

BOURBOIS GASP AS FOLK ELITS THROUGH CITY

Missouri Leader's Haste Causes Local Democrats to Shout His State Slogan

Spalding Enters Fight for Flint's Toza, Despite Protest of Scripps

By GEORGE A. VAN SMITH

The democracy of San Francisco was not called upon yesterday to consider or assist in the plans laid by former Governor Joe Folk of Missouri to line up California behind his ambitions to be the next democratic president of the United States.

Folk paid San Francisco a hurried visit yesterday. He came from the Yosemite, and left almost immediately for Fresno, accompanied by Chester H. Rowell, president of the Lincoln-Roosevelt league.

Folk's coming had been widely heralded and the democratic chieftains in San Francisco had groomed themselves to meet and discuss Folk and the situation.

It has been generally understood that Folk's representatives and Folk were working with and through the Bryan men, and that the Missouri democrat had an understanding with the secretary of state, this morning.

Spalding for senator. The fear that the republican party would not be given an opportunity to indulge itself in a direct primary fight over the selection of a candidate for the United States senate was without foundation.

Senator Leroy A. Wright of San Diego, co-author and sponsor for the direct primary law, passed through San Francisco last night when with the petitions which, when filed with the secretary of state, this morning, will give Spalding a place on the official republican ballot.

Spalding has been importuned for weeks by prominent party men in the south. Three times he entered formal refusals to permit the use of his name as a candidate for the United States senate.

The republicans of San Diego and other southern counties had virtually given up the hope of getting Spalding into the race, when he became embroiled in a controversy with E. W. Scripps, who informed Spalding that he must answer several questions before Scripps would advocate Spalding's candidacy with the 100,000 voters with whom Scripps declared he was in daily contact.

Spalding answered the questions and another. The added answer was that he would run for the senate against his wishes, but in spite of Scripps. As a further and final answer Senator Wright started for Sacramento with Spalding's petition for a place on the ballot.

All the other about legislative candidates filing their petitions with the secretary of state is, according to Senator Wright and the San Francisco election commission, needless and in no wise suggested by the provisions of the direct primary law. According to the Sacramento dispatches the justices of the appellate court have advised the secretary of state that all petitions for legislative candidates must be filed with the secretary of state. The primary law provides that petitions for candidates running in districts comprising more than one county must be filed with the secretary of state; those for candidates running in a single county with the county clerk or registrar of voters.

In the latter case the law provides that the clerk or registrar must forward the petitions to the secretary of state within "10 days after their receipt."

LAW READS PLAIN "The law is so absolutely plain that it needs no construction or interpretation," said Senator Wright last night. "The candidate for legislative office whose district is wholly within a single county is required by the law to file his petition with the county clerk or reg-

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Jennie Schultz of Presidio parlor, N. D. G. W., candidate for queen.

When he has so filed he has met the requirements of the law. The intent and the letter of the law is plain. The clerk or registrar is required to forward such petitions to the end that they may all be kept together by the secretary of state.

Acting on the advice of President Thomas V. Cator, the San Francisco election commission has given no heed to the press reports from Sacramento. The local commission has forwarded all legislative petitions as rapidly as they were verified. On Monday the commission will meet and formally order the names of all the candidates who have filed petitions with it placed upon the official ballots of their respective parties.

An alleged desire to take advantage of the 5 to 1 odds against Anderson went wrong yesterday and the machine candidate was deprived of any advantages that might have accrued from a popular belief that his supporters were willing to back their faith in him with their money.

BETTING MYSTERY Senator "Billy" Ralston let it be known yesterday that some of his friends had intrusted him with \$2,000 to be laid with Frank Daroux at the price of 5 to 1 that Daroux had repeatedly quoted against the machine candidate, without getting action. According to Ralston, Daroux had refused the bet, saying that he would be, but that he was not betting.

When Daroux was asked for an explanation last night he said: "I have not seen Ralston, nor has he called me up. I was informed at the hotel that he wanted to lay some money on Anderson and that he had a certified check. He does not need a certified check. I am making a book. His word is good. All he needs to do is phone me that he wants \$2,000 to lay on Anderson and he will be on. He knows the law. He knows the writing of the ticket is a felony. He knows the system of memory betting that prevails in this state and he knows I do not wish to lay I've deposited with a stake holder, I've got \$5 to 1 and \$1,000 at 2 to 1, which makes \$2,000. I have \$8,000 of my money against his \$2,000 that Anderson is not evasive."

RALSTON EVASIVE A messenger tapped Daroux on the arm and informed him that Senator Ralston was at the St. Francis anxious to lay \$2,000 on Daroux. Ralston had left, ostensibly because Daroux's representative had explained to him that his demand for a certified check to be deposited with a stake holder would not be met and that the bet could be made only in a manner that would conform to the system of book making made necessary by the anti-gambling law. Daroux was more conservative and the Ralston near bet than the politicians and men about town who knew what had occurred. It was generally set down as a bluff designed for public consumption.

"I am making a book," said Daroux. "They can all get their money down and men like Senator Ralston need not show his color. I will take their word for their bet. If they win they know I will pay and I know they will pay if they lose. They also know the law and they know that they are not going to get a stake holder or a ticket, either of which means a felony. I have made just one bet today. I laid \$525 against \$105 that Anderson will not be nominated. That is the only real betting I have come in contact with."

Local Brevities SALESMAN INSOLVENT—W. J. A. Colman, San Francisco salesman, filed a petition in bankruptcy yesterday. His liabilities are \$2,745, with \$265 in available assets.

HELD FOR EXTORTION—Joe M. Gill, a Chinese, was held for trial before the superior court by Judge Deane yesterday on a charge of extorting money from Ho Tong, a Chinese woman, on threats of killing her.

AGED WOMAN INJURED—Mrs. Essie Manning, 81 years, living at 1324 O'Farrell street, fell while alighting from a streetcar at Ellis and Market streets, last evening, and received a fracture of the hip. She will probably die.

PAINTER DIES OF INJURIES—Samuel L. Maloney, a house painter of 3475 Precita street, died at the Hahnemann hospital yesterday as the result of a fall from a scaffold. He was 53 years of age and had a widow.

TRIAL TO TEST SANITY—Charles E. Huddlestone, who fatally stabbed Charles E. Coburn with a pistol and was convicted by a jury in Judge Lawlor's court of murder in the second degree, is to be retried by another jury to determine his sanity.

SUNDAY SERVICES AT Y. W. C. A.—Miss Irene Hanson, pastor of the Presbyterian church, will speak at the Y. W. C. A. on Sunday at 4 o'clock. Subsequent services will be held with special music. All women are invited.

RAILROADS CLAIMS GEARY LINE

State Asks Court to Declare Forfeited the Franchise for Abandoned Tracks

Tirey Ford Argues That Grant Can Not Be Set Aside When Regularly Made

The suit begun by the people of the state of California against the United Railroads to have the superior court declare forfeited the franchise under which the street railroad corporation claims the right to run cars in Geary street from Taylor to Kearny was argued before Judge Seawell yesterday on demurrer. Tirey L. Ford represented the railroad and Jesse Steinhart appeared for the people.

The United Railroads asserted its ownership of franchises entitling it to run cars on five blocks of Geary street as a means of hampering the city in its endeavor to establish a municipal system in Geary street. The claim of the United Railroads was founded on musty franchises acquired from the Market street railway company at the time the Calhoun merger was formed. The Market street company had previously purchased the franchises from the Central railroad company and the Northern Beach and Mission railroad company, to which they were granted by the board of supervisors November 12, 1873.

TRACKS WERE ABANDONED Never having used the franchises they are forfeit on that ground alone, so far as the United Railroads is concerned. It is alleged in behalf of the state that the Market street company was unable to transfer the franchises to the United Railroads for the reason that the first named company had abandoned the tracks in March, 1897, and that on the 22d day of that month the board of supervisors passed a resolution declaring the company had abandoned its right to run cars on the rails, and ordering that the tracks be removed.

In arguing the demurrer yesterday the main point made by the United Railroads attorney was that no cause of action was stated in the complaint, inasmuch as, under the statutes, the only reason for which a franchise could be forfeited was that it had been usurped or wrongfully obtained in the first place. In the case it was admitted by the plaintiff that the franchises were regularly granted in 1873.

JUDICIAL FORFEITURE WANTED Steinhart replied that until a judgment of forfeiture was obtained, the franchises were still in existence. The franchises, he said, and that was what the state was asking for.

Judge Seawell took the demurrer under submission. A motion was also made by Ford to quash the writ of summons on the defendant, because the amended complaint as well as with the original complaint. Judge Seawell said that there was nothing in that point.

Platt's Appeal Dropped Apparently the United Railroads had determined to accept as final the decision of the supreme court which declared the proposal of the people to construct and operate the Geary street road. When the decision was handed down June 25, Attorney W. L. Brobeck, in behalf of the state, filed a petition for a rehearing, but that he would not take advantage of the 20 days allowed him by law to file his petition.

The Geary street road proposition is safe now from legal interference, at least until the construction work reaches the tracks of the United Railroads at Point Lobos avenue and the city and county effort could be made there to prevent the city from laying tracks on the six blocks from Thirty-third to Thirty-ninth, upon which are the tracks of the United Railroads.

More Bonds to Be Issued A new call for bids on the Geary roads bonds will be authorized by the board of supervisors Monday. The clerk will be instructed to solicit offers for \$240,000 of the securities about September 1. With the \$260,000 already subscribed this will place in the treasury \$500,000 for construction.

At today's conference between the mayor and the public utilities and finance committees of the supervisors, Works Commissioner Broderick, City Engineer Matheson and Assistant City Attorney Nourse various factors in the construction problem will be taken up. The selection of a power site, the final determination of the traction to be used, the question of ordering rails and possible legal obstructions in the city's way will be discussed.

Despite the public announcement that the \$250,000 bonds of the Geary roads had been subscribed, offers to take allotments of the first amount advertised continued to come in to the board yesterday. One individual request for \$25,000, one for \$3,000 and one for \$2,000 were made with the statement that all the bonds were subscribed. The persons inquiring will be notified of the next offer in September.

MRS. CROCKER'S ESTATE VALUED AT \$181,143 Most of Property Is Left to Brother, W. A. Swinerton Mrs. Clara E. Crocker, mother of Charles Henry Crocker, left an estate valued at \$181,143.22, an inventory and appraisal of which was filed yesterday with the county clerk.

The estate consists principally of stocks and bonds. By her will Mrs. Crocker left all her bonds, which are valued at about \$60,000, as well as 50 shares of the William Arthur Swinerton, \$5,000 to her friend, Mrs. Nancy M. Mott, and the residue to her son, Charles Henry Crocker.

Rincon parlor No. 72, N. S. G. W., will hold their picnic Sunday, July 17th, Fairfax Park.

CHINESE GAMBLERS LOSE LEGAL FIGHT

Judge Troutt Dissolves Four Restraining Orders Against Police Raiders

Sergeant Matheson, in Court, Tells of Several Visits to Ross Alley "Club"

Judge Troutt yesterday lifted four injunctions he had granted last month restraining the police from interfering with the members of Chinatown gambling houses. He dissolved the injunctions of his own volition, having come to the conclusion that they had already been in force too long.

The establishments in question, and the date on which the injunctions were signed are: Sam Kee & Co., 739 Grant avenue, June 15; Shanghai company, 557 Jackson street, June 27; Foo Yick & Co., 111 Waverly place, June 25; Ho Lee Yuen club, 67 Ross alley, June 29.

"I do not wish to be put in the position of staying the hands of the police in the execution of their lawful duty," said Judge Troutt in dissolving the injunctions. "When I signed these temporary restraining orders I had no idea they would be kept in force as long as they have been."

SAFE TILL THURSDAY Under a stipulation between the district attorney and the lawyer for the plaintiffs there will be no raids on Sam Kee & Co. before Thursday next at 2 o'clock. There is no agreement or injunction, however, that will prevent the police raiding the other three, except that the Ho Lee Yuen club may be entered only twice daily.

In the case of Foo Yick & Co. a petition for an order against the county clerk yesterday. Sergeant Matheson told why he smashed the doors of the Lai Lung society at 18-20 Ross alley the night of July 7. The day before it had been agreed in Judge Conley's court between the attorney for the club and District Attorney Fickett that twice in every 24 hours the police would be given peaceable admission to the club premises. In pursuance of the agreement Matheson and his men presented themselves at the doors of the club on the 13th, but were refused admission and therefore broke in, finding numerous gambling layouts, lot tickets and \$1,100 that was being used in the games.

Chief of Police Martin filed an affidavit yesterday denying that he was responsible for the damage to the club, which was complained of by the Fong Lee club in the complaint upon which the club obtained a temporary injunction.

Gamblers Plead Guilty When the cases of Robert Magee, Frank Starke, John Herbert, Herbert J. Bernard and Louis Wagner, keepers of games at Patsy Wolfe's Lion club, 1735 O'Farrell street, were called in Police Judge Conlan's court yesterday for trial their attorney announced that they would plead guilty. Assistant District Attorney T. S. Berry said he was willing that they should plead guilty on condition that a fine of not less than \$150 was imposed, as the district attorney was determined to stamp out gambling. He asked that the cases of Leonard Wagner be dismissed. The judge ordered the dismissal and said he would uphold the district attorney in his campaign against gambling.

INFANTRY WILL GO ON LONG PRACTICE MARCH Three Days' Manuevers to Commence July 19 The first battalion, Thirtieth infantry, commanded by Major Leon S. Roudiez, which held a battalion drill at the Presidio yesterday morning, will leave for a three days' practice march July 19 to 21.

Major L. R. Burgess, coast artillery corps, Fort Morgan, Alabama, is here on leave of absence and will be the guest of his father in law, Dr. Henry Burgess, of Piedmont until August 31. Major Burgess was formerly adjutant of the Presidio post and has a host of friends in the vicinity.

Lieutenant R. Furnival, coast artillery corps, has been temporarily assigned to command Company M, signal corps, during the absence of Lieutenant Paul W. Beck.

Lieutenant Ode G. Nichols, Thirtieth infantry, has been relieved from duty as assistant to the quartermaster of the Presidio post.

WOMAN LOSES VALUABLE BROOK—House Detective Hirsch of the St. Francis hotel reported to the police yesterday that Mrs. Eatherton of Portland had a gold brooch set with a cluster of diamonds and pearls July 9.

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Middy Blouses at 75c White duck middy blouses that could easily command \$1.25 anywhere. This line has just arrived. Trimmed with white soutache braid, blue collar, has pocket. Ages 12 to 18 years.

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