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The Sunday Call

THE



CALL

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The Sunday Call

VOLUME CIL.—NO. 165.

SAN FRANCISCO, TUESDAY, NOVEMBER 12, 1907.

PRICE FIVE CENTS.

GOVERNOR COMES TO CONFER UPON SPECIAL SESSION

Visits Mayor Taylor and Attorney General for Advice

IS NOT YET DECIDED

Will Convene Legislature Next Week if It Is Called at All

MERCHANTS PETITION

Exchange Passes Resolutions Asking for Executive Action at Once

Governor Gillett arrived in San Francisco shortly after noon yesterday from Sacramento and spent several hours in consultation with Mayor Taylor and Attorney General Webb concerning the proposed special session of the legislature. He made inquiries as to the financial situation and learned from local bankers that conditions had improved. The governor was also informed of the temporary suspension of the Union national bank in Oakland. No alarm was felt over this suspension, as the latest statements of the institution showed that the assets exceeded the liabilities by a comfortable margin.

The governor did not arrive at a final conclusion in regard to the extra session, although he stated last night that he would make a definite decision some time before the end of this week and that he would call the legislature together next week if at all. The governor said:

"I am still investigating matters with a view to determining whether or not to call a special session of the legislature, and have arrived at no conclusion. I am hearing all sides of the question, looking into several points myself, and making an effort to learn whether it is generally desired throughout the state. Most of the bankers and businessmen in all parts of the state are urging a special session, while others do not favor it. If I should decide to issue a call it will be for some time next week, and I shall make up my mind in a few days now. The special session, if it is called, will be convened as soon as possible and as quickly dismissed, and there will be few matters which it will take up. Even with a special session all but the most important matters will have to go over until the regular session.

"If I should decide to call the session one matter that I will incorporate in the proclamation will be a proposed amendment to the code, which will make it possible for courts to continue their sessions during such holidays as those which we are now having."

At a meeting of the board of directors of the merchants' exchange yesterday the question of an extra session was discussed, and the directors expressed their approval in the following letter, which they addressed to Governor Gillett:

"We have the honor of informing you that at the regular meeting of the board of directors of the merchants' exchange, held on this date, the following resolution was unanimously adopted:

"Resolved, that the governor of the state of California, in view of the present financial stress and the additional danger to be feared from the locking up of large sums of money in the vaults of the city, county and state officials, be earnestly requested to immediately call the legislature of the state of California in special session for the purpose of extending for 60 days the date upon which the first installment of taxes for the year 1907 would become delinquent.

"Bespeaking your favorable action, as called for by the resolution, and assuring you that, in the opinion of the board of directors of the merchants' exchange, it is of the utmost importance that the legislature of the state of California should be convened at an early date for the purpose mentioned in the resolution, we remain, very respectfully yours,

"C. S. LAUMEISTER, President.
"T. C. FRIEDLANDER, Secretary."
A telegram was received yesterday by Homer S. King, president of the San Francisco clearing house, from the Stockton clearing house offering cooperation to secure a special session. Telegrams were also received in the

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POLICY UTTERLY FAILS TO INSURE PROPERTY TITLE

Adelstein Cites the Case of Bothin in Fight on the California Concern

REPORTS INACCURATE

Company Falls Back on Technicalities to Escape Liability

JOKER IN SCHEDULES

Character of Corporation Seeking to Sell City Imperfect Plant

Through the efforts of Samuel Adelstein, private citizen, the nature of the business being done by the California title insurance and trust company is being well aired and the character of the corporation seeking to impose its imperfect plant upon the city for use as official record of the status of titles is being pitilessly revealed. He and others who have had unfortunate experience with the surety company are making good their assertions that it is an insurance company which does not insure; a surety firm which does not pay if it can avoid responsibility on a technicality—and the policies issued give ample opportunity for such avoidance, says Adelstein. He has unearthed a case, which, he says, is only one of many, in which when the company was brought to the law resort was had to a miserable technicality unworthy of an honest business firm.

Policy Proves Useless

The particular case to which Adelstein calls attention is that of a suit brought in 1900 by Henry E. Bothin against the California title insurance and trust company to recover on a \$10,000 policy, issued by the defendant, damages on account of a defect in the title which the company insured. Bothin took his case to the superior court and it was decided against him, not because the company did not make the error, but because of a clause slipped into the policy which nullified its terms and rendered it unavailing as a guarantee against defects, the possibility of which was the reason for buying the insurance. In other words, the policy was good as long as it was not needed, but proved useless when a defect developed in the title and drove the insurer to the company for protection.

Feeling sure of the justice of his claim for \$10,000 damages, Bothin appealed his case to the supreme court of the state. There it still remains undecided and a moral to policy buyers to read their contracts with the California title insurance and trust company and find out if, after all, they are insured against "defects in title," the apprehension for which inspired them to take out a surety contract.

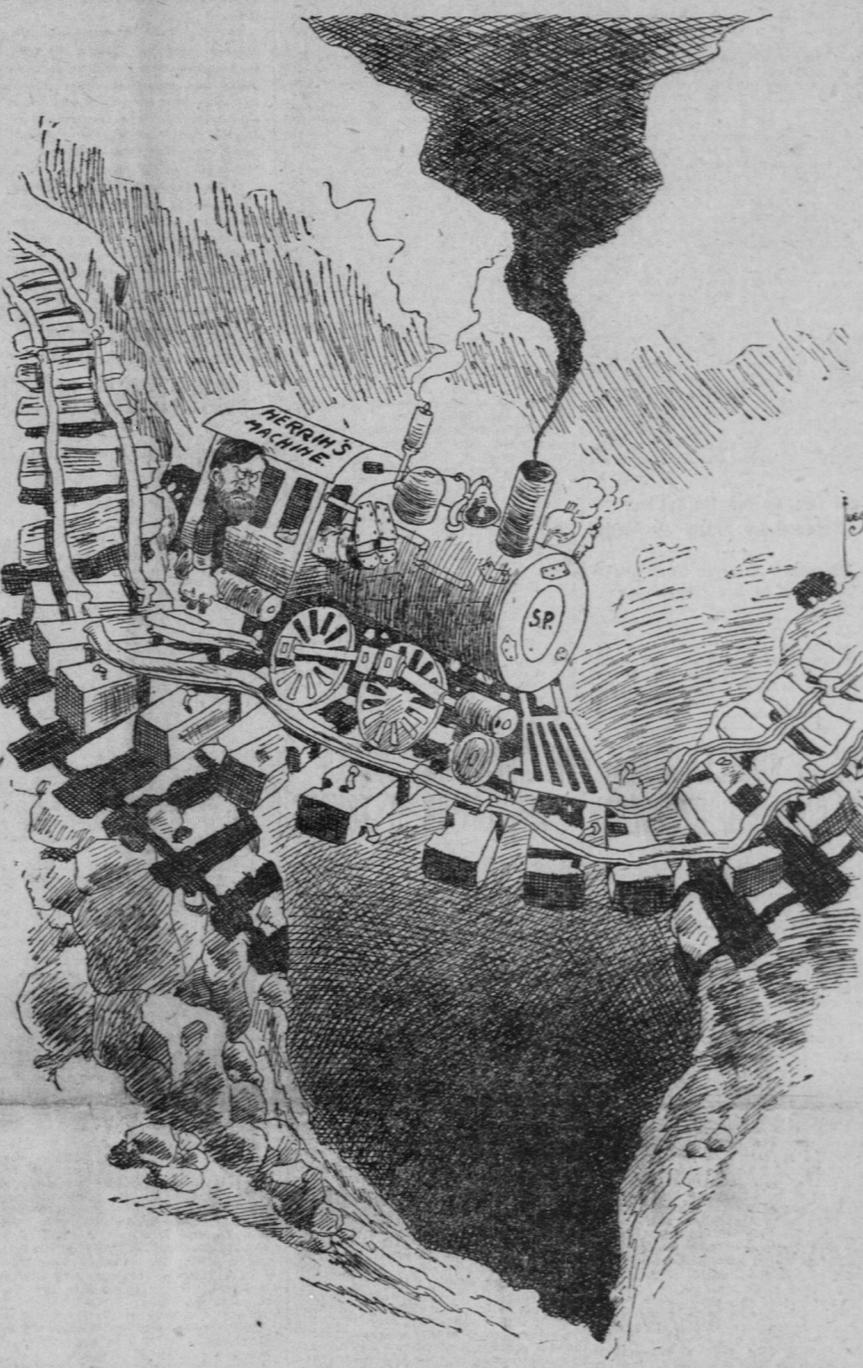
JOKER IN SCHEDULE B

Here is the Bothin case in brief: Bothin applied for a policy on beach and water lots 71 and 72 in March, 1900. At the same time he executed a contract with the Sharon estate to purchase the lots and applied for a loan of \$5,000 from the San Francisco savings union. The latter advanced the money and took the insurance company's policy as guarantee that title to the property was without flaw.

The following good faith clause in the policy received by Bothin from the California title insurance and trust company was relied upon by Bothin as evidence that he was protected in the purchase of the land and that he owned a straight strip of land from one street to another.

"The California title insurance and trust company doth hereby covenant that it will indemnify and insure Henry E. Bothin from all loss not exceeding \$10,000, which he shall sustain by reason of defects in the title of the assured or by reason of liens or incumbrances affecting the same, excepting only such as are specified in schedule B."

Over the Chasm



Man Cruelly Slain by Examiner Objects

Quite Indignant When He Reads a Lurid Account of His Spectacular Taking Off

Special by Leased Wire to The Call
SANTA ROSA, Nov. 11.—To read an account of his own death was the surprising sensation accorded Charles Phinney, a businessman of Healdsburg, yesterday. Though the fact that the highly colored account appeared in the San Francisco Examiner somewhat mitigated the circumstances, it in no wise calmed the wrath of Phinney. The Examiner had ruthlessly broken his neck and reported that he "died instantly." With riotous vocabulary and misused adverbs it had "buried" Phinney "over" a precipice, seasoned the story with tales of domestic troubles, heightened it with a couple of hints at suicide and as a finale asked:

"Was it a broken steering wheel or a broken heart that killed Phinney?"

"It will be a broken head if I catch the man who wrote that," stormed Phinney.

There was no foundation for the article other than that Phinney had met with a slight accident while riding a motor cycle and was rendered unconscious for a few minutes.

Stone to Be Receiver of Land Office

Chairman of Republican State Central Committee to Be Rewarded at Last

General George Stone, chairman of the republican state central committee, is to be receiver of the United States land office in this city, vice S. S. Morton, who has resigned.

United States Senators Perkins and Flint have decided to salve the many wounds inflicted upon the pride of a long suffering servant of the machine and at the same time reward his untiring services by passing Stone a federal job worth \$3,000 a year.

The recommendation for Stone's appointment to succeed Morton, signed by both the California senators, was received by President Roosevelt yesterday.

The decision to pass Stone a peach instead of a lemon is a decided departure from the treatment to which Stone has become accustomed and hardened. His services for the machine have for years been permitted to furnish their own rewards. In fact, so lightly has the chairman of the state central committee been considered that the last legislature calmly but none the less firmly refused to give him a small clerkship for his man Friday, Jake Steppacher.

Telegraphers Vote to Suspend Strike

Copps' Discouraging Report After Trip East Precipitates Action

OAKLAND, Nov. 11.—The striking telegraphers' union, No. 34, by a vote of 105 to 39 has declared the strike suspended. This local, under the direction of W. W. McCandlish, its president, was among the last to vote against further fighting on strike.

A. W. Copps, vice president of the national organization, returned from the east with discouraging reports following the return to work of many of the eastern locals.

His unfavorable statements concerning the situation impelled the local here to take action to end the strike. The men will make individual application for re-employment. The Western Union telegraph company has transferred its West Oakland office to its new headquarters at Pine and Montgomery streets, San Francisco.

PORTER APPOINTED DELEGATE
SACRAMENTO, Nov. 11.—Governor Gillett today appointed C. W. Porter of Oakland to be a delegate to the trans-Mississippi commercial congress, which will convene at Muskegon, Miss., the last of this month.

WILD CAREER ENDS IN FLIGHT

Bad Checks and Two Wives Too Much for Minor

Landlords, Merchants and Policemen on His Trail

One Faithful Spouse Flees With the Fugitive

Angry Father of Other Wife Follows Posthaste

After having maintained two wives in this city for six months on the proceeds of worthless checks, R. M. Minor, who duped his employers as well as his landlords and several stores, has fled from San Francisco, pursued by the angry father of one of the women he deceived, and he is sought by the police of three cities, who were placed on his trail by the proprietors of several hotels. It is said he forged checks amounting to more than \$700. With the fugitive is one of his wives. She fled with him and their 3 year old son, after having betrayed the other wife.

Charles Plummer learned Saturday that his daughter had been betrayed when he went to the Hotel Bon Air to pay the Minors a visit. He asked for Mrs. Minor, and a strange woman answered his call. Believing he had made a mistake, he turned to go, when Minor himself appeared, and the woman in the doorway said, "That is my husband; I married him four years ago."

A stormy scene followed. Minor told the angry father that his daughter was in Los Angeles. Then he fled, and that night the woman, with her child, also left, saying she had forgiven the fugitive and would go with him wherever he went. Since that time the man, woman and little boy have been traced to San Jose, thence southward, and Halberlin is in Los Angeles ready to press a charge of bigamy whenever Minor is caught, while those who hold his worthless checks already have sworn out warrants accusing him of fraud.

Until he duped the concern recently Minor had been employed as a fieldman by the A. G. Hewitt machine company of 37 Second street. Since last July he has had apartments at the Hotel Holland, the Frederick, a private residence and the Bon Air. At every place he stopped he disposed of worthless checks in amounts ranging from \$40 to \$120. Besides these, many clothing firms, among them Koenig & Collins' cloak house in Van Ness avenue, accepted bad checks from \$20 up

Impertinent Question No. 24

What's the Matter With San Francisco?
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 answer short and address it to
IMPERTINENT QUESTIONS,
THE CALL

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