious. Bribery is one such. The gist of the offense, say the law writers, seems to be the tendency of the bribe to pervert justice in any of the governmental departments—executive, legislative or judicial. The reason of the law is plain. The offer is a temptation to the weak or depraved. It tends to corrupt, and as the law abhors the least tendency to corruption it punishes the act which is calculated to debase and which may affect, prejudicially, the morals of the community. Bribery is a crime which directly affects the whole community through its officers and representatives. The spirit of a democratic government is utterly abhorrent of anything that tends to corrupt the representatives of the people, and whenever wealth can buy them, there democratic government has ceased to be. The protection of equal rights among the people demands that a severe penalty be visited upon any member of the community who gives or offers to give the bribe to any representative of the community, whether executive, legislative or judicial, for the purpose of that briber and the effect of his bribery is to make the representative of the people represent not the people but the bribe giver.

The essence of bribery is the prostitution of a public trust, betrayal of public interest and the debauchment of public conscience.

The most difficult of all crimes to prevent is the insidious corruption and debauchery of our public officials by bribery on the part of very rich men. The poor man who commits a murderous assault can easily be convicted. Such an assault arouses the manly resentment of every right thinking banker, merchant, professional man and laboring man.

All classes of men give heir moral support to his prosecution, but unfortunately the rich briber and debaucher of our public service does not, apparently, arouse any such sentiment or feeling in the average banker, merchant or professional man. These men excuse the briber. If it appears that his conviction might in any way injure the personal pecuniary interests of these presumably intelligent classes they rally always, as they are rallying now, to his defense.

Is it a wonder that the poor man gradually comes to believe that our criminal laws are directed against the poor only and that the rich are immune? Is it any wonder that the poor have learned to say that the very rich man is above the law? Is it any wonder that the poor have come to doubt the sincerity and the motives of a prosecutor who promises to enforce the laws equally against all classes and kinds of men? Is it any wonder that the poor have come to believe that they cannot get a square deal before the law? And, believing this, is it to be wondered at that, having no bribes to throw, they throw bricks instead? We all are all wrong.

Does San Francisco possess sufficient civic righteousness and decency to enforce the laws against very rich criminals? Is there a set of very rich men in San Francisco who are powerful enough to debauch our public officials and defy the law? Is any man or set of men in San Francisco above the law? These are the vital questions which confront the prosecution and the honest thinking people of this city and state today.

PROPHECIES OF GOVERNOR FAIL TO PROVE TRUE

Before the indictments were returned against Patrick Calhoun certain bankers and merchants were circulating the idea that the return of indictments against Calhoun at that time would encourage the carmen to commit acts of violence. The Chronicle so prophesied. Governor Gillett insisted that the action of Rudolph Spreckels and Heney in refusing to act with the committee of seven would incite the striking carmen to acts of violence. The Chronicle so prophesied. The results have been exactly to the contrary. Yesterday's Chronicle said: "The car situation is getting much better."

Of course, it is getting better. The indictment of Patrick Calhoun, Tirey L. Ford, Frank G. Drum, John Martin, Eugene de Sabla, G. H. Umbsen, J. E. Green, A. K. Detweiler, Louis Glass, T. V. Halsey and other rich and influential men demonstrates to the laboring men and to the people generally of this city and state that, so far as the present grand jury and the present prosecuting officers are concerned, no man is above the law and that equal justice will be meted out to both rich and poor, to both friend and foe, to all kinds and classes of persons, without discrimination, without fear and without favor. And that demonstration has calmed the situation.

We of this prosecution believe that when men have confidence that the laws of our country will be equally enforced against all alike they will be content to settle their differences by and under the law, instead of resorting to mob violence and anarchistic methods. Let the poor man see that the rich man is equally subject to the law, and he will be content himself to abide by and obey the law. And so we believe that when the rich shall have learned that the laws will be enforced without discrimination against laborers, bankers, merchants, professional men and all other classes they will no longer have to fear for their persons or their property.

The prosecution has been denounced for permitting the present supervisors to remain in office. They are "confessed criminals," declares Calhoun. They are "confessed criminals," echoes the Chronicle. We admit that 16 members of the board are "confessed criminals," but what have they confessed? They have confessed that they accepted bribe money; that they accepted $85,000 of the $200,000 of bribe money which Patrick Calhoun has been indicted for bringing to San Francisco to use in unlawfully securing a valuable franchise for the United Railroads. If these bribe takers are "confessed criminals," are not the bribers unconfessed criminals? And which is worse, the bribe taker who has confessed and submitted to the law, or the bribe giver who is unconfessed and defiant of the law?

Does it lie in the mouth of the bribe giver who has debauched our public servants for his corrupt purposes to denounce the prosecution for permitting the takers of their bribes to remain in office? And how is the guilt of him who undermines the foundations of government lessened or excused by the fact that the bribe taker is allowed to remain in office?

MERITS OF ACCUSATION AGAINST PROSECUTION DISCUSSED

The prosecutors are denounced because of an alleged grant of immunity to the supervisors to secure their testimony. Let us briefly examine the honesty of this accusation. Bribery is a crime that can rarely be established except by the testimony of either the bribe giver or the bribe taker. Money is not usually paid openly. A third party is seldom present. Both the bribe giver and the bribe taker are anxious to conceal the evidence of their crime. In the Parkside deal, for example, the corporation officers entered in the corporation's books a transaction which was innocent upon its face, but which was meant to conceal the bribery. It would have taken the ingenuity of a Sherlock Holmes to discover the crime if neither the bribe givers nor the bribe takers had acknowledged the facts.

The man or the newspaper that insists that both the bribe giver and bribe taker shall be punished and that no person who has violated the law shall be permitted to escape is either ignorant or insincere.

When the prosecutors were endeavoring to secure the evidence to substantiate the rumor that bribe money had been passed to the supervisors from the United Railroads, Patrick Calhoun, Tirey L. Ford (the ex-attorney general of the great state of California) were silent as the grave—except when they gave newspaper interviews denouncing the rumor as false and malicious.

The prosecutors let it be known that they wanted help from the bribe givers, yet months passed without one word of testimony against any of the supervisors for "holding up" any of these bribe givers. During those months of anxiety and effort to bring the now self-confessed bribe takers to justice, all of the bribe givers, including all the officials of the United Railroads who had knowledge of any of the facts; all the officials of the gas and electric company who had knowledge of any of the facts; all of the officials of the telephone companies who had knowledge of any of the facts; all the officials of the Parkside realty company who had knowledge of any of the facts, and all the attorneys of all these companies who had knowledge of the facts—all, all were silent, or if they had occasion to comment upon the efforts of the prosecutors to secure the evidence which would have sent Ruef, Schmitz and the now self-confessed bribe takers of the board of supervisors to the penitentiary, they jeered and sneered. Some of those apparently highly respectable members of this community knew that the now "self-confessed bribe takers" on the board of supervisors were during all of that time their "unconfessed bribe takers." Is it any worse for an unconfessed bribe taker to act as a member of the board of supervisors than for a confessed bribe taker to act as such? The unconfessed bribe taker is looking for more bribes; he is ready to barter his trust and sell out the interests of the community. The confessed bribe taker, if not repentant of his sins, is at least so fearful of consequences that he will resist temptation and remain faithful to his trust and to the interests of the community which he represents. The sudden solicitude of the unconfessed bribe givers to get rid of the confessed bribe takers is, to put it mildly, significant.

NEW LIGHT THROWN UPON PARKSIDE TROLLEY DEAL

But that is not all. It was admitted by G. H. Umbsen that if the efforts of W. H. Crocker, Alexander Morrison and others to induce Rudolph Spreckels and myself to permit the confessed bribe takers on the board of supervisors to pass the franchise for the Parkside transit company had been successful, he (Umbsen) would immediately have paid the remaining $25,000, as promised, to Abraham Ruef. Had it been so paid, Mr. Ruef would doubtless have been equally true to his promise; he would have paid their share, $1,000 apiece, to the 16 confessed bribe takers who are still members of the board of supervisors. The "big stick," of which the bribe givers make such complaint, prevented this crime. Is it possible that a new board of supervisors is desired by the bribe givers in order that new arrangements may be made for securing the franchises for which partial payments have already been made?

It was necessary to secure the evidence of the supervisors in order to make certain the exposure of Ruef and Schmitz and to secure their conviction, solely because the United Railroads officials, the gas officials, the telephone officials and the Parkside realty officials refused to give the prosecution any evidence on the subject and flatly denied the rumors and charges.

Does it lie in the mouths of these men and their friends now to denounce the prosecution for accepting the only other course open to us to get the evidence which has demonstrated to the world that the corrupt conditions of affairs existed here which the prosecutors had declared they believed to exist?

Again the bribe givers are insisting that the bribe takers alone should be sent to the penitentiary. What a travesty on justice would be presented by sending those men, powerless to commit further evil, to the penitentiary and letting escape the wily fowler who spread the net and gathered in his grasp the ill gotten gain? Why should the intelligent scoundrel who works upon the weaknesses of an official to make him betray his trust and sell out the community—why should be be allowed to go free because he wears good clothes, moves in respectable society and possesses power to continue to do evil?

Viewing the matter from a practical standpoint, however, there is another complete answer to this denunciation which the bribe givers and their friends are leveling at the prosecutors. The legislature of the state of California, which met two years ago and which is suspected to have been under the joint control of Abraham Ruef and W. F. Herrin, enacted a law in the interests of the then election commissioners, who had been charged with misfeasance or malfeasance in office. That law gives a convicted office holder the right to retain his office pending an appeal to the supreme court of the state and final decision therein.

Chief of Police Dinan was indicted several months ago, but he is still the chief of police, and the rich men who are now denouncing the prosecutors have aided Mayor Schmitz to get bail. Does any one doubt that these men could induce Schmitz to remove Dinan and appoint a decent and efficient chief of police, if they so desired? Can any one doubt that these men could induce Schmitz to remove the present police commission and appoint an efficient one, if they so desired?

The move to appoint a committee of seven to co-operate with Mr. Spreckels and myself was a part of this policy of fraud and hypocrisy. It was inspired by these same rich men, who are now under indictment, and by their friends. It was done for politcal purposes. It is only fair to state that we are confident that Mr. Bentley, Mr. Van Sicklen, Judge Slack and Mr. Magee had no knowledge, or even suspicion, of this fact. But there was a plot, and at a later day we shall give the details of this scheme to destroy the usefulness and efficiency of the present prosecuting officers and to prevent this community from securing the full benefit of our work. Moreover, the present move for another committee to take charge of the city is inspired by these same schemers, and at the proper time we shall expose the details of its inspiration.

In conclusion, we assure the public that it is our intention to enforce the criminal laws without fear or favor, and to expose as fully as possible all the corruption which has existed in the municipal affairs of this city. We ask for your confidence. We need it. We want your support. We denounce as lies the charge that we are prosecuting any man or men for malicious or selfish motives or to gain any personal end. Our appeal is for patience and the chance to make good.

WILL TRY SUIT AGAINST HEIRS OF SPANISH KING

Sons of Opera Singer May Reveal Details of Life of Alfonso XII

MADRID, May 30.—The supreme court has declared itself competent to try the suit of the heirs of Elena Sanz, the singer, against the heirs of King Alfonso XII.

Elena Sanz was a beautiful Bohemian opera singer, with whom Alfonso XII, father of the present king of Spain, became enamored. She bore the king two sons, the eldest of whom she named Alfonso.

The singer was banished from Spain after the death of Alfonso XII and died poor and friendless in Paris in 1899, although the king is said to have fully provided for her in his will, leaving her an ample annuity which was to revert after her death to her children, who were minors, to be paid to them when they became of age. The terms of the will, however, appear not to have been carried out and the eldest son of Mme. Sanz secured the services of Senor Mongues, a well known republican lawyer and member of the chamber of deputies, and was said to be determined to have his claim legally established at any cost.

The case was taken out of the civil courts, whose competency was questioned, and eventually was referred to the supreme court. The question of the competency of the latter tribunal was then brought forward with the result that it has, as announced in the foregoing dispatch, declared itself competent to try the case.

The crown lawyers are said to have done everything possible to arrange a settlement out of court, and at one time an arrangement appeared to have been reached, but it now appears that all the details of the scandal may be made public, which is said to involve the revelation of a number of remarkable details affecting the latter years of the life of Alfonso XII.

CREATES LAND RESERVE ALONG MEXICAN BORDER

WASHINGTON, May 30.—The President has issued a proclamation creating a reservation 60 feet in width along the northern border of Mexico, including the state of California and the territories of Arizona and New Mexico. The purpose of the reservation is declared in the presidential proclamation to be the suppression of smuggling across the international line. Private entries in the line of the projected reservation and such portions of it as are needed for roads are reserved from the operation of the order.

Since the abolition of the old "zona libre" or free zone between Mexico and the United States, it has been found increasingly difficult to prevent smuggling across the boundary, hence the proclamation.

Fourteen Months After

The "Greater San Francisco" number, the June Sunset, tells a marvelous tale of the wonderful things that have been accomplished in San Francisco's rebuilding since April 18, 1906. The two page panoramic photographs in this magazine have never been surpassed. All our eastern friends would enjoy receiving a copy of this magazine.

CRUISER ABANDONED—Shanghai, May 30.—The French cruiser Chanzey, which went ashore on one of the Saddle islands on May 20, will prove a total loss and has been abandoned.

MEXICO AND GUATEMALA NOT ON VERGE OF WAR

Embassador Creel Explains Dispatch of Troops to Frontier

WASHINGTON, May 30.—Concerning sensational reports about expectations of war between Mexico and Guatemala, Embassador Creel of Mexico said today:

"There is no reason for any fear of war between the two countries. The assassination of ex-President Barillas by a Guatemalan developed in Mexico a feeling of indignation and a strong protest by public opinion against such a criminal action, more so when it was known that General Lima, from Guatemala, was supposed to be implicated.

"Mexico asked for the extradition of General Lima, not as compulsory under the treaty, but offering Guatemala the privilege that might have been accepted. Guatemala declined and this was the end of the conflict.

"There remains in Mexico a feeling of grievance and condemnation in the public sentiment, but not a spirit of war. The troops that have been located on the frontier of Mexico and Guatemala are there for the purpose of keeping order and giving protection to the people of all nationalities."

HEAVY RAINFALL CAUSES A FLOOD IN HOUSTON

HOUSTON, Texas, May 30.—The rainfall in Houston and vicinity for the 24 hours ending at 7 o'clock tonight has been four and a quarter inches, to which can be added an inch that fell during Wednesday. The Houston ship channel is flooded, the rise being about 30 feet. This is the highest record since 1879. The stream is still rising. All shipping and wholesale interests in Houston along the stream are under water.

The street railway power house is flooded and power is obtained from a lighting company, but only one car can be operated on each line. Two hundred homes are under water. These houses are occupied mostly by poor people. The loss in Houston will be over $100,000.

Reports from along the Colorado are that a heavy rise is coming down the stream, which will do a great deal of damage to crops in the Colorado valley. Farther west the San Marcos and Guadalupe are rising steadily and will leave their banks at lowland points. Other South Texas points report that county bridges have been washed out.

ORANGE GROWERS ALARMED OVER ARRIVAL OF PEST

MARYSVILLE, May 30.—A white fly, technically called Ategerdes citri, has appeared in the orange groves near Marysville and Horticultural Commissioner G. W. Harney has enlisted the assistance of the United States department of agriculture and state horticultural commission to exterminate the pest.

State Commissioners Carnes and Bremener have arrived here to investigate and the department of agriculture will send an expert here in July. The leaves sent to Washington were reported upon as being badly infected. This is the first appearance of the white fly pest in the California orange groves, and it is supposed to be one result of the abnormally heavy rains of the last winter. The pest is in Florida and has been imported from there, but had never before attacked California orange trees. The present visitation is considered to be a grave menace to the industry.

Schmitz Refuses to Treat With New Committee

Rejects Proposal That He Dismiss Police Commissioners

Continued from Page 1, Column 5

Notwithstanding this rebuff at the very beginning of its activity, the committee has not despaired, but will approach the situation in a little different manner. The committee still believes that it can obtain the cooperation of the mayor. It will renew its appeal to him asking for his assistance in the cause of law and order.

Governor Gillett was greatly disappointed at the sudden change of front of Schmitz and has offered additional suggestions to the members of the committee which he believes will enhance its influence and gain it the full confidence of the public. Gillett communicated yesterday with C. H. Bentley, the chairman of the committee, and suggested certain modifications in the plans the committee had made. The governor spent part of the day in Petaluma and did not return until late in the afternoon.

Gillett suggested that the committee be enlarged to contain representatives of organized labor as well as members of the commercial associations. The original plans called for a body of 60 business men, but the plan now is to add 20 representatives of organized labor. While the enlarged committee of 80 will become the responsible body the executive committee of 10 will carry on the greater part of the work. The executive committee is made up of two representatives from each of the five large commercial bodies of the city. The members are C. H. Bentley and James McNab of the chamber of commerce, E. R. Lilienthal and C. S. Laumeister of the merchants' exchange, Frank J. Symmes and A. H. Vail of the merchants' association, Andrea Sbarboro and J. P. Currier of the manufacturers' and producers' association and A. A. Watkins and Martin Triest of the San Francisco board of trade. Bentley, Lilienthal, Symmes, Sbarboro and Watkins as presidents of the five commercial associations have conferred on the scope of the committee and are in complete accord as to the steps to be taken to assist in the maintenance of law and order.

The intentions of the committee, as outlined in its communication to the mayor, called for the appointment of a police commission composed of Louis Sloss, W. G. Stafford, E. J. Bates and Stanley W. Morshead. With this commission in office, the plan was to remove Dinan and appoint a strong man in his place. The name of Adjutant General J. B. Lauck was mentioned in this connection.

The committee has not made any overtures to Rudolph Spreckels or any other members of the graft prosecution. The committee believes that its work will in no way interfere with the graft prosecution. Spreckels said yesterday that he had not been consulted by any members of the committee and was therefore not in a position to discuss it.

At the same time that the committee was being organized, informal conferences were held by the businessmen, particularly by the large employers of labor. A general sentiment developed in favor of the open shop, and a plan was proposed that called for concerted action on June 1. An informal agreement was reached to meet the issue on that day, the opinion prevailing that by that time the police force would be in a position to preserve order in case new strikes should ensue. Employers approached on the subject yesterday said that while there had been frequent discussions of the subject and a general expression in favor of the open shop, they did not anticipate any concerted action on this point at the present time.

RUEF IS IN DILEMMA

Will Ask for Continuance When Case Is Called Today

Caught in a dilemma that seems to mean absolute defeat and imprisonment whichever way he may turn, Abe Ruef is preparing to make his fight for liberty or a short penitentiary sentence under the direction of the best legal talent he can command. In addition to William T. Hume, Frank J. Murphy and George Keane, who have already been retained in his defense, Ruef expects to complete negotiations with two other attorneys today. While he has not made known the identity of the men whom he expects to add to his counsel, Ruef admitted yesterday that one of them is a prominent member of the local bar, while the other is a noted practitioner from another state.

When Ruef is called tomorrow to answer the indictments charging him with bribery jointly with the officials of the United Railroads he will ask for a continuance until next week. The technical reason for this request will be that he has not yet received copies of his indictments or a transcript of the testimony on which they were based, but in reality Ruef is in a quandary as to what course he shall take. To plead guilty will place him absolutely in the power of the court, while to enter the opposite plea might necessitate a plunge into another harrowing trial, to avoid which, according to his own statement, he pleaded guilty in the extortion case. In all probability he will plead not guilty and his trial will be indefinitely postponed by consent of the prosecution.

Ruef visited the beach below the Cliff house yesterday morning with Elisor Biggy and was one of the principal attractions for the holiday crowd which thronged the vicinity as he removed his shoes and waded in the surf. On the return to the city the automobile in which Ruef was riding passed that containing Mayor Schmitz and a party in Devisadero street, but there was no nod or other sign of recognition interchanged.

INSANE OVER GRAFT

Stanford Student's Mind Unbalanced by San Francisco Revelations

SAN JOSE, May 30.—John H. Runyon, a Stanford university freshman, who is the son of a wealthy fruit grower at Santa Ana, is in the Red Cross hospital here strapped to his cot because of his insane ravings over the graft cases in San Francisco. According to his statement the speech of Francis J. Heney before students at the university is responsible for his condition. He says that he never realized the iniquity of graft in municipal affairs until he heard Heney's speech and since that time he has tried to file dispatches to President Roosevelt calling his attention to the "horrible condition of affairs." The local telegraph offices held the messages up.

Runyon says that he has a lot of circumstantial evidence that he tried to lay before Heney. He seems sane on every subject except that of graft and when it is mentioned he tries to escape from his bonds that he may go to San Francisco and take vengeance on Ruef, Schmitz and Calhoun. Calhoun, he says, is the "real, greatest scoundrel of them all." Runyon is a mining engineer student and threatened to make bombs and destroy all the grafters. His mother arrived today and will have the young man removed to a private institution.

Four Indictments Are Found Against George W. Duffey

Accused of Accepting $11,250 From Ruef for His Vote as Supervisor

Four indictments, charging President George W. Duffey of the board of public works with having accepted an aggregate of $11,250 in exchange for his vote while he was a member of the board of supervisors, have been voted by the grand jury, and when that body makes its next report to the court these will be included among the true bills returned.

While the indictments were voted at the time the amounts received by the various supervisors in connection with the different corruption deals were definitely ascertained, they were not returned with the true bills against Ruef, but were kept back to give the prosecution a hold upon Duffey in connection with the conduct of his office.

The true bills charge him with receiving bribes from Ruef in connection with the trolley, gas, Home telephone and fight trust steals, and are the only indictments which have been voted by the grand jury against any member of the boodling board of supervisors. That Duffey, who placed himself on a pedestal of righteous indignation when the confessions of his fellow supervisors were first made public, declaring that he didn't see "how men could sell themselves and their honor for such a sum," should be the first to suffer the ignominy of indictment was principally due to his position as head of the board of public works.

It was not necessary to bring true bills against the supervisors to force them to be good, but Duffey occupied an entirely different position and more drastic measures were deemed wise to bring him under control.

Duffey was one of the few "honorable" supervisors who refused to sell their votes to both factions during the war over the Home telephone company's franchise. He took nothing from the Pacific States company, and consequently drew one of the prize packages from the Home telephone company's boodle box, his share being $6,000. This was after those supervisors who had already taken $5,000 from the Pacific States company were told that they must turn traitor to further the interests of the other side. Those who accepted this proposition were compensated for any pricks of conscience with an additional $3,500, while Duffey and the others who had not already sold out to the Pacific States were given the larger sum.

In addition to accepting this $6,000 bribe, Duffey came in for $4,000 for his vote favoring the granting of the overhead trolley franchise to the United Railroads. He received $750 from the gas company for voting in favor of the 85 cent gas ordinance after pledging himself to stand for the 75 cent rate, and $500 for assisting the fight trust to its monopoly of public fistic exhibitions. These were the four deals on which the indictments charging Duffey with receiving bribes were based.

That Mayor Schmitz is aware of the fact that Duffey is already under indictment and that he has endeavored to turn this knowledge to his own advantage by offering to remove Duffey from office is the belief of the grand jury, the members of which are now casting about among their own number in search of the one who, it is believed, "tipped off" the fact of Duffey's indictment to Schmitz. This belief that Schmitz has been playing to strengthen his own hand is substantiated by an inference drawn from the statement of J. C. Campbell of Schmitz's counsel, who suggested in court a few days ago that Duffey's removal from office might be easily effected if the grand jury would only place in the mayor's hands any evidence it might have against the president of the board of public works tending to connect him with corrupt dealings.

If Schmitz himself were to order the removal of Duffey prior to the filing of the indictments against him it would strengthen the mayor's claim that he was acting for the best good of the city by taking drastic action to eradicate the grafters from the city departments. Campbell's statement in court contained what the prosecution was pleased to consider an invitation to allow Schmitz to remove Duffey, but this was not what the prosecution desired.

Duffey under indictment is a safe man for the prosecution to leave at the head of the board of public works, but a new appointee of Schmitz' might not fill the requirement demanded of him, nor does the prosecution desire to give the mayor the opportunity to urge his personal claims as a civic purifier by the removal of a man whose ultimate fate has already been decided by the grand jury.

The indictments against Duffey will probably be filed with the first to come after the grand jury resumes its sessions June 10.

MAESTRETTI AROUSED

Says That He Will Charge Contractor J. R. Blanchard Criminally

Frank A. Maestretti announced last night that he would lodge a charge of criminal slander today against Contractor J. R. Blanchard, who declared while being examined for jury service in the Schmitz case that he had been held up for $400 by Maestretti when he was a works commissioner.

Maestretti indignantly denies the accusation and has retained Attorney Countryman to press civil and criminal charges against the contractor. A suit for $20,000 for slander has already been started and the criminal charge will be made this morning.

Blanchard insists on the truth of his statement, and says that he is prepared to prove that Maestretti did ask him for $400 bribe money.

TRACING BRAY'S RELATIONS

Venireman Believed to Be a Distant Cousin of Mayor

Assistant District Attorney Heney received information yesterday tending to establish the relationship between Mayor Schmitz and Sylvester L. Bray, the venireman in the Schmitz trial whose antecedents have been the source of an investigation by the graft prosecution since Bray stated on the stand that he did not know the defendant.

Heney received a letter yesterday in which it was asserted that Mrs. Bray, wife of the venireman, is a relative of John Murphy, a prominent farmer living near Watsonville. Murphy, it is claimed, is a cousin of Attorney Frank J. Murphy of Ruef's counsel, while his wife, who was formerly Mary Driscoll, is a sister of Mayor Schmitz' wife. The prosecution is continuing its investigation of the matter.

HIGH PRICE FOR BULL

PHILADELPHIA, May 30.—What is said to be the highest price ever paid for a bull at a Jersey cattle sale was realized this morning at T. H. Cooper's blooded import farm at Coopersburg. The bull, imported Stockwell, was sold for $11,500 to A. B. Lewis of Fredericksburg, Va. Stockwell is by Oxford Lad-Golden Leda.

YREKA GRAVES DECORATED

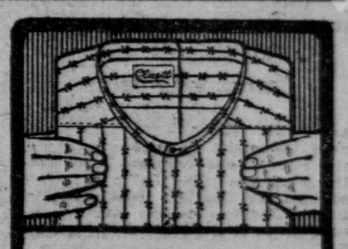
YREKA, May 30.—Beautiful memorial services were held here today. All graves were decorated. Many persons from distant parts of the county attended.

KNIGHTS OF COLUMBUS WITNESS PASSION PLAY

Bishops Conaty and De Silva Are Among Distinguished Visitors at Santa Clara College

SAN JOSE, May 30.—Two thousand members of the Knights of Columbus witnessed the passion play today at Santa Clara college. Many came from San Francisco and other bay cities in special trains. A banquet was served this evening.

The members attended mass here today, at which Bishop Conaty conducted the services and preached the sermon. About 30 clergymen were present. Among the visitors was Bishop Jose de Silva of Portugal.



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County Assessor of San Joaquin Co., Stockton, Cal., May 28, 1907.—To whom it may concern: I have been in poor health for the last five years, and have been treated by seven different doctors, but received no benefit from any of them. As a last resort I went to Dr. Chow Juyan and after treating with him three months I feel that I am permanently cured. I thipk it is wonderful what he has done for me.—JOE MURRAY, 231 East Sonoma st., Stockton.

DR. CHOW JUYAN, Chinese Tea and Herb Sanitarium, 760 Clay St., S. F. Dr. Chow Juyan is the only legitimate graduate of a Chinese Medical College in San Francisco. His credentials are attested by Chinese Embassador at Washington. Dr. Chow Juyan will be in Stockton Friday and Saturday of each week at 123 North Hunter street.

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