

CALHOUN JURY BOX CONTAINS ONE OCCUPANT

Talesman Temporarily Passed Despite His Censure and Criticism

Eleventh Venire Practically Exhausts List and Sheriff Ordered to Impress Men

Although he censured the defense, criticised the prosecution and chided Judge Lawlor, Thomas Gainsford, a master plumber living at 1218 Ninth avenue, was accepted as a temporary juror in the Calhoun case yesterday afternoon, without objection from the attorneys on either side—or the judge whom the talesman so naively scolded.

It seemed for a time that the day's session would be made notable by the acquisition of another juror, for David S. Siphers for nearly an hour weathered, with success the various queries of the lawyers. Judge Lawlor finally said this talesman's further examination continued until today, but it is not thought that he will be acceptable to the defense, because of the trend of certain answers made just before his examination was postponed.

At the end of his long inquisition Gainsford testified positively that he had no notions or opinions that would affect his judgment in the case or prevent him from giving a fair and impartial trial of the Calhoun case.

In answer to Langdon's question he stated also that he had no bias or prejudice against the prosecution. He would listen to the evidence and make his decision from that and the law, as laid down by Judge Lawlor.

Every indication is that Gainsford, far from sharing the fate of Carl F. Haas, the temporary juror secured one day last week and excused the next, will continue on the jury without challenge from either side.

JUROR PROVES INTERESTING

Gainsford's ideas of justice, his decided opinions upon the conduct of cases and operation of the law, gained, as he himself stated, from experience as a juror in several courts, caused considerable interest among spectators at the trial, the attorneys, and even Judge Lawlor himself, who allowed the usual judicial serenity to give place, on occasion, to something closely resembling an expression of amusement. Especially free was the juror in pointing out the long life of the Calhoun trial, and offering suggestions as to an improvement in this regard.

"Would you be willing, if you were the defendant, to be tried by 12 jurors in the frame of mind in which you are now?" Attorney John J. Barrett asked the talesman.

"Yes, I would be quite willing to go up against it," answered Gainsford. "And you mean by that—"

"I mean that I would be just." "You feel that you could give an impartial decision on the case?"

"I do. Several times I have served as a juror in the lower courts and on one occasion the judge complimented me upon my verdict. He said that we returned the very judgment on the case that he would have given himself."

"Did he say that before or after the decision?" asked Barrett smilingly.

"After it," Gainsford replied seriously. "I have forgotten the judge's name, but I know he lived across the bay in Berkeley. He is dead now."

It proved to have been Judge Campbell who had complimented the juror.

GAINSFORD WITHOUT BIAS

After eliciting that the talesman had no bias, would Gainsford the presumption of innocence and felt that he could serve honestly and with impartial mind Barrett rested his queries and District Attorney Langdon took up the examination.

Gainsford had nothing against the prosecution. He said he knew one of the district attorney's assistants, whose name he could not remember.

"I have met him around here and there," Gainsford said, "at Irish picnics or balls, perhaps, but not otherwise. He lives in the Richmond district."

"The fact that the supervisors had been granted immunity did not affect Gainsford's judgment," and commended Ruff's immunity from punishment—or Ruff's subsequent conviction. The talesman further said he believed in circumstantial evidence, provided it was strong enough, and thought many cases could not be proved without its aid.

Then the district attorney asked the question which brought forth the talesman's rebuke to the attorneys and the judge for the time taken up with the Calhoun trial. He said, however, that the weeks and months consumed by the trial would not affect his mind, but that if he were "put in the harness" he would go through it.

Thereupon the talesman at this juncture, and Barrett, after discovering that Gainsford was not biased against Calhoun because of the car strike, agreed.

BELIEVES CALHOUN GUILTY

The next talesman to be called after Gainsford's examination was finished was David S. Siphers of 1977 Bush street, who seemed far from sure of a seat beside the newly chosen juror. He pleaded the defense by stating that he had a "very good opinion" of Calhoun because of the car strike, as he thought Calhoun was in the right in the matter and took a firm stand, and then drew their wrath by averring, after a long examination, that he rather believed that bribery had taken place, and that Calhoun must have known of it.

The examination promised a verbal bout of unknown length, and Judge Lawlor had the examination of the talesman continued until today.

In all, 21 talesmen were examined by the attorneys, and commendable speed made in all particulars. Judge Lawlor examined the venire of 100 brought in in the morning and turned the available portion of this over to the attorneys.

The eleven venire was drawn yesterday morning, making 1,110 names now taken from the big juror box. This means that there are 140 names left in the box, and that, when this morning's drawing exhausts that number, the sheriff will be called upon, as in the first Calhoun trial, to impress whatever material he can from the street. This latter method of securing talesmen, however, is much more speedy than the method now practiced, and hope of securing company for the juror now in the roomy juror box is entertained by the attorneys.

A Domestic Eye Remedy

Compounded by Experienced Physicians. Conforms to Pure Food and Drugs Laws. Wins Friends Wherever Used. Ask Druggists for Murine Eye Remedy. Try Murine in Your Eyes. You Will Like Murine.

Vote for Dr. C. C. O'Donnell for corner; the dead will be respected, Rep.

'SOMETHING IN IT; TALK FOR CALHOUN'

That emissaries of the United Railroads are requesting veniremen summoned for jury service in the Calhoun trial to volunteer the statement that they believe the defendant innocent is the information that has come to District Attorney Langdon in a letter. It is also asserted that veniremen who have promised so to state on the witness stand have been told there is "something in it" for them. The letter to the district attorney reads:

July 26, 1909.

W. H. Langdon, Esq.
Dear Sir: I am "only a woman," but I overheard a conversation the subject of which will be of interest to you. One man said to the other:

"Well, I see you are drawn for the Calhoun jury."
"Yes, but I am not going to serve."
"Will you do me a favor? When you are examined just state that you have made up your mind and that you believe Calhoun innocent."

"What good will that do? You know he is guilty as well as I do."
"Yes, but we want this thing stopped, and we are getting as many of the venire to make a positive statement for the purpose of influencing public opinion as we can. We have several now who have so asserted when examined, and it is doing a lot of good for Calhoun. You can get something out of it."

Then the man left, and I heard no more, but I heard enough to satisfy me that the defense has been getting a lot of men to make the same statement on the stand, for the purpose of influencing public opinion. I heard more, but this is the scheme, and I see by the reports in newspapers that it is working. Conditions are such that I do not think it wise for me to sign my name, but there is no harm in giving you this information, and you can do as you please about it. Yours for

JUSTICE.

CITY ATTORNEY TO WATCH WATER CASE

Long Unable to Attend Meeting Held in Interest Because of Trip to Madera

Called away from the city to circumvent a characteristic Spring Valley stratagem, City Attorney Percy V. Long was unable to address the meeting held in the interest of his candidacy in the Sunset district last night. Long learned that Attorney E. J. McCutchen of counsel for the Spring Valley water company had bobbed up before the United States circuit court of the southern district to dispute the right of the city of Madera to acquire its own water supply. As the fight which the little community is making to acquire a municipal system has many points of resemblance to the local fight, City Attorney Long concluded that McCutchen was looking for legal ammunition to be used in behalf of Spring Valley in this city. So he went south yesterday to ask permission of the court to file a brief in answer to McCutchen.

Assistant City Attorney Jesse Steinhart explained the reason for Long's absence to the residents of Sunset who gathered in Foresters' hall in I street between Tenth and Eleventh avenues. Steinhart also told of the work which had been done by the city attorney during the last year and a half. He explained that when Long resumed the office of city attorney after it had been vacated by the resignation of William G. Burke of the Ruff regime he found the water litigation no further advanced than when he left it, and he told of the progress that had been made since. He called attention to the selection of a site for the Polytechnic high school, the regaining for the city of valuable land along the beach and the grading and improving of H street from Twentieth avenue to the ocean as matters directly affecting Sunset which had been largely the achievement of the city attorney.

"Do you want the water and gas cases decided?" asked Steinhart. "Do you want the city represented by an official who has shown that he will protect the city against rapacious corporations? If you judge Long by his enemies you will vote for him. The push politicians, the greedy corporations, Gray Brothers and others arrayed against him. If you judge Long by his friends and by the ticket he is on you will vote for him."

Dr. A. A. d'Ancona, Daniel S. O'Brien and Clarence W. Riffe, a candidate for supervisor, also spoke. W. W. Allen presided over the meeting.

SAVED FROM FACING CROWD IN COURTROOM

Pretty High School Girl Dismissed for Masquerading

Miss Ruth Sickafoss alias Miss Elsie Stallcop, the pretty high school girl from Stockton, who was arrested early Sunday morning in Chinatown for masquerading in male attire, was spared the ordeal yesterday of facing the morbid crowd in Police Judge Deasy's court and was dismissed after the judge had severely lectured her on the impropriety of her conduct. She was accompanied by Albert Lawrence Johnson of Piedmont, nephew of Attorney Hiram Johnson, who was her escort when arrested.

Attorney Fallon called on Judge Deasy yesterday morning in his chambers and requested him to favor to hear the case after all the other cases were disposed of and the courtroom cleared, to which the judge consented. She was kept in a room in the chambers of the board of supervisors till the time came for her to face the judge.

After the case was dismissed she left, escorted by Johnson, and from the smiles on her pretty face the judge's lecture did not seem to have affected her to any great extent. She wore a military cloak and a jaunty hat trimmed with red feathers.

ROBERT S. ATKINS FALL SUITS

We have just received a large assortment of high grade suits, including the latest models by STEIN-BLOCH and other makers of repute.

\$20 to \$40

The new fall tweeds are of exceptional interest, both in patterns and quality—greater values at the price than we have ever shown.

168 Sutter Street Near Kearny

EVERYTHING COMES TO HIM WHO USES THE CALL WANT ADS

CALHOUN CASE CONVERSATIONS

THOMAS GAINSFORD, plumber: "I have an opinion. I think that the attorneys on both sides have too much latitude. There is a waste of time. Now the regular dinner hour is 60 minutes, while the dinner hour we had today was 102 minutes."

JOHN J. BARRETT: "Are you conscious of any bias in this case?"
GAINSFORD: "Only in the matter of this lost time. I would listen carefully to the evidence, if the case went along quickly."

BARRETT: "Would you continue to hold the presumption of innocence granted the defendant, no matter how long the trial lasted?"
GAINSFORD: "Oh, if I were chosen I would be up against it, and would be just no matter how long the trial was."

LANGDON: "Which side do you blame for the delay in this trial?"
GAINSFORD: "Both sides, and the judge, too. If I were conducting a business I would hurry it through."

DISTRICT ATTORNEY LANGDON: "Have you any leaning in this case?"
DAVID S. SIPHERS: "Yes, you might say I have, I guess. I think Schmitz should have been given life, Ruff 100 years, the supervisors about 10 years each, and the men who were held up by these people a shorter sentence. I think Calhoun may be guilty, but I do not doubt he is a smart man and a shrewd lawyer, and even if he gave the money did so in such a way that it can not be proved."

JUDGE LAWLOR: "Thomas Mikkelsen." (Talesman rises in the box.)
TALESMAN: "I am quite deaf, your honor."

JUDGE LAWLOR: "The juror is dismissed." (The talesman starts for the door.)
SECOND TALESMAN (rising to his feet excitedly): "That was my name you called, your honor, that he is getting out on."

JUDGE LAWLOR (when bailiff returns with escaping juror): "What is your name, sir?"
FIRST TALESMAN: "John Pennington, sir. Wasn't that the name you called?"

JUDGE LAWLOR: "Is there any reason why you should not serve in this case?"
EMIL HIRSCH: "Well, Abraham Ruff is my cousin."

MUNICIPAL LEAGUE WILL BILL CITY

Sheet Posters Containing Ticket Will Be Displayed in Disputed Districts

The municipal league of independent republican clubs has made plans for billing the city as part of its primary campaign. Eight sheet posters containing the league ticket will be displayed in advantageous positions in the districts which are regarded as debatable, particularly in the thirty-second, thirty-third, thirty-fourth, thirty-fifth, thirty-sixth and forty-second.

This advertising campaign will be supplemented by the issuance of circular letters to the voters, containing the pictures of all the candidates, the plat of the ticket by prominent businessmen. Marshal Hale is engaged in gathering these endorsements.

There will be a gathering of all the league candidates at 4 o'clock this afternoon in the league headquarters in the Mills building. The issues of the campaign will be discussed and plans for individual campaign work will be exchanged.

Robert H. Countryman is pursuing a vigorous plan of campaign, addressed to the individual voter. Countryman's supporters claim that the verification deputies who were employed on his petition for a place on the ballot gathered 7,500 signatures in all. These were not all gathered before the petition was filed. The work was kept up until registration closed last Wednesday. Countryman has addressed personal letters to all who signed their names, thanking them for their support and asking them to vote for him at the primary election. By this means Countryman expects to bring out a large vote in his behalf.

PAINTERS' SKULL FRACTURED—While employed in painting the new structure of the Mr. Friedman company, Stockton and Post streets, yesterday morning, C. W. Carlson of 209 Liberty street, fell from a scaffolding, a distance of 20 feet, fracturing his skull. He was taken to the central emergency ward, where an operation for the removal of the particles of bone from the brain was performed.

COGHLAN IS STILL UNABLE TO DECIDE

Wants Time for Consideration Before Withdrawing From Race for District Attorney

Says Friends Are Divided on the Request of Businessmen's Committee

Assemblyman Nat C. Coghlan declined to promise yesterday that he would withdraw from the race for republican nomination for district attorney in favor of Charles M. Fickert, the candidate of the businessmen's committee.

When the representatives of the businessmen's committee called on Coghlan again to get the formal announcement of his withdrawal which he was expected to give them Coghlan told them he had not decided, but that they might expect his answer today. To the newspapermen he said that he might decide today—or some other day.

Members of the committee which waited on Coghlan said last night that they had "no doubt" that he would give them the desired promise today.

Coghlan's statements to the Call indicated that there were as many chances for his refusal to withdraw as there were that he would get out of the way for Fickert. He discussed freely some of the arguments made by the businessmen's representatives who want him to retire in favor of Fickert.

Coghlan has been told that the supporters of the municipal league or independent republicans are going to throw enough votes to him in the primaries to nominate him, and then "throw him down" for Heney as an independent candidate at the general election. Evidently this argument did not have all of the desired effect on Coghlan. He said to the Call that if he were sure Heney would be a candidate he would not withdraw.

With some emphasis Coghlan denied that he had exacted any promises from the businessmen's committee. He said rather bitterly, "As to the district attorney's office, there is no place in it except district attorney that I would accept."

"The gentlemen of the committee," said Coghlan, "want me to withdraw to insure the harmony which they say they seek. They contend that my candidacy may result in an incurable breach in the party and in the defeat of some of the candidates in whom they are interested. They seek my retirement through an appeal to my party loyalty. I have not made up my mind and I will not decide today. No one can tell how much that retirement would mean to me. I have been called many times to make personal sacrifices for the party. I have made them."

"I am not sure that I can withdraw and be consistent with my support of the primary election law or with the spirit of the law. I do not recall anything in the law that would prevent the withdrawal of a candidate until after he has been nominated. The law does prevent the withdrawal of a man already nominated, but I owe something to friends who signed my petition and who expect me to make the fight."

His petition reports that 3,300 voters. I think most of them will vote for me. Some of my friends have begged me to withdraw. Equally good friends are even angrily insistent that I stay in the fight to a finish."

Coghlan was frankly angry about the published reports that he had been dickered with the businessmen's committee and that he had completed a deal. In answer to a direct question touching his demands on the businessmen he exclaimed:

"I have made no demands. And as to the district attorney's office, there is no place except district attorney that I would accept."

In reply to another direct question Coghlan said: "These gentlemen do not propose to reimburse me for my preliminary expenses. There has been no proposition of that kind and there will be none. There are two considerations uppermost in my mind: the first is what action on my part would conduce to the greatest benefit to my party; the second is the attitude of my friends. They are divided. I have no doubt now about my ability to obtain the republican nomination, and I say that having in mind the unselfish efforts of my friends who have stood with me and who are standing with me for a fight to a finish."

"I haven't changed my mind about having more than 25 friends and I haven't made up my mind to withdraw."

"If I had answered this question for myself I would be only too glad to give that answer to the press. I realize that the quicker it is answered the better for me, for my friends and for the party. I am not ready to answer. I do not know what my answer will be. The show of strength which the businessmen's proposition has brought out is simply astonishing. I can win that nomination. I am not afraid of the tricks of the opposition. I am not afraid of a fight, and—well, I have not made up my mind. I may decide tomorrow; I may decide some other day."

INFAMOUS GRAUMAN GETS OUT OF RACE

Man Whose Unfitness The Call Exposed Withdraws in Crocker's Favor

Lies About Date of Quitting in Announcement Sent to the Press

David J. Grauman, whose impudence in seeking the republican nomination for mayor compelled the Call to expose one of his infamies, has at length announced his withdrawal. In doing so he confers upon William Crocker, candidate for the businessmen's committee, the extremely dubious honor of his endorsement.

On Tuesday, July 27, The Call exposed Grauman, telling how he had attempted an indecent assault upon a young woman employe of this paper and denouncing him as unfit to be a candidate for any office. That evening Grauman told a Call reporter that he had not made up his mind about withdrawing.

In Grauman's announcement he says that he put a letter of withdrawal in the hands of A. J. Rich, a member of the businessmen's committee, on July 22. Mr. Rich said yesterday that Grauman gave him this letter on Friday last, July 30, or three days after The Call's exposure. Lying about the small matter of a date will not worry the conscience of a Grauman, insulter and assaulter of defenseless women.

Here is Grauman's letter, announcing his withdrawal in favor of Crocker and giving the latter his hearty endorsement:

Editor Call: Inasmuch as the Republican party, in their good judgment have endorsed the name of William Crocker for Mayor in the city of San Francisco, on the 22nd day of July, I placed in the hands of Mr. A. J. Rich, one of the businessmen's committee, my withdrawal from the candidacy for Mayor, in favor of Mr. William Crocker. I am glad that should prevail of union for the Republican party. It would have been published forthwith had I not requested Mr. A. J. Rich to withhold the delivery of this letter until I had seen a few of my friends who are instrumentally anxious to have me represented for the interest of San Francisco, in the hope of becoming its Mayor.

It is now that I take opportunity in filing this letter signed for publication by all the papers, which read as follows:

"San Francisco, July 23, 1909. To the Merchants' Committee selected to endorse the candidate in the coming election for Mayor, for the city and county of San Francisco. Gentlemen: So long as I am I at your endorsement with the name of William Crocker for Mayor, that I desire to withdraw in his favor, paying to him the tribute that he deserves and to state at the same time while I was first to file my petition with the registrar and to receive the first certificate from said registrar for the candidacy as Mayor, it is with that spirit that I refer to the interests of the Republican party. Mr. William Crocker and myself are in the committee and the endorsements you made, and submit to you my withdrawal from the candidacy in favor of Mr. William Crocker. Yours very truly, D. J. GRAUMAN."

S. F. Aug. 2, '09.

MEXICAN COLONY TO HELP SUFFERERS AT ACAPULCO

EI Club Hidalgo and Consul General Will Raise Funds

The Mexican colony of this city will raise funds to aid the thousands who were sufferers at Acapulco during the recent earthquake.

The leaders in this endeavor is EI Club Hidalgo, assisted by P. Ornelas, consul general of Mexico.

For this benefit a great celebration is being planned for September 16, which is the date of the ninety-ninth anniversary of the independence of Mexico. All the receipts taken in at this entertainment will be sent to the sufferers.

The place and style of the event have not as yet been determined.

Following is the committee of arrangements: William D. Kotta, president; J. Cadena, secretary; F. Gillespie, treasurer, and Victor Garcia, F. Olmedo, Alejo Flores, S. F. Jimenez, Antonio G. Flores, G. Martinez, J. Rubio, J. Messand and F. Lopez, general committee.

HELLMAN RETURNING—I. W. Hellman Sr., president of the Union trust company and president of the Wells Fargo Nevada national bank, will return to this city this morning after a long visit to Europe.

"Sterling Furniture"



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Just a little bit more and it would be an all-brass bed. It only misses it by the posts. They are enameled a smooth cream color. Comes in double size only, and our Sterling easy terms apply even at this low price.

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And the price includes sewing and laying, with good heavy linings thrown in. "Ten wire" is the heaviest grade tapestry Brussels carpet made. It is sold from \$1.20 and upward to \$1.40 a yard. The Sterling price, \$1.00 a yard, means a difference of from \$5.00 to \$10.00 a room in your favor. Is it worth making? Each pattern shown represents hundreds and, in some, thousands of yards. You could carpet your entire house with almost any pattern you select. Patterns enough, goodness knows, to make a pleasing selection certain.

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The California Promotion Committee (The State Central Organization organized in 1902—An association for the commercial and industrial development of California.) "PROMOTION": The act of promotion, advancement, encouragement.—Century Dictionary. The committee has for its object the PROMOTION of California interests. It has nothing to sell. It fosters all things tending to the ADVANCEMENT of California. It is an authority on all matters relating to California. IT ENCOURAGES the establishment of new industries and fosters those already established. It invites desirable immigration. It presents the opportunities and needs of all fields of business and professional activity. It is supported by popular subscription and makes no charge for any service rendered. It has affiliated with it 200 commercial organizations in different parts of the state, semi-annually in different parts of the state, where matters of California's interests are discussed. Headquarters of the committee are maintained in California building, Union square, San Francisco. CORRESPONDENCE INVITED.

THE WEEKLY CALL, \$1 PER YEAR

Forced Investments

The manager of a gas plant has no better means of seeing into the future than has any other citizen. At the same time he is compelled in building and extending his property to make ample provision for the future as well as for the present.

The manufacturing capacity of a gas plant can always be enlarged by ADDITIONS, but unless the distributing system is laid out with liberal estimates for the future growth of the city, it may be necessary to RECONSTRUCT it long before it is worn out.

Such reconstruction adds excessively to the capitalization of the property and the amount which must be earned to pay interest on the investment.

Therefore, every properly constructed gas property for many years contains a distributing capacity much greater than current demands call for. This at first thought seems expensive, but in the long run it is in conformity with the best public policy.

If an ordinary manufacturing establishment receives orders in excess of its capacity because of specially prosperous conditions, it may refuse the business because it thinks it is of a temporary nature and will not warrant the expense of enlarging the plant.

A gas company must meet the demands for its service whenever they arise and must make the necessary investment for extensions, additional gas generating capacity, etc., regardless of whether it considers the demands temporary or permanent. It has no choice whatever in deciding questions of this kind.

An ordinary manufacturing plant in dull times can turn out and store products for sale in good times, or may shut down altogether. A gas company can not possibly operate on this basis and must maintain an efficient service always save in war and municipal disaster.

SAN FRANCISCO GAS AND ELECTRIC COMPANY

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