

Is Mrs. Grundy right, or should the children be allowed to go barefoot? A writer who has studied the health and spirits of unshod youngsters tells of things observed in

The Sunday Call

THE CALL



The fourth installment of rare photographs of old San Francisco includes pictures of extreme interest. You'll want to preserve them by cutting them out of The Sunday Call

VOLUME CIL.—NO. 40.

SAN FRANCISCO, WEDNESDAY, JULY 10, 1907.

PRICE FIVE CENTS.

Delegates to Choose the New Mayor Dr. Boxton Is Named Chief Executive Temporarily

"THE selection of Boxton is but a means to an end. An actual mayor who could take physical possession of the office was necessary to avoid legal embarrassment. The situation is unfortunate, but it is not of our making. We have submitted a plan by which the people can cure it, and immediately. I promised the people of San Francisco when I began this work that I would not play politics. I have kept my promise."—Rudolph Spreckels' statement.

"THE prosecution has a definite plan in view, as announced in the statement given out tonight. This plan will be followed. The election of Boxton is only a necessary step to accomplish the end we have in view of establishing a clean government, and to this end we have invited representatives of the commercial and labor bodies to join in selecting the man to head the new government."—Assistant District Attorney Heney's statement.

"WE have invited representatives of the commercial and labor bodies to meet to choose a new mayor for San Francisco. It is our hope that this will result in the selection of a citizen who enjoys the confidence of the entire community and who will bring to the office a broad wisdom and a spirit of harmony which will give to the city good government and industrial peace."—District Attorney William H. Langdon's statement.

GOVERNMENT HAS NEW METHOD TO SMASH TRUSTS

Will Appoint Receivers for the Monopolies Which Disobey Laws

MERGERS ARE NAMED

Plan to Be Tested on Oil, Tobacco, Harvester and Powder Combines

FIRST ACTION TODAY

Federal Agents in New York Will Ask Court for the Control of Company

By Ira E. Bennett

SPECIAL DISPATCH TO THE CALL.

WASHINGTON, July 9.—The adoption by the department of justice of the policy of appointing receivers for law breaking monopolies is regarded as an admission by the administration of at least a serious doubt as to its ability to successfully smash the trusts and keep them down by prosecution. The three trusts which the department has especially in mind upon which to test its new remedy are the tobacco, powder and harvester trusts, and it is also hoped by the procedure in question to circumvent whatever efforts the Standard oil trust may make to evade the federal laws.

The plan which the department of justice has now determined upon was authoritatively outlined today. It has been adopted to meet the instances by which the trusts have taken a step in advance of maintaining stock monopolies and have had recourse to the disposal of the physical properties of subsidiary companies to one great operating company, the subsidiary concerns existing only in name.

As long as the government had to deal with a connection between the holding company and subsidiary companies a reasonable amount of competition could be insured by cutting that link, but in cases where the monopoly was continued in the form to which the attention of the department has now been turned an entirely different situation was presented.

What the officials of the department now aim to do is to have an officer of the court appointed to take charge of and break up the monopoly sustained through the operation by one concern of anywhere from a score to a hundred companies that are competitors in name only. The first public step in this direction will be taken tomorrow in the United States circuit court for the southern district of New York, when a bill in equity will be filed charging that the American tobacco company is a monopoly in restraint of trade. In this bill it will be asked that the court appoint a receiver to administer the operating affairs of the company.

The intention of the government, as outlined today, is for the receivers to dispose of the interests of the central operating companies proceeded against and to restore as nearly as possible the original competitive basis. When the receivers have done this they are to report to the court, which will then discharge them from further connection with the enterprise. Of course the whole of this new policy is dependent on the view which may be taken of the matter by the court before which the application for a receiver is filed, and it is not certain that the judges will uphold the contention of the administration.

INDEX OF THE SAN FRANCISCO CALL'S NEWS TODAY

TELEPHONE TEMPORARY 66

WEDNESDAY, JULY 10, 1907

WEATHER CONDITIONS
YESTERDAY—Clear; west wind; maximum temperature, 82; minimum temperature, 52.
FORECAST FOR TODAY—Fair; light west wind. Page 11

YOUR NEWSPAPER FOLLOWS YOU

Have THE CALL mailed to your VACATION address. Change the address as often as you wish. If paper fails to arrive regularly and on time advise The Call's Circulation Department promptly.

EDITORIAL

After a few days of Boxton as mayor will come a new and clean regime. Page 8
Publicly spotted Herrin's game. Page 8
Bonaparte's cure for trust evils. Page 8
The teacher's mission of peace. Page 8
Meanness to a tall hero. Page 8

GRAFT

Judge Dunne refuses to allow Schmitz to visit his attorneys and question of bail will be decided today. Page 2
Jury to try Louis Glass is completed and testimony will be taken today. Page 3
Dr. Charles Boxton takes oath of office as mayor, but will make no changes in city administration. Page 3
Andy Wilson will be "drummed out of camp" by railroad commissioners. Page 3
Graft prosecutors call convention of representative citizens to select new mayor in place of Boxton, who succeeded Schmitz. Page 3
Supervisors respond to wire pulling of prosecution without a hitch in selecting Boxton to fill executive chair temporarily. Page 3

STRIKE SITUATION

"Owl" cars will be run next week on the main lines of the United Railroads. Page 11
Telegraphers to declare strike in Chicago and will extend it to every large city in the union if necessary to bring companies to terms. P. 6
CITY
Court holds mother in law is disquieting element between husband and wife. Page 16
California fruit growers and packers send resolution to Washington protesting against ruling forbidding use of sulphur in drying of fruit. Page 6
Alvin Eddy, former streetcar employe, convicted of having attacked Ethel Bergton, a 17 year old girl. Page 16
After vain efforts elsewhere Napa barber of 55 obtains license here to wed 14 year old child. Page 16
Millitamen and regulars engage in maneuvers at the Presidio with all the pomp and panoply of war. Page 16

SUBURBAN

Men and boys aid in pursuit and capture of thief at San Mateo. Page 7
Dr. C. M. Bakewell, now of Yale, regarded as strongest possibility for place of Dr. Howlison at University of California. Page 7
Mother of lad on trial in Oakland court shows anger toward Probation Officer Ruess. P. 7
Charles Henley, singer in Unique theater at San Jose, receives beating from Chief of Police Carroll of that city for paying attention to latter's daughter. Page 8
Portuguese society of Queen St. Elizabeth elects supreme officers at convention in Oakland. Page 9

COAST

Four children die in fire at Suisun, parents being awakened by flames issuing from baby's crib too late to save little ones. Page 5
Seventeen educational departments hold sessions in Los Angeles; executive business of national convention to be taken up today. Page 6
Young Ladies' grand institute begins its sessions in Stockton with reading of reports. P. 5
Grand parlor, N. D. G. W., convenes in annual session at Watsonville. Page 5

DOMESTIC

Defense in Haywood case offers witness who would tell of effort of Detective McFarland to manufacture testimony, but court sustains objection of prosecution; Meyer will testify today. Page 6
War department to rush materials to Manila for building of defenses. Page 6
Department of justice adopts new method to smash the trusts. Page 6

SPORTS

World's record lowered in the 50 mile automobile race at Del Monte. Page 10
San Francisco and Oakland win coast league baseball games. Page 11
Manager-Captain Frank Chance of the Chicago nationals indefinitely suspended for rowdyism. Page 10
Seattle race-track management announces increased purses and a number of handicap events. Page 10
San Joaquin trustees renew the licenses of the poolrooms for three months. Page 7
Top Gans insists that he will fight Hastings Nelson and not Joe Thomas. Page 10

LABOR

Metropolitan laundry, with capacity for 700 hands, asks for union operatives. Page 9
J. F. Valentine of San Francisco, president of the Iron Molders of America, probably will be re-elected. Page 9

MAHINE

Harvester of British bark Annesley breaks and vessel narrowly escapes going ashore on Alcatraz Island. Page 11

MINING

Wires are out of commission and the effect upon the mining shares market is to lower prices. Page 15

SOCIAL

D. A. Ryan Harvey is host at a dinner and theater party for a few friends. Page 8

POLITICAL

D. A. Ryan declares defeat of Herrin appointment plot gives decency upper hand in republican politics. Page 16

Stormy scene at the meeting of the supervisors when Tveitmoe protested to Gallagher against the choosing of Boxton for mayor. The portrait is that of Dr. Charles Boxton.



District Attorney Langdon Outlines His Plans For Ousting the Whole Schmitz Administration Merchants and Union Men to Co-operate

The selection of a mayor by representatives in equal number of labor and employers is the plan submitted by the graft prosecution through District Attorney William H. Langdon. The selection of the new municipal executive is to be entrusted to delegates from the five leading commercial organizations, the building trades council and the labor council. The labor organizations are, under the apportionment, given 15 of the 30 delegates.

The plan, which will be formally submitted to the several organizations today, calls for immediate action, and, if accepted, will result in the governmental rehabilitation of San Francisco within two weeks. Langdon gave out last night the following letter, which covers the situation and the proposed cure in detail:

"To the San Francisco Labor Council, the Merchants' Association, the Building Trades Council, the Chamber of Commerce, the Board of Trade, the Real Estate Board and the Merchants' Exchange—Gentlemen: We respectfully submit to your consideration and ask your co-operation in the carrying out of the following proposed plan for the selection of a mayor of the city and county of San Francisco for the unexpired term of Eugene E. Schmitz, who, having been elected mayor of the city and county of San Francisco in November, 1905, was on the 13th day of June, 1907, convicted of a felony, to wit: of the crime of extortion by a jury in department No. 6 of the superior court of the city and county of San Francisco, state of California. Thereafter, upon the 8th day of July, 1907, judgment upon the conviction was duly pronounced and entered, by which a sentence was imposed of five years' imprisonment in the state prison at San Quentin.

"The political code of this state and the charter of the city and county of San Francisco both provide that the office becomes vacant when the incumbent is convicted of a felony, and in several decisions our supreme court has held that the words 'convicted of a felony' signify the verdict of a jury. That court has also held that this provision of the code and charter is self-acting, and that the vacancy is created eo instanti upon the happening of the event, and that all that is necessary is for the appointing power to fill the vacancy thus created.

"By virtue of the conviction of Eugene E. Schmitz the office of mayor of the city and county of San Francisco became vacant. Upon the 9th day of July, 1907, the board of supervisors, pursuant to the charter, elected as mayor to fill the vacancy thus created Dr. Charles Boxton. This action was taken to avoid legal complications in the interim before a permanent selection of mayor could be made, and it is thoroughly well understood that the selection of Dr. Boxton is merely temporary.

"The conditions surrounding the present board of supervisors have been so completely explained through the public press that it is unnecessary to go into further detail in that regard than to say that Dr. Boxton has offered to resign his office as mayor as soon as a suitable successor has been found. In the present unprecedented condition of the municipal government, circumstances have made it the duty of the district attorney, in the interest of the public welfare, to take the initiative in the endeavor to find such a successor.

"It is the desire of the district attorney as speedily as possible to confine the operations of his office entirely to those duties ordinarily incumbent upon it. The next election for city officers will take place in November of this year, but the situation of the city government and the material conditions obtaining in the city with regard to necessary public improvements render it absolutely indispensable that we proceed with the utmost energy to obtain for the office of mayor a man of unblemished integrity and great executive ability.

"The district attorney and his associates, realizing that the selection of a mayor to fill the un-

Graft Prosecutors Call a Convention to Select Successor to Schmitz

After declaring that Eugene E. Schmitz, by reason of his conviction, was no longer mayor of San Francisco, the board of supervisors at a meeting yesterday afternoon by a vote of 10 to 2 elected Dr. Charles Boxton to the position. Boxton had a few moments before resigned from the board. It was explained by the members of the graft prosecution last night that Boxton had been made mayor to avoid legal complications, and that he would remain for only a few days until a new city executive could be chosen by a convention of citizens, at which the commercial and labor interests will have equal representation. Invitations will be sent today to the five commercial

Impertinent Question No. 7

Why Do You Work?

For the most original or wittiest answer to this question—and the briefer the better—The Call will pay FIVE DOLLARS. For the next five answers The Call will pay ONE DOLLAR each. Prize winning answers will be printed next Wednesday and checks mailed to the winners at once. Make your answers short and address them to IMPERTINENT QUESTIONS, THE CALL.

PRIZE ANSWERS TO "WHAT IS SOCIETY?"

- \$5 prize to Lee E. Wallace, Auburn, Cal.
- A good joke on our grandfathers.
- \$1 prize to Ceta Ryan, 3110 Clay street, San Francisco.
- A bubble with a hole in it.
- \$1 prize to Mrs. Fred Kemling, 272 South Second street, San Jose, Cal.
- A consolation prize to women—for matrimony.
- \$1 prize to D. S. Wilson, 532 Guerrero street, San Francisco.
- Heaven for a woman—the other place for her husband.
- \$1 prize to A. E. Wilkinson, 237 First street, San Francisco.
- Much on earth, little in heaven.
- \$1 prize to Mrs. E. Pardee, Presidio of Monterey, Cal.
- Society's a mighty horde—
- The borers and their prey, the bored.