

SHARP CLASHES MARRIAGES OF GRAFT TRIAL

Calhoun Lawyers Rebuked by Court for Objectionable Tactics Employed

Gallagher Unshaken by Gruel- ing Cross Examination Throughout Day

By W. Russell Cole

James L. Gallagher's description of his meeting with Rudolph Spreckels within the Presidio reservation at the time the subject of immunity for members of the boodling board of supervisors was first discussed was the feature of yesterday's proceedings in the Calhoun trial. The story of this conference has been told many times before, but never in the detail with which it was recited yesterday.

A. A. Moore, who began the cross examination of Gallagher Tuesday morning, was the inquisitor. It was not the only subject he touched upon, but it was the one in connection with which more new testimony was introduced than any other. The defense has avowedly based its case up to the present time on an attempt to discredit the testimony of Ferd P. Nicholas and James L. Gallagher, the two star witnesses of the prosecution, and the examination relating to the Presidio conference was but an incident of this attack.

MOORE'S TACTICS DISCREDITABLE

Moore gained little by his assault upon the witness beyond the opportunity to air some of his personal views and direct several sharp and nasty insinuations at Rudolph Spreckels and every one else connected with the prosecution of the graft cases. He made no open charges of any kind, but he attempted by innuendo to leave impressions which would prejudice the jury against the attorneys for the state and those who have been behind them in the fight against municipal corruption.

"When you went into the Presidio to meet Rudolph Spreckels did it not occur to you that you had chosen government property instead of private property under the ordinary jurisdiction of the state if you went there to compound a felony?" he demanded.

"Time after time objections were interposed by Assistant District Attorneys Heney and O'Garra to the methods employed by Moore in his examination, and throughout the day there was a continual round of hickering between the members of counsel. Moore's comments upon the testimony of the witness as it was received were tantalizing and often approached gratuitous insults directed at his opponents. Constant objections resulted and Moore was several times rebuked by the court for employing the tactics to which he resorted.

"An effort was made to show that the meeting within the Presidio gates was conducted with the secrecy of a criminal conference and that there were more than legitimate reasons why Rudolph Spreckels did not wish to have it become known that he had been in communication with the chairman of the trolley board of supervisors. Gallagher denied that Spreckels had been 'hidden in the brush,' as Moore suggested, and told how he had waited inside the trolley car at the time of the reservation and had walked up and down the public road with Spreckels as they talked.

MEETING WAS OPEN

"Any one might have seen us," said Gallagher. "If they had been interested in our movements and had paid any attention to the affair. The meeting was arranged through Mr. Owens, the attorney who represented me and several other members of the board, and was held at the Presidio in order that we might have a secluded place in which to talk."

"Why did you select the Presidio?" asked Moore arbitrarily. "Was it more secluded than the Panhandle or portions of Golden Gate park might have been?"

"It took Gallagher 10 minutes to explain that the Presidio had been chosen offhand and that there was no special reason why it should have been selected in preference to any other quiet place. Gallagher was forced to go into all the details of the conversation he had with Spreckels, and after telling it all once was taken over the same ground backward and in cross-examination several times.

"Did Rudolph Spreckels tell you in the course of that conversation that he had been engaged in the promotion of civic righteousness all his life and that he and Heney were engaged in this work for the love of God, as it were?" queried Moore, sarcastically, after covering all legitimate grounds of inquiry on his extended examination.

DENONCES MOORE'S METHODS

"I don't think this sort of thing should be permitted," Heney interrupted. "I don't think any case in which the proposition is being tried of whether a man is above the law should be made the subject of this sort of levity and this sort of buffoonery. The sole purpose of it is to try to cast ridicule upon these proceedings and to cast discredit upon the gentlemen who have tried to save this city from the corruption which everybody knows was rampant in it."

Judge Lawlor responded quickly to Heney's interjection, declaring that no member of counsel had any right to inject such foreign matter into the proceedings nor to turn his examination of a witness to ulterior ends.

John J. Barrett, the Schmitz attorney now allied with Calhoun's staff, was drawn openly into the verbal skirmishing for the first time since he has been connected with the case. O'Garra objected to the fact that A. A. Moore was reading to the witness only portions of certain answers in the transcripts, to which he referred in an effort to tangle Gallagher, and Barrett at once grew angry over the disclosure. He took exception to O'Garra's interruption and went so far as to declare that O'Garra had purposely interrupted to ruin the effect of "damaging admissions," and that the matter to which he had referred was "ought to settle the whole question of whether Gallagher was telling the truth."

SCHMITZ' COUNSEL RILED

O'Garra objected again to a reference made by A. A. Moore to a conversation between Gallagher and Spreckels which Moore alleged was in regard to proposed immunity for Eugene E. Schmitz. O'Garra demanded to know what the purpose of the in-

Grand Commandery Selects Officers



COL. H. D. LOVELAND

CHAS. L. FIELD

quiry was and suggested that Schmitz own counsel was numbered among Calhoun's attorneys. The statement did not seem to please Barrett, who started to rise and was quietly urged to sit down by other members of Calhoun's staff.

Gallagher was taken by Moore over the entire period following the first confession of the supervisors, and the subject of immunity was made much of. Moore also dwelt at length on the conversations had between Gallagher and Ruff concerning the payment of a bribe prior to the passage of the trolley franchise ordinance, and by the introduction of numerous records of Gallagher's testimony in other cases attempted to impeach his credibility as a witness. Moore covered all the ground gone over on direct examination and took up several new subjects of inquiry. He referred to the Parkside bribery case and the witness said he had never received the bribe offered for the passage of that franchise.

"Do you still have any expectation of getting it?" asked Moore.

"No, sir."

"You regard it as a bad debt, do you?"

"I regard it as a bad proposition," answered the witness.

DEPOSIT BOX AS EVIDENCE

The famous safe deposit box in which Gallagher declared he deposited the currency paid to him for distribution among the supervisors in connection with the trolley bribery deal was introduced as evidence. The identical box was used in the Ruff trial in connection with an attempt to show that the money which Gallagher said he had received could not be crowded into a box of such size, and the same box was used yesterday for supposedly the same purpose. A wooden box, specially built to size, was first exhibited by A. A. Moore, but he discarded this later in favor of the tin box, which still remained in possession of the clerk of the court.

When the wooden box was first brought to light by Moore Heney asked innocently if it was "push lined." The reference to Schmitz' old boodle receptacle in his Fillmore street residence was answered with an angry look from Barrett, but with nothing more satisfying.

Moore announced when the hour for adjournment arrived yesterday afternoon that he was far from being finished with the witness and a continuation was taken until 9:30 o'clock this morning for the completion of the cross examination.

ONE FIREMAN RESIGNS; ANOTHER IS PROMOTED

Truckman Frank Carew Be- comes a Lieutenant

Engineer Joseph H. Timon of engine company No. 1 resigned from the fire department yesterday, and Truckman Frank Carew of truck No. 3 was promoted to the grade of lieutenant. The commission received notice from the police board that hereafter no saloon licenses would be issued for locations within 150 feet of fire engine houses.

ROBERT S. ATKINS

THE FIT OF A SUIT—or the lack of fit—makes or mars your satisfaction from the day you put it on until it is worn out.

STEIN-BLOCH SMART CLOTHES

are so modeled that we can make them fit you—we guarantee to do it—and in addition to the fit every other point and detail of good clothes is yours.

CHIN COATS—We have just received an invoice of chin overcoats suitable for automobiling.

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KNIGHTS TEMPLAR HOLD CONVOCATION

Impressive Ceremony Marks Annual Gathering of Grand Commandery

Business Meeting With Election of Officers Followed by Big Reception

The grand commandery of the state of California, Knights Templar, was opened in annual convocation with impressive ceremonies in Golden Gate commandery asylum yesterday morning, with all the grand officers at their respective stations, in full dress uniform.

The reports of the grand commander, treasurer, recorder, finance committee, new temple committee and special committees were read and will be acted upon today. The reports show that the various commanderies in the state are in a flourishing condition, numerically and financially.

The committee on new temple presented a progress report to the effect that a site at the corner of Oak street and Van Ness avenue has been purchased and that plans and specifications are now being prepared. The grand chapter voted \$50,000 for the new temple and has paid one-half. The grand commandery voted \$25,000 and has also paid one-half. The committee recommends that the grand commandery vote \$10,000 more. This recommendation will be discussed at the meeting today.

The grand body adopted resolutions of respect to the memory of the late R. H. Lloyd, past right eminent grand commander of the grand commandery of the United States; also to the memory of the late J. H. Neff, past right eminent grand commander of the grand commandery of the state.

During the afternoon the following were elected for the ensuing year:

W. D. Stephens, past grand commander; L. F. Bremer, Sacramento, deputy grand commander; H. D. Loveland, San Francisco, grand commander; H. A. Caldwell, Los Angeles, grand grandmaster; E. W. Cook, Oakland, grand captain general; W. A. Hammel, Los Angeles, grand senior warden; J. R. Tapscott, Yreka, grand junior warden; C. L. Field, San Francisco, grand treasurer; W. A. Davies, Alameda, grand recorder.

Edward Coleman, for many years the grand treasurer, declined a nomination and C. L. Field was elected to succeed him.

In the evening there was an immense gathering in the Coliseum at the reception of the Grand Commandery. D. Stephens by California, Oakland, Golden Gate, Mission and Berkeley commanderies.

Frank Dalton was chairman of the evening and S. A. Clarke floor manager. The committee of arrangements was A. J. de Lamare of Golden Gate, J. G. Lisbald of California, Williams of Mission, George Smith of Oakland and C. L. Gompertz of Berkeley commandery.

ATTEMPTED AUCTION RESULTS IN FIGHT

Purchasers of Cigar Stock Ejected by Agents

A fight in a cigar store in the Russ building, Montgomery and Pine streets, yesterday morning attracted a crowd and later R. P. Quarg, 1938 Sutter street, swore to warrants for the arrest of "John Doe" Murphy, "John Doe" Levey, "John Doe" Hansen and "John Doe" Wilson on a charge of having forcibly and violently retained a possession of property belonging to Quarg and his partner, J. Gollober.

J. Gollober purchased the stock of cigars and tobacco of Sam Newmark from the receiver in bankruptcy, and it is said they desired to dispose of the stock by auction. This the agents for the landlord objected to and insisted that Quarg & Gollober remove the stock, as the rent was several months overdue and there was no chance of getting it.

Murphy, Levey, Hansen and Wilson were placed in the store by the agents to see that the auction sale was not proceeded with, and when Quarg and Gollober went there yesterday morning they were thrown out.

SACRED HEART COLLEGE STUDENTS TO GIVE PLAY

"The Toastmaster" to Be Produced by Clever Amateurs

With all details arranged and indications pointing to a brilliant success the students of Sacred Heart college await the curtain rise on tonight's production of "The Toastmaster" in the college hall. Brother Lewis, director of the college dramatic club, has cut out its few dead lines and had passages and rearranged some of the scenes.

The students have rehearsed the production for many weeks and it promises to run along far more smoothly than the average amateur theatrical performance. Those who will take part follow:

Richard J. Curtis, Robert E. Scully, Joseph I. Callanan, George V. McKeever, Frank X. Latulipe, D. Easter Doran, Timothy T. Shea, James J. McKeever, E. J. Fitzgerald, Gerald McKenna, Thomas P. Murphy.

PARTIES MAY JOIN ON ONE CANDIDATE

Rules for Register on Direct Pri- mary Law Made by Elec- tion Commission

Union Labor Party Presents Arguments for Right to Place on Ballot

The election commission decided yesterday that a candidate may receive more than one nomination under the direct primary law. This interpretation of the law, called forth by inquiries from various quarters, was adopted after the commission had listened to the written opinion prepared by Commissioner Thomas V. Cator and concurred in by Commissioner Cameron H. King Jr.

The question submitted to the commission was whether a candidate, in the affidavit to be filed with his nomination papers, must name as "his party" the same political party mentioned in his nomination papers. If that were the intent of the law, a candidate would be prevented from becoming the candidate of more than one party.

OPINION WRITTEN BY CATOR

In his opinion Commissioner Cator says in part:

"The nomination paper requires the signer to state that he is a member of a given party, but it does not require him to state that the candidate he nominates is a member of any particular party. Had it been intended that the candidate should avow himself to be a member of the same party as the signer of the nomination affidavit, it could have been easily stated in plain terms. In the absence of any such provision the candidate is at liberty under the words 'his party' to specify any party with which he affiliates in the manner required by his affidavit.

"Political parties have always hitherto enjoyed the right to nominate a candidate regardless of whether he was a member of the party nominating him or not. Those choosing the nominee are the sole judges of whether he sufficiently represents their views, or their idea of a proper candidate. If they desire his affidavit that he is a member of their particular political party, they are at liberty to demand and secure it before they sign papers to nominate the candidate."

DECISION GOVERNS REGISTRAR

The registrar of voters in his acceptance of nomination papers will be governed by the decision reached by the election commission yesterday.

Edward F. Moran appeared before the election commission and presented arguments to show that the right of the union labor party to a place on the ballot should be estimated on the basis of the highest vote cast for a union labor candidate at the last general election.

A written decision on this point, which will also affect the standing of the good government league, will be rendered to the commission by Commissioner Cator and will be acted upon at the next meeting.

KICKS IN OWN DOOR AND LANDS IN JAIL

Fear of Fire Is Explanation, but Story Is Doubted

Fred Klingler, 1509 Valencia street, who works on a wrecking car of the United Railroads, was arrested Wednesday night at his home on a charge of disturbing the peace. He was trying to kick the front door to pieces.

Klingler explained to Police Judge Shortall that his house had been raised and to get in he had to do some climbing and enter by a window. Thinking that if a fire started during the night he would be trapped he thought it advisable to kick in the front door to give him a means of escape.

The policemen told the judge that Klingler had driven his wife and children into the street and the judge continued the case till today so that Mrs. Klingler could be subpoenaed to appear in court this morning. Klingler is out on bail.

NICARAGUA CONSULATE—E. Calderon was yesterday appointed to take charge temporarily of the consulate of Nicaragua at this port.

RAILROAD MEETING CALLED IN EUREKA

People of Humboldt County Will Discuss Means of Securing Line's Extension

Development of the Resources Waits Means of Transporta- tion to San Francisco

[Special Dispatch to The Call]

EUREKA, April 22.—Humboldt county is intensely interested in the outcome of the investigations to be made by President E. P. Ripley of the Santa Fe and officials of the Northwestern Pacific concerning the completion of the latter line so as to connect Eureka and San Francisco by rail.

When Harriman was on the coast recently Mayor Ricks was sent to San Diego to interest him in immediate construction work. Later conferences were held between a local committee and Messrs. Payson and Calvin in San Francisco.

As a result of the campaign to date all interests here are bending their efforts to the task of inducing the railroad officials to close the 90 mile gap between Sherwood and Shively, and in line with this agitation a county railroad convention is scheduled for Saturday in this city.

It is expected that 300 citizens representing every voting precinct, all commercial bodies and all lines of industry will be in attendance. The chief purpose of this convention will be to lay out plans for future work and committees will be named to secure information as to what the people will do in the way of co-operation and financial aid if necessary.

Particular attention is to be given to ascertaining what freight and passenger traffic can be guaranteed if the road is put through. Great enthusiasm prevails at the present time. The people have been waiting many years for this road, and the present attitude of the railroad officials is very encouraging.

If the railroad is built tremendous industrial development will follow immediately in all portions of Humboldt. Estimates show that in a few years fruit shipments alone would equal in value the present shipments of redwood. In addition to fruit and wood, agriculture, mining, manufacturing and other resources would advance with rapid strides.

Visit Guerneville Branch

SANTA ROSA, April 22.—President Ripley of the Santa Fe and party returned from the north this afternoon and were taken over the Guerneville branch of the Northwestern Pacific to view the proposed extension of that branch line across the Russian river to connect with the North Shore branch of the same system and make a loop from San Francisco for the summer traffic. They were taken down on the North Shore, while the special returned through here empty to meet them at San Rafael.

PRESIDENT TAFT WILL PRESS MAGIC BUTTON

How Chief Executive Will Open Alaska-Yukon-Pacific Fair

SEATTLE, April 22.—President William H. Taft will press the key that will open the Alaska-Yukon-Pacific exposition at 12:30 p. m., Seattle time, Tuesday, June 1.

At the same moment Mayor George B. McClellan of New York will fire the shot that will start the New York to Seattle automobile race from New York.

Every whistle or noise making contrivance in Seattle is expected to extend a greeting to the new world's fair. Streetcars will stop for a period of two minutes and business will suspend for that space of time.

Seattle is to entertain four educational associations this summer and 800 educators.

The first visitors will be the Oregon educational association and, at the same time, the convention of the Washington press association will be held in Seattle. These two conventions will be held July 15, 16 and 17. The following week, beginning July 19, the National educational association will hold its first session in Seattle.



Anty Drudge's Advice to Mr. Newlywed.

Mr. Newlywed—"Yes, we've got a fine little dove cote. But it's one of those swell apartment houses and they don't allow any washing done. Won't stand for the smell and muss."

Anty Drudge—"Poor boy, you must be nearly bankrupt with big laundry bills. But, get your wife some Fels-Naptha soap and she can fool the janitor. Won't need boiling water. Just use it cool or lukewarm. Rub the clothes lightly and they'll be like snow."

"If I only had some place to boil them I'd wash lots of my light clothes myself—the laundry wears them out so fast," said a young woman who lives in two rooms.

Then she heard about Fels-Naptha.

Now she is washing those things herself, without hot water, and doing it far better than if she boiled them.

She has found out that Fels-Naptha cleanses things more thoroughly in cool or lukewarm water, in little time, than if they were boiled till Doomsday.

If you live in a room, apartments or occupy a whole house, take a chapter out of this young woman's experience.

Boiling is unnecessary when you use Fels-Naptha, either in winter or summer.

All that's needed is cool or lukewarm water, and even a bowl or basin will do for a few things.

Follow directions on the red and green wrapper.

Headache

"My father has been a sufferer from sick headache for the last twenty-five years and never found any relief until he began taking your Cascarets. Since he has begun taking Cascarets he has never had the headache. They have entirely cured him. Cascarets do what you recommend them to do. I will give you the privilege of using his name."—E. M. Dickson, 1120 Resner St., W. Indianapolis, Ind.

FOR MEN ONLY
Admission free. What can be seen at the GALLERY OF SCIENTIFIC WONDERS, 715 Market St., San Francisco, Cal. Wonders of Pathology, Wonders of Osteology, Wonders of the Digestive Organs. Study for origin and development of the human race from the cradle to the grave. See the freaks of nature, the curiosities and monstrosities. ADMISSION FREE, Gallery of Scientific Wonders, 715 Market St., San Francisco, Cal.

Don't Worry; It Don't Pay
USE CALL WANT ADS

20 early buyers get \$250 each at Parkside Sunday, May 2d, during the special sale of the remaining lots in ten blocks.

In these ten blocks there are 500 lots; 175 of the best were reserved for this sale; these will be sold early in May. \$5,000 given away to early buyers. Go to Parkside Sunday to find out about it.

New car service is being established. Ingleside cars will run to the beach Sunday. Other great developments are being planned which will benefit Parkside lot owners. Do you want part of that \$5,000? Go to Parkside Sunday, select your lot in these ten blocks, and be ready to buy May 2d. Take O'Farrell and Ellis street line, or Ingleside cars, and transfer to Parkside car line. Extra cars have been provided for Sunday.