

ELECTION BOARD WINS TEST CASE

Supreme Court Decides That Petition Signers Must Be on New Register

Henry T. Grieb Denied Right to Use Old Lists for the August Primary

Only those electors registered since January 1, 1910, may legally sign nomination papers for candidates seeking partisan nominations at the primary election to be held on the third Tuesday in August.

That is the decision of the supreme court in the friendly test case brought in the name of Henry T. Grieb against the San Francisco election commission. The decision was written by Justice Henshaw and concurred in by Chief Justice Deady and Justices Shaw, Anderson and Loring.

Justice Shaw declined to concur in some of the reasoning of the opinion, but agreed to it as a whole. Justices Deady and Shaw participated in the court's deliberation and did not sign the decision.

VICTORY FOR COMMISSION

The decision of the supreme court is a sweeping victory for President Cator of the election commission and the proponents of the sole use of the new register. Senator Grieb, Grieb, who on behalf of Grieb demanded that the new register be used as supplemental to the old, made an ingenious case, but failed to convince the court that the provisions of the law were not explicit and plain.

The decision of the supreme court means that only those electors who have registered as partisans since the beginning of the new register on January 1, 1910, are eligible to sign nomination papers for candidates who desire to submit their claims upon party preference to the voters in August.

The plaintiff demanded the right to use the registration of 1909 because the new registration would not be complete in point of time sufficient to permit of its use at the August primary election.

In support of this contention the plaintiff urged a code proviso designed to cover special elections and municipal elections in the smaller cities which are held in March and April of the even numbered years.

The court held that the proviso was not intended to affect August primary elections or the nomination of candidates to be voted for at the November elections. The opinion points out that the language of the proviso indicated that the August primary elections for the nomination of county and state candidates was not considered an exceptional case requiring the protection afforded by the proviso.

INVOLVES DIRECT PRIMARY LAW

The fact that if the plaintiff's petition was granted, the operation of the direct primary law would not be uniform this year is made one of the prominent features of the decision. Prior to the enactment of the direct primary election law the partisan feature of the registration law applied only to 11 cities brought specifically within its provisions. The result was that the old register for the entire state of those cities did not show the partisan affiliations of the electors. The partisan registration section was specifically made a part of the direct primary election law, thereby insuring that none should be entitled to vote at the ensuing primary election unless his affidavit of registration included a statement of his partisan affiliations.

The court declared that if the old registration should be used the provisions of the primary law could not be complied with in any part of the state except in those cities in which partisan registration was required prior to the enactment of the direct primary law.

WOMAN FATALLY HURT WHEN STRUCK BY CAR

Annie Gaunnon Run Down at Seventh and Market Streets

Annie Gaunnon, whose address is not known but who is about 40 years of age, was struck by a streetcar at Market and Seventh streets yesterday morning and will probably die from her injuries. She had just left the post-office when she was struck in front of a car bound for the ferry. In her pocket was a letter she had just received, addressed to the general delivery from a house in the 600 block of Commercial street. At the central emergency hospital it was ascertained that she was suffering from a fractured skull. She was later removed to Lane hospital.

Falls From Window

Antoinette Colossi of 153 San Carlos avenue, 3 years of age, fell from a second story window at home yesterday morning. The child was reaching for a clothes line at the time it lost its footing and fell into the window, sustaining a fractured skull. The child will probably die.

COFFEY'S DAUGHTER GETS ALL OF MOTHER'S ESTATE

Gift of \$15,000 to Paul Lotz Is Declared 'oid'

Judge Graham yesterday refused a new trial in the case of John Farham, the former public administrator, against Paul Lotz, and the result of the judgment is that Mrs. J. O'Day, daughter of the late Joseph Coffey, receives the \$15,000 estate of her mother. Coffey's wife, after she was separated from the attorney by divorce, became acquainted with Lotz, a photographer, and placed her entire estate in the hands of Attorney Fisher Ames with directions that it be given to Lotz upon her death. She died in September, 1907. Judge Graham ruled that the attempt to give the money to Lotz was void and without effect.

NEW COMPLAINT MADE AGAINST MILLINER

Ethel Bagnall Rearrested for Sale of Aigarette

The case of Miss Ethel Bagnall of Bagnell & Boughton, milliners, charged with violating a section of the penal code by offering aigarettes for sale, was dismissed by Police Judge Conlan yesterday on the ground that the complaint was defective. The assistant bond and warrant clerk in filling out the date on which the alleged offense was committed made it read "February 14, 1907." W. H. Dintley of the club society, the complaining witness, was advised to swear to a new complaint, but he did so before Judge Deady and the warrant was later served upon Miss Bagnall, who was released on bail.

WANTED ON FEDERAL CHARGE

John Ah Chung, a Chinese wanted in Hawaii for manufacturing false certificates, was arrested yesterday by Deputy Marshal B. P. Truick and Thomas Francis Kierpat on a charge of violating United States Marshal Elliott from Marshal Leidy of Honolulu.

GILLETT PUZZLES THE POLITICIANS

Is the Governor for McNab or Will He Be Booster for Alden Anderson?

Executive Professes More Interest in Development of State Than Its Politics

Governor James N. Gillett broadly intimated yesterday his intention to keep out of the primary campaign by declaring that he was more interested in the development of the state than in its politics.

The governor was on his way to Cloverdale, where he will open the fair today. His opinions touching the probable action of the state central committee or a delegate conference of regular republicans had evidently undergone a change. When he formally announced his retirement he was of the opinion that either the state central committee or a convention would select a primary candidate for governor. That man, said the governor, would receive his support. He said yesterday that he was not sure that such endorsement or selection would be best either for the party or for the candidate.

"I shall not sulk in my tent," said the governor. "I shall support and work for the election of the man nominated by the party."

"The primary campaign," said the governor in answer to a direct question, "is a different matter. I do not know about that. I am more interested in the development of California and its resources than in politics."

SOME ARE CHUCKLING

Some organization men are chuckling over what they consider an abortive attempt to use the governor as a lever with which to boost John L. McNab of Ukiah into the gubernatorial race with a quick claim due to the organization's support.

Other organization men, proponents of McNab's nomination, insist that the report that Alden Anderson is to be the beneficiary of the organization's support is a horrid canard. Meanwhile Anderson is hustling for support in southern California and the governor says that he is interested in the development of the state.

McNab's first boost came from men who have been, and are, extremely close to Governor Gillett. McNab has always been one of Gillett's personal friends. They have campaigned together and McNab was one of the most enthusiastic Gillett men in 1906. Naturally Gillett has nothing but the kindest feeling for McNab.

When Gillett formally withdrew from the primary running it was given out that the governor was for the Ukiah man to succeed him. The program agenda went round, too, for a little time. Then it began to show evidences of the back fire of some of the machine men who did not catch the idea of a new Warwick in the field.

KNOW WHAT HE WAS DOING

Some of the big wigs of the party, men, too, who had been Gillett's friends always, took the field for Anderson. Their work was done quietly, but when Anderson made up his mind to run and the word was passed last Monday, Anderson was not in on a shoe string. He knew what he was doing.

The McNab men ask "How can any one be in the organization candidate if Governor Gillett is not for him?"

Of course, there are several answers, but the one most in favor with another crowd is "If any person has got the word in his ear, he should know how to get him out again."

And the governor says he is interested in the development of the state and its resources.

BROKER'S MOTION FOR NEW TRIAL OPPOSED

Restitution Alleged to Be a Scheme to Escape Prosecution

John E. Krause, a San Jose broker convicted of fraud, encountered further trouble when his motion for a new trial was presented yesterday in the United States district court. Krause's attorney made the plea that restitution had been made. In proof of this he cited that Krause had deeded over his lands to members of the victimized Dunkard colony of Mandeville, Pa.

At this point Attorney Thomas C. West stated that the transfer had been recorded in other names than his own, but as soon as Krause believed there would be no trial he brought suit to regain the properties.

Of the \$70,000 received from the Dunkard colony by Krause, only \$10,000 is accounted for in the land company's books. The rest is believed to have been invested by Krause in other lands and recorded in other names than his own. The transferred property, which was valued at \$60,000, is now being sold by the court. Further hearing of the motion was put over by Judge Van Fleet until February 25.

To Secure Work

Insert an ad in The Call's Employment Wanted column. It brings results.

Concert and Dance To Swell Widows' and Orphans' Fund



PHOTO BY ZERKELTON E. NEWBY.

The benefits which would result from the tunneling of the Stockton street hill between Bush and California streets were brought formally before the supervisors' street committee yesterday, and the board of works was requested to prepare estimates and a report upon the project.

George Skaller, who last year secured the grant of the Stockton street railway franchise, since lapsed by non-use, pointed out that the improvement would clear the way for the North

ELABORATE PLANS FOR BENEFIT BALL

Many Features Arranged for Affair to Aid Policemen's Widows and Orphans

State and city officials and officers of the army and navy will mingle with the members of the police department and their friends Monday night at the Auditorium, corner of Page and Fillmore streets, for the benefit of the Widows' and Orphans' aid association of the police department.

Mayor and Mrs. P. H. McCarthy will lead the grand march, which will follow the concert directed by Charles Casassa of the park band. Miss Deglow Clark, a talented vocalist, will sing the "Star Spangled Banner" as a feature of the concert. The men of the department will put aside the regulation blue for the conventional evening dress.

Captain Henry Gleeson, who is again at the head of the committee of arrangements, is seeing to it that every detail necessary for the comfort and the enjoyment of those who attend the concert and ball is looked after. Several new features are being planned by Captain Gleeson for the affair this year.

The Police Widows' and Orphans' aid association was organized in the year 1878 for the purpose of relieving the sufferings of the widows and orphans of dead members of the department. During the last year the association has paid out \$25,000 in benefits. Because of the fact that the cause is such a worthy one, the department looks for a very large attendance Monday night. The committee of arrangements is composed of the following:

Captain Henry Gleeson, chairman; George Geimann, secretary; Captain Ahlstrom, treasurer; Captain Shea and Captain Wall, assistants; and Captains Wall, Anderson and Goby; Lieutenants Wright, Mulender, Lewis and Lockman; Detective Sergeants Green and Egan; Sergeants O'Connell, O'Connell, J. T. Hook, Birdall, Ross, O'Connell and John Morrissey; Corporal Van Keuren; Sergeants Burns, Callahan, and G. E. Casey; Messengers Taylor, Galla, Gallivan, Lennin, Hale, Purcell, Perry Smith and H. G. Clancy; retired Patrolman James Aiken and retired Detective Sergeant Reynolds.

NOTED MEN TO SPEAK AT LAYMEN'S CONVENTION

Leaders in Religious Thought to Attend

Some of the greatest leaders in religious thought and world activity will be among the speakers at the great laymen's missionary movement convention to be held in this city March 17 to 20. Among them will be Willis R. Hotchkiss of Africa, Bishop J. E. Robinson of India, C. E. Vickrey of New York, Dr. J. J. McNaughton of Turkey, J. Campbell White of New York, Charles A. Hopkins of Boston, Colonel E. W. Halford of Washington and other representative men from the various denominations.

The undersigned residents and tax payers respectfully request your board to rectify this wrong done to us by the city of San Francisco, and to restore to our streets and avenues the letters and numerals by which they were known before the change.

STAGE ROBBER FLEES FROM OREGON JAIL

[Special Dispatch to The Call]

KLAMATH FALLS, Ore., Feb. 17.—William Cooper, who shot up the Merrill stage several years ago, wounding two passengers, escaped from the county jail last evening. He was carrying wood from the shed to the jail and ran away when a deputy sheriff was not looking. He has not more than five minutes' start, but he has not yet been located.

FAVOR TUNNEL FOR STOCKTON STREET

Supervisors Instruct Board of Works to Estimate Cost of Project

Street Committee Endeavors to Settle Dispute Over Rincon Hill Improvement

The benefits which would result from the tunneling of the Stockton street hill between Bush and California streets were brought formally before the supervisors' street committee yesterday, and the board of works was requested to prepare estimates and a report upon the project.

George Skaller, who last year secured the grant of the Stockton street railway franchise, since lapsed by non-use, pointed out that the improvement would clear the way for the North

Prison conditions at San Quentin and Folsom will be investigated by the committee of the Woman's auxiliary of the California prison commission as soon as Rev. Robert Sesson presents further affidavits of testimony. When Father Sesson presented the charges of Jacob Oppenheimer, who declared that cruelty and other wrongdoing prevail in the state's prisons, a committee consisting of Mrs. I. Lowenberg, Mrs. Sidney Smith Palmer, Mrs. J. T. White and Mrs. Gallard Stoney was appointed to look into the matter.

The annual meeting was called to order by the president, Mrs. Lowenberg, and reports were heard from the secretaries, the treasurer and the president giving a report of the last year's work. The president told of the establishment and conduct of the Golden Rule hotel at 110 Silver street for discharged prisoners and paid a tribute to Mrs. Humphreys, the matron in charge. She also told of the need for a library, no books having been donated thus far for that purpose.

CONDEMNED "THIRD DEGREE"

The "third degree" for the extortion of confession, she declared, was the means of placing a premium on perjury and she urged the legislature to raise the whipping post be established.

Mrs. Florence Roberts, who is temporarily in charge of the hotel, spoke of her work as a prison reformer and volunteered her services to raise the debt existing on the home, asking no salary for her work. Her earnestness and enthusiasm greatly impressed her hearers and a vote of thanks was given her.

Charles Montgomery of the prison commission and in charge of the home then spoke of the growth of the work and urged the members of the auxiliary to work at the next legislature for laws to compel the classification of prisoners, the abolition of the prison stripes and for the indeterminate sentence by which a man may work himself out.

WANT MORE MEMBERS

A plea was made for more members for the auxiliary and those wishing to join may communicate with Mrs. Frederick Marsh, 100 Locust street.

The following ticket was unanimously adopted: Mrs. J. T. White, first vice president; Mrs. Sidney Smith Palmer, second vice president; Mrs. J. M. Merrill, fourth vice president; Mrs. Edward W. Witt, fifth vice president; Mrs. J. T. White, corresponding secretary; Mrs. Gallard Stoney, recording secretary; Mrs. A. P. Woodard, treasurer; Mrs. Frederick Marsh, directors.

Mrs. William Ford Nich, California Newton; Mrs. D. F. Pagan; Mrs. E. S. Beyley; Mrs. James Coker Sims; Mrs. Aylett R. Colton; Mrs. Joseph T. White; Mrs. Marcus S. Kosland; Mrs. Fredrick Marsh; Mrs. Emilia Toleda.

PUNISHED FOR TRYING TO EVADE JURY DUTY

C. Market Must Attend Court Every Morning

C. Market, owner of a grocery at 1562 Market street, aroused Judge Hunt's ire yesterday by endeavoring to escape jury duty on the plea that he is unable to understand and speak the English language.

"I am satisfied you are merely trying to evade jury duty," said the judge to him, "and to punish you I order that you report to the court every morning at 10 o'clock on your own case."

"My brother can not look after the business; I can not come here," cried Market, in his excitement, in broken but perfectly understandable English. Judge Hunt refused to change his order.

STATE DELEGATION IS FOR A SHIP SUBSIDY

Informs Travelers' Protective Association of Attitude

Members of the California delegation in congress have replied to the communication of the travelers' protective association regarding their attitude on the ship subsidy measure by expressing thorough accord with the principles of the proposed act. At its recent convention held in this city the association endorsed the ship subsidy bill and its resolutions were sent on to congressmen. Letters indorsing the measure have since been received from Senators Perkins and Flint and Congressmen Knowland, Smith, Kahn, Englebright, Hayes, McKinlay, Needham and McLachlan.

CONSIDER CHARGES OF PRISON CRUELTY

Woman's Auxiliary of the State Commission Names Committee for Investigation

Officers Elected and Proposals Made for Benefit of Ex-Convicts at Meeting

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MARINE FEATURES FOR EXPOSITION

Warships and Merchant Vessels to Play Important Part in 1915 Fiesta

International Architectural Competition for Buildings Is Suggested

Several suggestions have reached the exposition officials during the last few days urging that the marine feature be emphasized in the big fair. These proposals have been welcomed. When the big project was first launched, it was stated that the navy would be asked to assume an important part. This idea has been dominant since the beginning of the vast undertaking.

Just what part the warships will take can not be fixed at this time. The government will be asked to mobilize the fleets at this port upon the opening of the exposition. The request will also be made that a number of vessels be kept in the harbor during the entire progress of the fair.

Foreign governments will be invited to participate in the naval review on a scale larger than ever before attempted. As the canal will be open to all nations on a basis of absolute equality, it is felt that the foreign governments will be not only willing but anxious to send their fleets on a visit of courtesy to American shores.

While the marine feature of the celebration will consist mainly of naval reviews, the merchant vessels will be assembled for bay parades. The canal is intended primarily for the merchant vessels and this fact will not be lost sight of.

The possibilities presented by marine exhibitions are so vast that this subject will be allotted to a distinct department.

The agencies engaged in promoting American shipping are taken a deep interest in this phase of the situation and will be prepared to co-operate when the time comes.

The announcement that the local architects are to confer with the exposition officials has aroused the attention of architects throughout the United States. From the east has come the suggestion of a national committee of architects. It has also been proposed that an international architectural competition be held, prizes of sufficient size to be offered to interest the most famous designers in the world.

ATTRIBUTE SHOOTING TO VICTIM'S FRIENDS

Police Have Theory Regarding Wounding of Sidney Layton

From investigations made by the police yesterday they are satisfied that the shooting of Sidney Layton in his room at the New Western hotel on Wednesday night was done by friends of Layton during a dispute over the distribution of money connected with a deal in which they all had been interested. Just who the men were Layton refuses to say.

A. B. Shaw, who saw the men running away, one with a revolver in his hand, and was told that if he interfered with them he would be shot, admitted yesterday that Layton confessed to him that the trio were his friends and that he would not prosecute them.

Layton's wife, who performs in a Barbary coast resort and who reached the scene of the shooting about 10 minutes later, says that the three men had seen her flashing her diamonds valued at \$1,200 while she was performing and had evidently followed her and seen where she lived. Robbery, she feels sure, was their object. They got a diamond ring valued at \$250.

FACES CHARGE OF ARSON

Daniel Callahan was arrested Wednesday night by Special Officer Joseph Coppers for setting fire to an empty corner building on Chestnut street, near the corner of Cupper's residence in San Jose avenue near Mount Vernon.

WEEKLY CALL, \$1 PER YEAR

TOMORROW LADIES' DAY

Vacate Shoe Sale

Regardless of the great sacrifice involved, all Ladies' High Grade Shoes must go for

\$1.95 Pair

Were \$3.50 to \$5.00.

At 1215 Fillmore St.

All leathers. All styles. All sizes. High and low shoes. Shoes for winter and shoes for summer wear.

Every Shoe Reduced For Quick Clearance because of expiration of lease.

ALL NEW SPRING AND SUMMER STYLES INCLUDED.

MORRIS

Perfect Fit Guaranteed. 1215 Fillmore Street.

Sticky Sweating Palms

after taking salts or cathartic waters—did you ever notice that weary all gone feeling—the palms of your hands sweat—and rotten taste in your mouth—Cathartics only move by sweating your bowels—Do a lot of hurt—Try a CASCA-RET and see how much easier the job is done—how much better you feel.

CASCARETS are a box for a week's treatment, all druggists. Biggest seller in the world. Million boxes a month.

BROWN'S BRONCHIAL TROCHES

An absolutely harmless remedy for Sore Throat, Hoarseness and Coughs. Give immediate relief in Bronchitis and Lung Affections. Fifty years' reputation. Price, 25 cents, 50 cents and \$1.00 per box. Sample sent on request.

JOHN I. BROWN & SON, Boston, Mass.

W. T. HESS, Notary Public

ROOM 112, CALL BUILDING

At residence, 1460 Page street, between p. m. and 8 p. m. Residence telephone, Park 3797.

Informal Demonstration of The Steinway Pianola-Piano

Two to Five This Afternoon

The Public Is Invited

KOHLER & CHASE

26 O'Farrell St. - Near Market St.

HEALTH OF ANIMALS BEST BECAUSE OF GOOD DIGESTION

An interesting interview was recently obtained with L. T. Cooper, the young man whose theory and medicines have created such a sensation during the past year. Mr. Cooper, in speaking of the remarkable success of his medicine, had this to say on the subject: "My medicine regulates the stomach. That is why it is successful. The human stomach today has become degenerate, and is the cause for most ill health. In the horse, the dog, and the wild animals generally, you see no nerve exhaustion, no chronic debility. They are not shut up day after day, with practically no exercise, and they are not able to stuff themselves with food when their bodies have not had enough work to justify it. The human race has been doing this for years, and look at the result—half the people are complaining of poor health, not real illness—just a half-sick, tired, droopy feeling. They don't really know what is the matter with them. I would have you expect to do the same thing in Europe next year. This is the real reason for the demand for my preparation."

Among those who have recently been converted to Cooper's theory is Mr. Monroe Brown, of 3 Hancock street, Winchester, Mass. Mr. Brown has this to say of his experience with the new medicine: "For over seven years I suffered with catarrh of the stomach, and for the past year I was lame with rheumatism. I attributed this to my stomach trouble, as my circulation was very poor. What food I ate would turn to gas almost at once. I would have a sensation of bloating, and would have to belch frequently to relieve this. My heart also became affected, and I would suddenly become dizzy and have palpitations. I was tired and dull and despondent at all times. I lost a great deal of flesh, and was nervous and depressed. This went on for over seven years, although I spent hundreds of dollars trying to get relief.

"When Cooper was in Boston I heard a good deal about his ideas on stomach trouble. Next, one or two friends told me that his medicines had greatly helped them. I purchased some of the New Discovery medicine. To-day I am perfectly well; I sleep like a baby, can eat anything and have no rheumatism or heart trouble. I no longer have any gas on my stomach, and feel as I did years ago. No one could be more astonished by these facts than myself. They are remarkable, but true. This is, indeed, a wonderful medicine."

The Cooper preparations have been more widely sold and discussed since being introduced than anything of the kind ever before sold by druggists. We sell them and explain their nature—Owl Drug Company.

WATCHES

DIAMONDS JEWELRY AND SILVERWARE ON CREDIT

BRILLIANT JEWELRY COMPANY

704 MARKET ST. ROOM 307-312

6th Floor - TAKE ELEVATOR