

BOAS GIVES HELP TO REORGANIZERS

Money Lender Promises California Trust Company Depositors to Pay Dividend

Judge Seawell Allows Another Delay for Rehabilitation by New York Capitalists

One hundred and fifty depositors in the insolvent California safe deposit and trust company, packed into Judge Seawell's court yesterday afternoon, witnessed as dramatic and strange a scene as has been enacted in a San Francisco court in years.

The reorganizers were first plunged in the depths of despair by the court's refusal to postpone the payment of the receiver's 10 per cent dividend from February 10 to March 1, but just when things looked at their darkest, Judge Seawell, the money lender, saved the situation by undertaking to pay all needy depositors 10 per cent of their claims, taking an assignment of their deposits as security.

"You have killed this scheme to bring \$7,000,000 or \$8,000,000 of eastern capital to San Francisco," shouted Henry L. Kowalsky, when the judge had indicated that he would refuse the postponement.

"I can but perform my duty as I see it," responded the judge, rising from his chair.

The entire reorganization scheme is at an end," cried Attorney Berton Well. "Will not your honor give us but a little time longer?" he pleaded.

"I have made up my mind," replied Judge Seawell, with his hand on the knob of the door leading to his chambers, and he pulled open the door. Arguments were shouted at him from all parts of the room as the judge was about to disappear from sight.

"I have a proposition," Judah Boas was heard above the clamor coming from the rear of the room. "If the continuance is granted I will out of my own pocket pay to all needy depositors 10 per cent of the amount of their claims."

"What is that?" asked Judge Seawell, returning to his chair. "Do I understand you will pay the amount of the dividend the receiver is offering?"

"Yes, any one who has his bank book can get it," declared Colonel Kowalsky, speaking for Boas. "Those who are opposed to it are a lot of cormorants. They are like vultures who want to feed on carrion flesh."

"Boas had better bring up his three gilt balls and hang them at the entrance of the courtroom," shouted A. P. Van Duzer, one of the most inveterate opposers of the rehabilitation plan.

"For my part, when I want to borrow from him, I will go to his office and put up security."

"That is a gratuitous insult," cried Berton Well, coming to the defense of Boas.

"This man wants his commission for advancing us 10 per cent," asserted Mme. L. A. Sorbier, another opponent of the plan.

"I will charge no interest or commission of any kind," promised Boas.

Having listened for 10 minutes to this excited interchange of compliments and argument, Judge Seawell announced that he would vacate his first order and take the application for a continuance under submission.

Cheers from the supporters of the rehabilitation scheme followed the statement. The depositors were permitted the use of the courtroom, and Attorney L. J. Duzer invited all who wished to avail themselves of Boas' offer to furnish their names. The only ones to do so were Madame Sorbier, who has a deposit of \$10,500, and Attorney Lester Jacobs, representing Frank M. Gardner, who controls deposits of about \$100,000.

Boas' offer holds good for all depositors who wish an advance of 10 per cent of their claims. The advance is to be returned to the broker from the first payments made to depositors, either by the receiver or the reorganizers, as the case may be.

Proceeding the startling windup to the court session there had been an interchange of arguments and personalities such as have been heard over and over again for the last six months. The rehabilitation committee based the application for one last delay upon the fact that H. P. Wilson, the New York capitalist who has promised to put \$1,000,000 into the reconstructed bank, had telegraphed \$50,000 to the Crocker national bank to be held as evidence of his good faith.

R. E. Houghton, A. P. Van Duzer and others laughed at this as a joke and said that as the \$50,000 was deposited to the credit of Wilson he could withdraw it at any moment he pleased. The deposit was not an evidence of good faith, they said, but merely an evidence that Wilson owns \$50,000. Houghton said he had no confidence in a scheme that had Walter J. Barnett behind it and complained that the Western Pacific had demanded that it should dominate the board of directors.

"All these lawyers who represent the rehabilitation committee are victims of the hypnotism of Barnett, and this \$50,000 is part of the money Barnett stole from widows and orphans," shouted Van Duzer. "About \$1,000,000 was taken from the bank, and the street talk is that the two Treadwell brothers have \$2,000,000 of it on deposit in the city of London. What Barnett did with his \$2,000,000 is still a secret."

"Good for Barnett if he has hypnotized millions out of the pockets of New York millionaires for this rehabilitation scheme," interrupted Kowalsky.

"Hullo, you there. Why, I heard you were in Belgium attending to the probate of the will of the king of Belgium," retorted Van Duzer.

There was a laugh at the expense of Kowalsky, and after this had subsided Oscar Cooper defended Barnett from the charges that had been made against him. It was at this stage that Judge Seawell first refused the postponement and after hearing Boas withdrew his order.

Regulates Holding of Terms at Sacramento

[Special Dispatch to The Call] WASHINGTON, Feb. 8.—The bill introduced by Representative McKinlay providing for the establishment of regular terms of the United States circuit and district courts of the northern district of California at Sacramento was passed yesterday by a vote of 4 to 1. The bill provides that after its enactment there shall be but one term each of the United States district and circuit courts for the northern district of California, held in the city of Sacramento.

The term will begin on the second Monday of April.

GRAND JURY SIFTS BAIL BOND GRAFT

Inquisitorial Body Delves Into Questionable Methods in Police Courts

Charges That Saloon Keepers and Officials Split Fat Fees Denied Vigorously

The grand jury made an exhaustive inquiry yesterday into the bail bond scandal, heard a long list of witnesses and adjourned without returning indictments. The evidence was largely of a negative nature, but it bore more or less directly on police court methods.

There appeared to be a disposition to direct the inquiry more particularly into the conduct of Judge Weller's and Judge Conlan's courts.

A clash in the grand jury room between Judge Conlan and Luke Fay, one of the inquisitors, was narrowly avoided. There is a feud of long standing between the two. When Fay sought to put questions to Conlan the latter declared that he would not submit to his interrogation.

A novel point was introduced during the hearing when Judge Shortall recommended to the grand jury that a whipping post be established for wife deserters.

"In this way, and only in this way, can the evil be corrected," said the judge. "It has been established by way of punishment his family suffers. The whipping post, I believe, would do more to bring these husbands to a sense of their obligations than anything else."

SALOONS WAX RICH

The inquiry yesterday was intended to develop the intricacies of the bail bond transactions. It has long been the practice for a few of the saloons near the hall of justice to control this business, gaining their profit in fat fees from the salaried clerks of the court. The saloonmen worked in harmony with certain members of the police force and with the encouragement and assistance of certain police judges.

It was to this matter that the entire afternoon session was devoted. Efforts were made to fasten the charges on McDonough Brothers, the liquor firm opposite the hall of justice in Eddy street. Witnesses specially questioned were Frank Harris, a professional bondsman, and Ike Willis, who acts as messenger and agent about the police courts. Sergeant Clarence Coogan, recently transferred from the post prison keeper, was also questioned.

"I had been released by McDonough Brothers. It had been generally understood that Coogan had been shifted because of his opposition to the practices of the McDonoughs. He told the grand jury, however, that he had no specific knowledge that would assist."

SIFT POLICE COURT METHODS

The first part of the session was devoted to the police court methods. County Clerk Mulcrey was the first witness. He was asked in regard to the activities of George McDonough, some time clerk of the justice courts, and now facing charges of irregularities.

Judge Shortall was next called and spent more than an hour on the stand. His attention was called to his dismissal of the charge against James Feenan, who had been accused of failing to provide for his family. Feenan is an employee of the gas company. Shortall explained that he had released Feenan upon the promise of the latter to contribute \$35 a month to the support of his child. It was in connection with this case that the judge urged the whipping post as more efficacious than the prison.

"Continuations can not be helped," said Shortall. "It depends on the individual case, but we proceed as quickly as circumstances will allow. As to the question of bail, we follow the law. The use of the 'small book' is not sanctioned by law, as you know, but it is for the public good, so it is maintained. As to our working hours, you gentlemen are mistaken when you assume that we are on duty only from 10 to 12."

DENIES FORCING BAIL

Sergeant Coogan was asked if he had ever had occasion to interfere with outsiders endeavoring to force bail upon prisoners, with special mention of McDonough Brothers. He said he had never been specially troubled in that regard.

Frank Barris testified that he had ample means of his own and was in the business on his own account. He denied that he was the agent for McDonough Brothers. He denied also that there was an understanding by which the police courts, certain policemen and the bondsman worked together.

Judge Weller was questioned along the same line, as was Judge Conlan.

GREAT-GREAT-GRAND-MOTHER LIVING AT 100

Grandfather of Favored Children Resides at Monterey

[Special Dispatch to The Call] MONTEREY, Feb. 7.—Charles Wood of Monterey has two great-grandchildren living at Altoona, Wash., whose great-great-grandmother, Mother Kelly, is living in Newport, Ore., at the age of nearly 100 years, hale and hearty and able to boast of 200 living descendants.

The two children who can trace such an extended lineage are the 6 and 4 year old daughters of George and Mrs. Elliott of Altoona, Wash. Mrs. Elliott is the daughter of Charles Wood of Monterey. Her mother, the children's grandmother, is Mrs. Walter Fitzpatrick of Newport, Ore., first wife of Charles Wood. Mrs. Lucy Wood Fitzpatrick is the living daughter of Mrs. Judith Peerie (deceased), great-grandmother of the children, whose husband, Henry Peerie, is living at Victoria, where he is a boat builder.

The mother of the dead great-grandmother of the two children is the living Mother Kelly. So with but one break the children can trace a direct lineage through five generations. Mother Kelly's first husband, M. du Cheney, is a great-great-grandparent of two Altoona children, was an employee of the Hudson Bay company, a French Canadian, whose father was a French peer of Montreal.

REFUSE ELECTION ON SUNDAY CLOSING PLAN

Petaluma Trustees Vote Down Petition

[Special Dispatch to The Call] PETALUMA, Feb. 8.—A petition signed by more than 300 citizens was presented to the board of trustees last night requesting that body to submit the question of open or closed saloons on Sunday to a vote of the people. The petition was lost by a vote of 4 to 1. Trustees Woods, Vinward, Vogels and President Keig dividing 3. Trustee Walsh stood for the petition.

BRASCH'S PARTNER DEFENDS CLIENT

Says Charges Made Against the Mission Furniture Dealer Are Unfounded

Asserts Embezzlement Accusation False and Explains Financial Transaction

The charges made against A. J. Braasch, a Mission furniture dealer, by Joseph L. Kennedy, formerly a business associate of Braasch at 3190 Mission street, are without foundation, according to Braasch's attorney, Frank V. Cornish; his mother, Mrs. Albertine Braasch, and his brother in law, F. G. Beuck. Braasch is now in Medford, Ore., but his wife is said to be still at the family home, San Mateo park.

Kennedy and his attorney, Paul T. Fratessa, who had prepared charges to present to the grand jury Monday last, were not heard on that date, but were ready to formally accuse Braasch of arson and embezzlement.

Attorney Cornish, for Braasch, answered this complaint yesterday. He said: "Braasch owned four-fifths of the stock of the Braasch furniture company. Kennedy owned one-fifth of the stock, which he subsequently sold to Braasch, under a contract. The stock was to be paid for, according to agreement, when certain moneys were received by Braasch from the corporation. There was about \$500, or possibly a little more, due Kennedy. Kennedy is now trying to collect that money through the grand jury. He first tried to get a warrant for Braasch's arrest from the bond and warrant clerk's office, but the district attorney would not issue the warrant on the showing made, and so he went before the grand jury."

The charge that Braasch embezzled \$5,000 from the corporation is false. Braasch's place was burned out in May, 1909. Before that time the business had gone through the bankruptcy court and a composition had been effected among the creditors August 15, 1908. At that time Mrs. Braasch, Braasch's mother, advanced \$12,000 to satisfy the creditors. That was being paid back in small sums. After the fire of May, 1909, Braasch paid his mother what was due her on the insurance policy.

"There was no foundation for insinuation that Braasch set fire to his place. The underwriters reported that the fire was due to defective wiring. Braasch left the basement where the fire started about an hour before, with P. J. Beuck.

"Braasch sublet the premises of the store to the Braasch furniture company at an increased rental, but that was authorized by the board of directors," Mrs. Albertine Braasch said. Beuck substantiated what Cornish said. Cornish will place the facts before Assistant District Attorney Cutten. He said yesterday that Braasch will be ready to go before the grand jury.

PAID FOR LEGISLATION, IS WITNESS' TESTIMONY

"Man Who Handled Money" Is Placed on Stand

ALBANY, N. Y., Feb. 8.—The "man who handled the money" was brought before the state senate today by Senator Ben Conger to confirm Conger's charge that Jotham P. Allds, its majority leader, accepted \$1,000 for influencing legislation.

He proved to be Hiram G. Moe, veteran former bank cashier of Groton, where Conger lives. He declared positively that at the capital on April 23, 1901, he had handed Senator Allds an envelope containing \$1,000. The purpose for which this alleged transfer of money was made did not appear in the direct testimony, but Senator Conger filed an affidavit in which he declared that the payment was made upon Allds' demand "in the interests of the American bridge company."

Moe declared he gave \$4,000 to another legislator.

The only other witness today was William A. Smyth, editor of the Owego Times. Owego was the home of former United States Senator Thomas C. Platt. Smyth testified that in 1901 the Owego bridge company was threatening to move its plant if certain legislation became law. The witness appealed to Senator Platt and received the following reply:

"According to Allds' statement, the bill that passed is not objectionable to the bridge people, provided the other bill is held. There is no doubt the other bill will remain in the committee."

SILVER HALF DOLLAR IS VALUED AT \$5,000

Coin Made by Confederate States Is Exhibited

NEW YORK, Feb. 8.—A silver half dollar, which it would take 5,000 whole dollars to buy, is on exhibition at the New York numismatic club. It is the half dollar of the confederate states of America and is said to be the only extant metallic coin of the lost cause.

The coin is exactly like the United States half dollar, but on the reverse the figure of liberty, but on the reverse it bears a shield with seven stars and seven bars, with a wreath of cotton plant and sugar cane.

Only four impressions of this coin were made, one being sent to Jefferson Davis and the other three to prominent confederate officials. These three subsequently disappeared. The coin is the property of Edgar Adams, a Brooklyn collector.

POSITION OF GAME WARDEN IS ABOLISHED

Sonoma County Farmers' Protests Heeded

[Special Dispatch to The Call] SANTA ROSA, Feb. 8.—As the result of protests from the farmers' organizations and petitions from the farmers direct, the board of supervisors today voted to abolish the office of county game warden, which has been held for some time past by John C. Ingalls of Healdsburg, who resigned to accept the appointment of postmaster of that city. The place paid a salary of \$75 per month, which the farmers of the county contended should be paid by the state game and fish commission, which receives more than \$5,000 annually from the county in hunters' licenses.

"How to Mix a Good One" Booklet free—Tells about mixing drinks. Sent on request—a postal note to I. Trustee Woods, Vinward, Vogels and President Keig dividing 3. Trustee Walsh stood for the petition.

CASARIA For Infants and Children. The Kind You Have Always Bought Bears the Signature of *Chas. H. Pritchard*

HILL LINE WILL BUILD TO KLAMATH

Extension Will Connect Road With San Francisco via Western Pacific

Application for Right of Way Through the Reservation Is Filed

[Special Dispatch to The Call] PORTLAND, Feb. 8.—That the Oregon trunk line will build to Klamath Falls this year is the announcement made today by Charles H. Carey of Carey & Kerr, attorneys for the line, who has returned from Chicago, New York and other eastern cities.

It is also announced that the Hill interests have filed with the interior department at Washington, D. C., application for a right of way through the Klamath Indian reservation. Township filings have also been made at Lakeview.

Extension of the Oregon trunk to Klamath Falls will practically give the Hill interests connection with San Francisco in that by running a short stretch of line from Klamath Falls to Alturas direct connection may be established with the Western Pacific, the Gould transcontinental line, which is now nearing completion through the Sacramento valley to Alturas in northern California.

"The Oregon trunk will build to Klamath Falls this summer," said Carey, "and trains from central Oregon will be connecting with the Northbank road for Portland and other points in the Pacific northwest as soon as we can get the bridge across the Columbia river at Celilo completed. Work on the bridge will be rushed as rapidly as possible and the intention is to have the road to Klamath ready for operation by the time the bridge is completed."

PARROT SAVES HOME FROM BEING BURNED

Gives Alarm When Blaze Ignites Curtains

[Special Dispatch to The Call] SANTA CRUZ, Feb. 8.—A parrot late this afternoon saved the home of Mr. and Mrs. M. J. Silva of Soquel from destruction by fire. Silva was away, while his wife was at a neighbor's.

The children left in the parlor played with matches, setting fire to the carpet. The latter, which is to make its starting point at Coats land, will travel over a territory hitherto entirely unexplored, while much is known, especially from Lieutenant Shackleton's work, of that on the other side of the south pole, where he reached a point 97 miles from the goal.

A parrot in the house sounded the alarm, which attracted the attention of Mrs. Silva, who hastened home to extinguish the flames before they had done a great deal of damage.

AMERICA TO SEEK THE SOUTH POLE

National Geographic Society to Send Expedition for Antarctic Polar Honors

Captain Bartlett, Who Commanded Peary's Ship Roosevelt, May Lead Party

WASHINGTON, Feb. 8.—America has decided to seek for south pole laurels similar to those won for her by Commander Peary at the north pole. The National Geographic Society today resolved to send an expedition in search of the south pole, provided the necessary funds can be raised. It is not believed there will be any failure on this score. Commander Peary was notified immediately of the action.

Captain Bartlett, in command of the Roosevelt on Peary's trip to the north pole, probably will have charge of the antarctic expedition.

URGENT EXPLORATIONS

After a meeting late this afternoon the board of managers of the Geographic Society adopted the following resolution:

The National Geographic Society believes that it is of great importance to science that tidal, magnetic and meteorological observations shall be obtained at or near Coats land in the same period that the British expedition under Captain Robert F. Scott, R. N., is making similar observations on the other side of the antarctic area, 1,800 miles distant, and at the same time that this recently discovered land shall be explored.

That the society is ready to accept Mr. Peary's proposition that it shall undertake jointly with the Peary arctic club an expedition to the antarctic regions, as outlined above, provided that the board of managers, after consultation with members of the society, finds that the project will receive sufficient financial assistance to warrant the undertaking.

MAY SAIL IN JULY

It is thought probable that the expedition may be ready to set sail as early as July. The rapidity with which financial assistance is forthcoming will determine the date.

No spirit of rivalry to the British attempt to reach the south pole is being manifested, it was declared, in the American expedition.

The latter, which is to make its starting point at Coats land, will travel over a territory hitherto entirely unexplored, while much is known, especially from Lieutenant Shackleton's work, of that on the other side of the south pole, where he reached a point 97 miles from the goal.

HERMANN MAY KNOW HIS FATE FRIDAY

Final Arguments in Land Frauds Trial to Be Completed Today

Defense Loses Hard Fought Battle to Have Case Nonsuited

PORTLAND, Ore., Feb. 8.—As arranged by agreement between Judge Charles E. Wolverton of the United States district court and counsel today, the case of former Congressman Blinger Hermann, who is being tried on a charge of conspiracy to defraud the government of public lands, will go to the jury Friday. Arguments will begin tomorrow and each side has agreed to limit itself to a day and a half.

ASKS FOR NONSUIT

After introduction of testimony in the case had been completed the rest of the day was spent by Colonel Worthington of counsel for Hermann in an effort to have the case nonsuited on points of law.

Colonel Worthington battled for three solid hours in support of his contentions. These were:

First—If there had been a conspiracy to defraud it was the state of Oregon that had been defrauded and not the government of the United States.

Second—That the prosecution of Hermann was barred by the statute of limitation.

Third—If prosecution were not barred, then the court should strike out all evidence as to overt acts that occurred prior to three years before the indictment against Hermann was returned.

Fourth—That the district court of Oregon was without jurisdiction; the conspiracy, if there were one, had been so far as Hermann was concerned formed in Washington, D. C.

Two of the three hours were devoted by Colonel Worthington in supporting his last contention, that of lack of jurisdiction.

PROSECUTION IS SUSTAINED

Notwithstanding his efforts, Judge Wolverton held with the prosecution in every instance, as he had also earlier in the day, when Colonel Worthington had made an effort to have the testimony of certain witnesses and part of the documentary evidence stricken from the record.

When the session opened today Colonel Harvey W. Scott, editor of the Portland Oregonian, identified several editorials written by him in addition to those identified yesterday. These showed that Colonel Scott's political views were at wide variance with Hermann's, but he said he had never heard anything charged against Hermann's personal character or integrity until the land fraud exposure.

**this**

**\$20—All Brass**

—This is just one of the many bargains NOW to be obtained at Breuner's, out on Van Ness. Worth fifty dollars—and looks it. The pillars of this massive bed are two inches in diameter and continue from floor to floor. The head measures five feet two inches high. Full double size. Bright or satin finish. Not simply brass TRIMMED, but ALL BRASS. This bed is exclusively on sale at Breuner's on Van Ness.

And these, too:

- A sixty dollar mahogany sofa for thirty dollars.
- A fifty dollar green velours Turkish chair for thirty dollars.
- A thirty-five dollar mahogany sewing table for twenty dollars.
- A twenty dollar golden oak hall glass for twelve dollars.
- A forty dollar oak library table for twenty-five dollars.
- A thirty dollar green enameled chifonier for fifteen dollars.
- A twenty dollar fumed oak Morris chair for fifteen dollars.
- A fifty dollar walnut chifonier—now thirty dollars.
- A fifty-five dollar buffet china closet—now \$37.50.

We've scattered green tags generously throughout the store and everywhere they have fallen the regular price of the article has fallen, too. We're moving "downtown," you know—that's the reason.

Oh, of course—credit, too

**John Breuner & Co.**  
1451 Van Ness  
Corner of Van Ness and Pine  
Exclusive Agents for the World's Best Furniture—"CRAFTSMAN"