

The trail of the '49ers across the Isthmus of Tehuantepec sixty years afterward will be described in The Sunday Call

THE



CALL

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VOLUME CVL—NO. 64.

SAN FRANCISCO, TUESDAY, AUGUST 3, 1909.

PRICE FIVE CENTS.

BOAT CAPSIZES AND THREE MEN SINK TO DEATH

Two Members of Party of Five Saved After Battle for Life in Waves

Convicts and Guards From San Quentin Do Brave Work in Effecting Rescue

Prisoners Spend Hours in icy Waters in Effort to Recover Bodies of Drowned

SWAMPED by the racing tides which sweep through Rincon straits into San Pablo bay, a small boat containing five men sank 200 yards off Point San Quentin about 2 o'clock yesterday afternoon, and three of the party were drowned, while convicts and guards were hastening to their rescue. Two of the men went down immediately. For half an hour the other three clung desperately to the keel of the overturned boat.

Warden Hoyle, the guards and 300 prisoners of San Quentin penitentiary stood on the rocky shore and watched the men make their fight in the water with death. Captain of the Guard O. E. Ellis and three guards put off in a boat, and five convicts pleaded with the warden for permission to swim out while the prison boat was being launched. Their brave petition was granted.

When the rescuers had almost reached the capsized craft one of the men clinging to the overturned boat let go his hold and sank.

The five men in the inflated boat were William Darling, unmarried, of 594 Valencia street, San Francisco, whose parents live in Deering street, Melrose, Oakland; Louis Krauer, unmarried, partner with a man named Waack in the Thoroughfare saloon, 1250 Market street; John McCluskey, a clerk in the San Francisco yard offices of the Southern Pacific, all of whom were drowned; and Guy Beck, a seaman on the U. S. S. West Virginia, and Belmont Ullner, a cement worker of 1489 Guerrero street.

Sailor Proves Hero

Beck was the hero of the tragedy. He saved the life of Ullner and nearly succeeded in holding McCluskey above the water until help came.

The heroism of the convicts was shown after the living men on the overturned boat had been taken off. They stayed in the freezing waters and the heavy wind, diving for the three bodies under the waves. A guard stood on shore and shot at the point of water beneath which the men had sunk. From 2 o'clock until after 5 the convicts dived into the chilling waters, and finally their bravery was rewarded. They recovered the bodies of Darling and McCluskey. Warden Hoyle refused to make public the names of the convicts, but took special notice of their worthy conduct. One convict in particular, a Porto Rican, distinguished himself by his hardihood in attempting the rescue of the living and the recovery of the bodies of the dead.

Guy Beck, the United States sailor, told the following story of the fatal excursion:

"We left San Francisco Sunday to spend the day on the ark Erie at Greenbrae. We went to the picnic at Schuetzen park, missed the last train for the city and had to spend the night on the ark. This morning we set out in a small boat to go to San Quentin for supplies. We started about 10 o'clock. On our return trip, made about 2 in the afternoon, we encountered a choppy sea. When off the point where the new prison building is being erected the boat started to fill with water. I set to work to bail it out, but it filled too fast for me and then the boat swamped.

Saves Drowning Companion

"We all went under. When I came up McCluskey was close beside me. He called, 'Help me, I can't swim.' I grabbed him with one hand while I held on to the gunwale with my other. I could have swum ashore, but I did not want to leave McCluskey. I thought that he could be saved, but as the boat from the shore came, off he started to drag me under. I had to let go my hold on him to save myself and before I could get a fresh hold he had sunk from sight. I was very weak then and it was all that I could do to swim to the boat as it approached.

Ullner praised Beck for saving his life. "When I came up I was helpless, as I had swallowed a quantity of water," said Ullner. "Beck got hold of me and told me to cling to the floating hull of the boat. He held me up until I recovered my breath; then he turned his attention to McCluskey. We did not see Darling or Krauer after we first sank."

Ullner was in bad shape when rescued and was taken to the prison hospital, where Dr. Wade Stone, the prison physician, treated him. The men in the boat which brought Ullner and Beck ashore were Captain of the Guard O. E.

THE DROWNED

WILLIAM DARLING, cement worker, 594 Valencia street.
LOUIS KRAUER, saloonman, 1250 Market street.
JOHN McCLUSKEY, Southern Pacific freight yard clerk.

THE RESCUED

Belmont Ullner, cement worker, 1489 Guerrero street.
Guy Beck, seaman, U. S. S. West Virginia.

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REVOLUTIONISTS SAID TO HOLD SMALLER CITIES

Republic Reported to Have Been Proclaimed by Villages in Disaffected District

Rigorous Censorship Veils Real Conditions and Shrouds Situation in Mystery

PARIS, Aug. 2.—The international situation in Spain tonight seems to be slightly improved. Barcelona has emerged from her isolation and the threatened general strike in Madrid appears to have been averted, at least temporarily.

The first train out of Catalonia's capital city since the beginning of the tragic events there reached the French frontier tonight, bringing censored and plainly inexact newspaper accounts of the insurrection. The rest is shrouded in mystery. Several of the smaller cities are reported to be in the hands of the revolutionists and many villages have proclaimed the district a republic.

Insurrection Will Be Crushed

Troops are being steadily distributed throughout the rebellious districts and, barring new serious outbreaks, the insurrectionists eventually will be forced to capitulate. It is said that the authorities are determined to crush the insurrection before the return from South America of Deputy Alejandro Leroux, chief of the republicans at Barcelona, whose period of exile for political reasons was set aside by the chamber of deputies last April.

Revolutionists Hold Town

Reports from San Felice, Palamos and Casa de la Selva say that these places are still in the hands of the revolutionists. It is rumored that the Spanish gunboat Temeraria has left for San Felice to aid the troops in restoring order.

An official statement issued in Madrid tonight concerning the proposed general strike there says that numerous masons failed to report for duty today, but it is explained that this was due to a fear of a clash with the unionists.

Spain's censorship tonight is more inexorable than ever. No news has been received from the various points in the north, where the trades unions had planned a general strike for today, and therefore the actual conditions there and elsewhere can not be stated.

Many Churches Burned

CERBERE, France, Aug. 2.—The first train out of Barcelona since the troubles began there arrived here tonight, bringing copies of La Publicidad and other newspapers. After pointing out that their accounts of the fighting at Barcelona had been censored, leaving it to be supposed that they are incomplete, the papers publish a list of 35 churches and convents which were burned between July 26 and July 30.

After July 26 Civil Governor Gallardo resigned, turning over his power to Captain General Santiago. In the first disorder the losses of the army were three men killed and 27 wounded, while 75 civilians were killed and 127 wounded placed in hospitals. The papers say that the number of civilians injured in private houses is not known.

The number of wounded prisoners incarcerated in the Montjuich fortress July 29 was 204, and on July 30, 182. To these figures should be added four dead and 17 wounded. The newspapers say also that the bishop of Barcelona abandoned his palace and fled to Sarria.

The Red Cross labored devotedly during the fighting. The papers report that calm has been re-established.

Many Foreigners Killed

LONDON, Aug. 2.—In a dispatch from Barcelona, dated Monday, the correspondent of the Daily Mail says: "General Santiago has started sending out forces to restore order in the neighboring towns and villages. The officers have been ordered to take swift and vigorous measures."
The Daily Telegraph's Madrid correspondent asserts that many foreigners, especially Frenchmen and Italians, are among the dead, wounded and prisoners in Barcelona.

Diaz Heads Subscription

MEXICO CITY, Aug. 2.—President Diaz tonight headed a subscription list for the relief of the women and children of Spain made dependent on account of the war in Morocco. His contribution was \$1,000. The Spanish colony here and Mexicans generally are contributing liberally.

BURSTING DAM BRINGS DEATH AND DESTRUCTION

MORELOS, Mex., Aug. 2.—Two men were killed, three hurt, several houses swept away and all crops destroyed by the bursting of a dam across the San Juan river near here yesterday. The wreck of the dam was caused by a cloudburst and the damage is estimated at \$500,000.

"JOKER," CRY THE WESTERN SENATORS PRESIDENT YIELDS TO THEIR PROTEST

[Special Dispatch to The Call]

WASHINGTON, D. C., Aug. 2.—President Taft, Speaker Cannon and the tariff conference committee tonight capitulated to the western senators on the leather schedule. The joker will be corrected and the rates on leather products the western men thought they were getting in exchange for yielding to free hides will be substituted for the qualified rates inserted in the conference report, and which the western senators asserted today violated both the letter and the spirit of their agreement.

NAVY COALING STATION CALIFORNIA CITY CHOSEN

[Special Dispatch to The Call]

WASHINGTON, Aug. 2.—The navy department has decided to abandon its plans for the further improvement of the coaling station at San Diego, Cal., and will instead establish a coaling base at California City, on San Francisco bay. The improvements there will cost about \$200,000. They will include a dock nearly 400 feet long and a traveling crane to be one of the largest in the world, with a span of 300 feet.

HORSES STOLEN BY DARING THIEVES AT SAN CARLOS

Two Valuable Steeds and Victoria Taken From Private Stable

[Special Dispatch to The Call]

SAN CARLOS, Aug. 2.—Thieves invaded the beautiful estate of Mrs. Timothy Guy Phelps Sunday night, and, devoting their attention to the stables, made off with two valuable carriage horses, a handsome victoria and two sets of harness. The raid was effected with a cunning that betokens the experienced marauder of earlier days. So stealthily was it accomplished that neither the hostler nor the coachman were awakened.

The precaution had been taken to spread straw along the floor of the barn, and as the horses were led out the sound of their hoofs was completely muffled. Once in the open, the highwaymen drove the stolen steeds over the hills and disappeared.

The robbery has occasioned unusual concern among the wealthy residents who maintain palatial estates down the peninsula. There have been occasional visits from night prowlers, but it was generally believed that the horse thief was an extinct species as far as the peninsula was concerned. No special precautions have been taken to safeguard stock, because the need for it was never apparent.

"We were greatly surprised," said Mrs. Phelps, "to find that some one had entered the stables. Two very handsome carriage horses were stolen, also a victoria and two sets of harness. Hay had been scattered about so that the horses were led away without making a noise. They were taken through the farmyard, and what became of them we do not know. We have no clew to the thieves, but have offered a reward."

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MARION DEVRIES IS TO BE CUSTOMS JUDGE

Tariff Bill Fixes His Salary at \$10,000 a Year

[Special Dispatch to The Call]

WASHINGTON, Aug. 2.—Marion Devries of California is to be one of the judges of the new customs court provided for in the tariff. The salary as fixed by the bill is \$10,000, but the urgent deficiency bill actually makes the appropriation for only \$7,000. This reduction was made by the senate on account of the claim that it would be unfair to the circuit judges to give the new judges a greater salary. However, a compromise will probably be made in which the judges will receive a larger salary. The argument is made that the members of the board of general appraisers receive \$9,000 each.

PRESIDENT TAFT SENDS GOOD WILL TO THIS CITY

Merchant Returns With Message From Chief Executive

B. Katschinski, proprietor of the Philadelphia shoe company, has just returned from the east with a special message of good will from President Taft to the people of San Francisco. Katschinski's business affairs called him to the other side of the continent on an extended trip and during his absence he visited Washington, where Congressman Kahn presented him to Taft.

The president spoke very kindly of this city and asked that his good will be conveyed to the people here. Katschinski returns more than ever impressed with San Francisco. He took pains to observe business conditions in the big cities of the eastern states and reports that this city is more than holding its own.

CROWLEY TAKES TWO MATRIMONIAL TRIPS

Lauchman Goes by Water Route to San Rafael to Wed Secretly Miss Gade

Tom Crowley, like the man in the song, forgot that he was married. In fact, he was wedded so secretly that he apparently neglected to take himself into his own confidence. Thus it happened that he hid himself with his bride to San Rafael on Sunday, steered for the ceremony, to be staggered by the knowledge that he was already a married man.

Tom is the Beau Brummel of the water front. From Hunters point to the headland at Point Lobos he is known as the "handsome lauchman." His romance had its beginning on Friday, when he slipped quietly over to San Rafael with Miss Birdie Gade. They took a circuitous route over the water. With great secrecy they procured a license and with even greater secrecy Justice William Magee performed the service in the courthouse. Then Mr. and Mrs. Crowley returned to San Francisco.

Sunday, Tom and his bride made another but less secret trip to San Rafael. With them were two friends and together they sat down with less secrecy to a wedding supper. It was at the conclusion of the supper that Tom decided to get married again. A cabman was roused from his slumber to drive him four blocks to the home of Justice Magee. It was very late. In fact, it had turned morning and the justice was asleep.

"I'm Tom Crowley," announced the lauchman. "I'm 33 years old and I want to get married."
"But you were married only last Friday," replied the astounded justice.
"You can't prove it," answered Tom. "What have I got to show for it?"
"Why, you've got your wife," said Magee.

"That's not enough," Tom replied, raising his voice. "What I want is a certificate. Either I get a certificate or I get married again here and now."
In vain the justice explained that the certificate had first to be placed on record.

"This is a queer place where a man can't get married when he wants to," ejaculated Tom, with disgust.
"D'you hear what I say, you landlubber?" he demanded of the cabman he encountered on the steps.
Evidently the cab didn't share Tom's view, for the next moment the aquatic bridegroom and the landlubber clinched and rolled in combative embrace to the foot of the stairs.

LEGAL FIGHT OVER DICE SHAKING LAW

Cigarmen Plan to Test Clause Prohibiting Gambling with Customers

That the city ordinance passed recently prohibiting employes or proprietors of cigar stores from shaking dice with their patrons though the latter are allowed to do so among themselves, was legislation, and therefore unconstitutional, will be the plea made by Charles Edwards, an employe in a cigar store at Commercial and Kearny streets, who was arrested yesterday for the violation of the ordinance. The case will be carried through the courts as a test and the cigarmen of the city are confident that they will be able to knock out the ordinance.

Edwards is an employe of James E. Mosholder, the proprietor of two big local cigar stores. Ever since the ordinance was passed Mosholder, with the other cigar dealers of San Francisco, was confident that it would not be maintained in the courts. No sooner was Edwards arrested than the case was put into the hands of Burdette & Bacon to fight it.

The case will come up for a hearing before Judge Deasy's court this morning. The arrest was made by Policeman Redmond.

MENLO PARK SALOONS ARE GRANTED LICENSES

Action Is Taken Pending the Court's Decision

REDWOOD CITY, Aug. 2.—The supervisors granted licenses to some of the Menlo Park saloons today. A law passed at the last session to deprive Menlo of its drinking resorts on account of their proximity to Stanford university has thus far been a dead letter, so far as action on the part of the county authorities is concerned. The discussion at today's meeting revolved around the point that the licenses might as well be granted until the matter was decided in the courts, and that if the law was found constitutional the various portions of the license money would be refunded to the saloonmen.

HIDE AND LEATHER SCHEDULE CAUSE OF MORE DELAY

CHARGE THAT FAITH HAS NOT BEEN KEPT

Conferee's Report Held Up In Senate by Angry Men of West

[Special Dispatch to The Call]

WASHINGTON, Aug. 2.—Senators Borah and Brown, representing the hide senators, had a long conference tonight with the president after Mr. Taft had had an interview with Chairman Aldrich. They were told that a concurrent resolution would be passed after the conference report is adopted by which the enrolling clerks would be instructed to substitute a leather schedule in harmony with the wishes of the westerners. Speaker Cannon and Senator Aldrich stood for the faithful performance of this agreement by the two houses, and the president said that he would personally see that it was carried out.

Deduces the Duty

This agreement, reached after a somewhat alarming day in the senate and a stormy emergency session of the conference committee, reduces the duty on boots and shoes made not only of hides of cattle, but of calfskins, etc., to 10 per cent on dressed upper leather to 15 per cent on dressed upper leather to 15 per cent, and on harness in the same manner to 20 per cent.

As provided in the conference report, these rates were applicable only to such products when made from "hides" from cattle, and that grade of leather enters into the manufacture of these articles only in a very small degree.

Conference at White House

The White House interview tonight, concluded at midnight, clarifies the situation and removes all serious opposition to the bill. This morning there were 19 republican votes against it, which, combined with democrats, would have defeated it. The president is expected now to approve the bill as an administrative measure, and seven of the 19 "progressives" who voted against it will support the conference report. Adjournment is expected by Friday.

Western Senators Bitter

Western senators were extremely bitter in their condemnation of the compromise. They said they had been fooled, and that the president had been fooled, and that the trick played on the consumer was nothing short of unbecoming. "Finding that the westerners were not amenable to argument, some of the senate leaders and some of the dissatisfied members hurried to the White House. There all were informed that the president had not been fooled. He was reported to have told all of his callers that he fully understood the character of the compromise.

Letters From President

Senators Brown and Borah both had letters from the president bearing upon the alleged "joker." The letter to Senator Borah was in response to one he had written. The president asserted in this letter that the leather and hide schedule as adopted by the conferees was just as he had understood it. He said his understanding was that the reduction on leather goods should be made on those manufactures of the hitherto dutiable hides, and should not include manufactures of hitherto free hides.

Continuing, the president argued that farmers wear shoes made of the kind of hides that would pay the low duty and that practically all harness is made from dutiable leather and therefore would be reduced to 20 per cent ad valorem. In the Brown letter the president is said to have added a rather sharp criticism of legislators constantly "finding jokers."

Senate Takes Up Report

Moving ahead as rapidly as possible in running over the amendments agreed to, the reading clerk was interrupted, by Senator Heyburn. "The clerk has made no reference to the maximum and minimum provisions," said the Idaho senator, addressing the presiding officer. "He has omitted the cotton schedule," declared Clapp.

"It is obvious that at least 20 pages have been turned over without reading," commented Cuberson, joining the two republican senators in insisting on a careful compliance with the rules. The reading clerk protested that he had read all, but his protest served only the purpose of calling out a rebuke from Heyburn. It was evident that "there was a