

WEALTHY COUPLE CLASH OVER SON

Mrs. Daisy Kimball Adams Hurls Sensational Charge at Husband

Millionaire Will Wage Hard Legal Battle to Retain the Custody of Son

This was the first of it. Adams followed his wife and children. He took the boy January 26, but there was no attempt at kidnapping him, for after having possession of the child he telephoned the mother informing her of his action and telling her not to worry about his disappearance. He also said that he would not attempt to obtain the custody of the girl.

Then, accompanied by his private secretary and a nurse for the boy, he proceeded on his way to his home in New York. He was arrested at El Paso and released on a writ of habeas corpus in Tucson, but immediately rearrested. In this fight he is necessarily keeping secret as much as possible the causes of the family differences, but should the case go to an ultimate contest his side of the case will be given out in detail.

It may be stated here that on his father's death Adams gave a large part of the estate which he inherited to the two children, appointing the mother trustee. This estate amounts to about \$150,000, and we understand that Mrs. Adams claims this as her own. It is so we intend to fight her claims.

Hopeful of Result

Regarding the coming litigation at Tucson Attorney Crittenden declared that he was confident that it would result satisfactorily for Adams.

The extradition papers signed by the governor, he said, "were on the old complaint, which we found to be defective. We telephoned the governor today, acquainting him with the full details of the case and he promised us that he would not sign fresh ones until he had made a thorough investigation."

In regard to the appointment of Mrs. Kimball as temporary guardian, Crittenden said this would be contested if necessary.

"It will not be necessary for Adams to appear in person when this matter is called up for final hearing," he said. "The way in which we regard it," he continued, "is that the child's legal residence is in New York. Mrs. Adams has not made any effort to secure her divorce. She simply left the legal home of her husband, taking the children with her."

Mrs. Adams is the daughter of John Kimball, one of the pioneer lumbermen of this city. She refused to discuss the situation in any manner whatsoever. Adams belongs to the wealthy reserve class of New York. In her petition before Judge Van Nostrand Mrs. Adams said he had no particular avocation.

PLANS TO INSPECT AMERICAN HOSPITALS

Oriental Physician to Visit Various Medical Institutions

NEW YORK, Feb. 3.—Dr. H. A. Cheng, who represented the Chinese government at the leprosy congress recently held in Norway, has arrived in New York and will devote the next few months to an official inspection of medical institutions, hospitals and sanatorium systems of the United States. Dr. Cheng was graduated from the College of Physicians and Surgeons of the University of California four years ago.

BURGLAR OVERCOMES WOMAN IN STRUGGLE

Binds and Gags Victim and Escapes

NEW YORK, Feb. 3.—A stylishly dressed burglar fought a hand to hand battle early today with Mrs. Max Shapiro, wife of a leather merchant, in the woman's home. Mrs. Shapiro was knocked insensible, gagged and bound to a chair with a towel. The burglar escaped with jewelry and silver ware. Mrs. Shapiro was found unconscious by her husband. She was badly beaten.

THE HUB CHAS. HEILUS & CO. EXCLUSIVE HIGH-GRADE CLOTHIERS

FIGURE OFFICER PLEADS CHIVALRY

Paymaster Auld's Counsel Asks for the Dismissal of the Charges

One Armed Hero of Peking Tells Court Attack on Doctor Was Justified

BOSTON, Feb. 3.—Chivalry was the defense offered by counsel for Paymaster George P. Auld in his argument before the naval court martial today, when he asked for the discharge of the young officer, accused in connection with the shooting of Dr. E. S. Cowles of Boston over Miss Dorothy Hester of Evanston, Ill.

Major F. S. Catlin, judge advocate, asked for a finding of guilty on two of the three counts: for conduct unbecoming an officer and a gentleman, and second, for assault on Doctor Cowles, a civilian. The third count, that of disobedience of orders.

The court took the matter into secret session, and only the navy department at Washington can publish its findings. Dr. A. S. Robnett, who was coupled with Paymaster Auld in the original charges, will be tried Monday.

Major Catlin spoke first, claiming that it had been clearly shown that Auld had overstepped the bounds and that he was not assumed authority which he did not have.

Major Leonard, a one armed hero of the siege of Peking, spoke for the defense. He dwelt upon the fact that Miss Hester, who was the daughter of a dead naval officer and entitled to the protection of her father's comrades. He claimed that Doctor Cowles shot the girl in the presence of a nurse or tried to make an appointment with her, and that it was a chivalrous act on the part of the naval officer to protect her.

FIREMAN SACRIFICES HIMSELF TO SAVE OTHERS

Drives Into Post to Avoid Girl and Car

NEW YORK, Feb. 3.—Frederick Mayer, a fireman, driver of a truck of engine company 101, is dying in a Brooklyn hospital, after performing a splendid deed of heroism when driving to a fire late last night.

His horse was on a full run, when directly in his path Mayer saw a young girl, panic-stricken. Close to her on one side stood a trolley car filled with passengers, on the other side was one of the tall iron pillars of the elevated railway.

If he kept on he would run down the girl; if he turned to the right he would endanger the lives of the passengers. In the twinkling of an eye Mayer yelled to the firemen clustered along the side of the truck to jump, gave the reins a mighty tug and ran full tilt in to the iron pillars.

Three of the tall iron pillars were thrown down and badly injured; the truck was overturned and Mayer was pinned under it, with skull fractured, leg broken and body crushed.

DOG'S POLITICAL PULL GETS HIM CAR PASS

Fire Company's Mascot Will Ride Free

NEW YORK, Feb. 3.—"Mike," just a plain dog, but the respected mascot of a New York fire company and the beloved pet of school children in his neighborhood, has been presented with a "pass" good on all surface street railway lines of the city. The pass is engraved on a silver plate attached to Mike's collar and reads as follows: "Mike, fireman's mascot, is hereby granted to carry a fire dog on the cars of this company."

NEWS OF THE OCEAN

Tonnage Engagements

SCHOOL DIRECTORS THEMSELVES HANDS

Can Not Legally Be Removed or Successors Appointed Pending Decision

"Ousted" Health Commissioners Will Petition Today for an Injunction

Continued From Page 1

mission, however, he stated that if, during his consideration of the matters involved, he should decide that a final determination required an explanation of the affidavit, he would make an order for the taking of the deposition. Otherwise, he said, he would make his ruling on the arguments as presented.

Attorneys Exchange Words

The first exchange of compliments resulted from Murphy's offer to stipulate that the mayor was actually investigating the present board and that he might possibly decide to remove the three members if it happened to find cause.

That isn't satisfactory," responded Wheeler. "It doesn't go far enough. I purpose to show that the mayor has declared his investigations finished and has made the statement that he expects to remove the commissioners. I propose to show that he has even picked his men and that he knows it and they know it. Certainly, I am not approaching a great public question like this without my preparation."

Attorney Appell lined his argument, in answer to Wheeler, on the positive assertion that the mayor had made a threat to remove the incumbent commissioners.

On the whole, the argument was technical. Wheeler lived it up at times with references to "high handed methods of procedure designed to prevent the court from exercising their powers" and to government by "billy and shillelah." He referred also to the mayor's "machinations" and asserted that his clients refused to become "pawns" in the mayor's political game.

BELONGS OUT OF POLITICS

"It is of the utmost importance," declared Wheeler, "that the public schools of the city of San Francisco should be taken out of the filthy pool of municipal politics, and I assure the court that the question will be presented to the end. So far as the mayor is concerned, it is 'hands off' when it comes to our public schools. Can such a policy be debatable?"

Wheeler contended that the only method which the mayor could pursue to oust the present commissioners would be to name successors and then institute quo warranto proceedings to determine the right of the commission.

Attorneys Barclay Henry and Arthur Barendt, the latter one of the commissioners of health removed by the mayor, are to conduct the board of health cases, and were present at the hearing before Judge J. Stewart.

Boards Swing Ax

The work of decapitation was transferred yesterday to the mayor's office to two of the new commissions. The mayor devoted his time to routine matters while not attending court and announced no new changes in the personnel of his official family. It was the fire and police commissions that continued the merrymaking.

The dismissal of J. W. McCarthy, secretary to the fire commission, and the appointment in his place of W. H. O'Donnell, a prominent labor party leader, promises to provoke another legal battle. McCarthy was appointed secretary of the commission under civil service and has held the place from the time the charter went into effect. The charter itself provides for the appointment of a secretary by the board, but McCarthy contends that his civil service appointment protects him and has announced his intention of taking legal steps to secure reinstatement.

WEST END DEMANDS EXPRESS DELIVERY

Improvement Club Asks Wells-Fargo Extension

BALLINGER STORED ON SENATE FLOOR

Criticized for Sending Bill to Upper House for Alaska Insane Asylum

WASHINGTON, Feb. 3.—Secretary Ballinger was criticized on the floor of the senate today for sending a communication to the senate inclosing a bill providing for an insane asylum in Alaska.

Although Ballinger said he transmitted the measure in obedience to the direction of the president, Senators Heyburn and Bacon succeeded in obtaining annulment of reference of the bill to the committee on territories on the ground that neither a cabinet officer nor even the president himself had authority to introduce a bill in the senate.

Senator Heyburn objected to reference to the bill as "a proceeding not in conformity with any rule or privilege of the senate."

He read the senate rules to demonstrate that no executive official may address the senate by law or through the president. He construed the act as a virtual introduction of the bill by the secretary.

Defense Names Attorney

John J. Vertrees of Nashville, a leader of the Tennessee bar, a democrat and a warm personal friend of President Taft, had been asked to take charge of the case of the defense in the Ballinger-Pinchot congressional investigation. He is now on his way to Washington to consult with Attorney General Wickersham and officials of the interior department.

CLEARING HOUSE CITIES SHOW LARGE INCREASES

Total Business for the Week Amounts to \$67,352,799

California's nine clearing house cities make a splendid showing for the week ending Thursday noon, February 3, in comparison with the same week of last year, with a total of \$67,352,799.

Los Angeles cleared \$14,896,989, an increase of 19.2 per cent. Oakland cleared \$2,157,786.21, an increase of 6.5 per cent. Fresno cleared \$597,188.41, an increase of 11.7 per cent. San Diego cleared \$1,124,476.56, an increase of 31.4 per cent.

MARIA DE LAVEAGA AIDED IN WRITING OWN NAME

Albert J. le Breton, a lawyer, brother of Edward J. le Breton, the banker, was the sole witness yesterday in the trial of the contest of the will of Maria de Laveaga. Le Breton was for many years the legal adviser of Jose Vincente de Laveaga, father of Maria, and as such frequently saw the woman whose will is now being attacked. He testified that from observing her conduct in family councils he arrived at the conclusion that she was of a sound mind. Le Breton said Miss de Laveaga did not comprehend the nature of matters discussed, and on one occasion he saw her sister, Ignacia, guide her hand in affixing signature to a document.

Tom Dillon's REMOVAL SALE

\$5.00 HATS now \$3.85

712 MARKET STREET Opp. Call Bldg.

SOCIETY WOMAN'S FINERY IS SEIZED

Mrs. Edward G. Price's Failure to Declare Goods Results in Confiscation

Customs Officers Take Possession of Many Articles Valued at Large Sum

Mrs. Edward G. Price, wife of a millionaire Chicago wholesale tailor, is confined to her apartments in the Fairmont, prostrated by grief and chagrin over the exposure of her attempt to escape paying the full duty on the 13 pieces of baggage which she brought with her on the touring ship Cleveland.

Countess Seeks to See Her Daughter

Will Ask Removal of M. J. White, Child's Guardian

Countess Dolgorouki, so called, and her husband applied to Judge Graham yesterday for permission to see Jenta, the 17 year old daughter of the woman, M. J. White, secretary of the Society for the Prevention of Cruelty to Children, who was named guardian of the girl in 1901, was also in court.

SELLING OUT THE HESKINS CLOTHING CO.

PRICES AGAIN REDUCED FOR THE FINAL DAYS

WE WILL GIVE A PAIR OF PANTS FREE

Our three weeks' sale has been a phenomenal success. Our store has been crowded from morning till night with eager buyers, anxious to avail themselves of the great bargains we have given them.

The Men's \$15.00 Suits That Are Now Reduced to \$7.45

The Men's \$20.00 Suits That Are Now Reduced to \$10.45

The Men's \$25.00 Suits That Are Now Reduced to \$14.85

Men's \$15.00 Overcoats for \$9.85

Men's \$30.00 Overcoats for \$16.85

FURNISHINGS & PANTS

\$1.00 to \$1.50 Golf Shirts Now Reduced to 45c

730 MARKET STREET - BETWEEN KEARNY AND GRANT AVENUE

WESNER NOW FACES NEW DIVORCE SUIT

Last Year's Reconciliation of Actor and Wife Fails to Hold Couple

Woman Complains of Cruelty and Claims Alimony, While Attaching Salary

The reconciliation effected nearly a year ago between A. Burt Wesner, the Alcazar actor, and his wife, Anna, was not of the Graham variety. It did not hold. Mrs. Wesner yesterday began a second suit for divorce.

MRS. MADDERN DEFENDS "THE SONG OF SONGS"

Answers Critics of California Club Dramatic Section

The dramatic section of the California club met yesterday afternoon and heard Sudermann's "Faraway Princess" interpreted by Mrs. Will A. Maddern and read by Mrs. Estelle Russell and Mrs. William Hammond.

TWO IMPRISONED ON CLIFF LEDGE

M. Ford and Walter Brash Face Death Near Lands End, but Are Rescued

Trapped by Rising Tide, Men Climb Down Rope to Lifeboat

Imprisoned on a ledge of rock half way up the cliff between Bakers beach and Lands end by a rapidly rising tide below and a sheer, impassable rocky cliff above, M. Ford of 2543 Ellis street and Walter Brash, who lives at 1929 Broderick street, narrowly escaped drowning yesterday. Their frantic signals of distress were finally answered from the railroad depot at Lands end, in response to a hurried telephonic communication to the United States life saving station, a boat was put out from Fort point just in time to rescue the two men from their perilous position.

SIDE ISSUE OF A BREACH OF PROMISE SUIT

Housemaid's Attorney Seeks a License for California Bar

A side issue of the sensational breach of promise suit brought by Clara Haggert, a housemaid, against Phillip Bowles, son of P. E. Bowles, president of the American national bank of San Francisco, will be fought out before the district court of appeals February 28, when C. R. E. Ledy, one of the attorneys for the plaintiff, will appear for admission to the bar of California. His application will probably be opposed by William Henry Keller, his former associate.