

# PARK COMPANY'S WATER RIGHTS

## Injunction Against Tapping Tuolumne River

### Petition Filed in Tuolumne County to Prevent Diversion for Power Purposes

The city of San Francisco's right to appropriate water from the Tuolumne river below the Hetch Hetchy valley and outside the Yosemite national park has been attacked in a suit filed in Tuolumne county by the National Park electric company, a corporation in which Thomas Prather of Oakland is one of the leading men. The suit is in the nature of injunction proceedings, which call into issue directly the city's claims. The suit is not an attack on the city's rights to a water supply from waters impounded in Hetch Hetchy, or from Lake Eleanor, however, and, according to Attorney Milton S. Hamilton, is not an attack on the city's project to obtain a Sierra drinking water supply. Hamilton, an attorney for the power company, mailed the petition to Tuolumne county Monday.

#### CITY'S PLANS ATTACKED

At the point where the Tuolumne river leaves the national park, below the Hetch Hetchy valley, the municipal plans provide for an intake canal and divert water for power purposes. According to the city's map, this canal will run along the south of the river, parallel to the main course of the stream, for a distance of several miles to a power site of several acres that has been located. Any water taken from the river's natural flow must be returned into the stream and be permitted to flow on to La Grange for the purposes of the Modesto and Turlock irrigation districts.

#### OLD WATER RIGHTS BOUGHT

The company went into the field as early as 1903 and bought a number of old water rights and located new ones. It claims all the water rights from the Tuolumne river up as far as the boundary of the national park. A few days after the park boundary had been moved back by act of congress so that the location was possible, the company located the water right which it wishes to use for power purposes in February, 1915.

According to the company's petition, the city of San Francisco has never filed any location or obtained from any one else water rights at the point on the Tuolumne river where it is proposed to divert water. Attorney Hamilton backs up this contention, and says that the city of San Francisco has never filed any location or obtained from any one else water rights at the point on the Tuolumne river where it is proposed to divert water.

#### COMPANY CLAIMS POWER

The National Park electric company is allied with the railroad company that operates the road to El Portal, which is used by tourists going into the Yosemite valley. Its intention is to develop water power from the main Tuolumne river and from the south fork as well.

"We have not quarrel whatever with the city of San Francisco's attempt to secure a water supply from Lake Eleanor and the Hetch Hetchy valley," said Hamilton yesterday, "and we make no attempt to impede that project. The water rights in controversy between use and the city are to be exercised with the water of the Tuolumne river below the Hetch Hetchy, and do not involve the appropriation of water except for power purposes, as the water we might take, or the city might take, at this point must be returned to the stream lower down to meet the requirements of law."

#### MANSON RIDICULES CLAIMS

"The National Park electric company was denied the right to divert water and power rights on the main fork of the Tuolumne river by the federal forestry bureau," said City Engineer Manson. "This was done upon my protest in behalf of the city. The company has secured some rights on the south and on the middle forks of the stream. All our rights pertain to the main fork. The refusal to grant the company any rights there was to protect San Francisco in its prior claims."

"Whatever action has been brought in the Tuolumne county court probably has been initiated as a scheme to hold up the city. The middle and south forks of the river are no factors in the city's system. We will draw no water from them nor seek to derive any power from their flow. It is probable that the complaint is directed against the erection of the city's Park line power station or the North Mountain power station."

#### MAYOR EXPECTS TO WIN

"We are confident that the superior court will uphold the rights of the city in this litigation brought by the National Park electric company," said Mayor McCarthy yesterday, "and that no obstacle will be placed in the city's way in proceeding to construct its water supply system."

"San Francisco's rights are centered in the main fork of the Tuolumne, and I understand that the company's claims are to power rights located on the southern and middle forks. In the absence of service on the city, the complaint we cannot tell just what the company makes pretension to, but I consider that the city may expect the outcome with confidence."

#### Mexico and Returns, \$80

On the Christmas holiday excursion leaving San Francisco December 14 and Los Angeles December 15. Personally conducted Dining parlor and observation cars and Pullman vestibule sleepers. Go via Southern Pacific and National Railways of Mexico, return via Santa Fe. Slide trip from Williams to Grand canyon, if desired, \$6.50 additional. For details see agents Southern Pacific, Flood building, Palace hotel, Market street ferry depot, Third and Townsend streets, Oakland, Santa Fe, 673 Market street, National Railways of Mexico, Mondrack building.

#### SUIT CASE STOLEN ON TRAIN

A. S. Halstead of the warship Vicksburg reported yesterday that a suit case containing two suits of clothes and other wearing apparel had been stolen from a Southern Pacific train while en route on his way to San Mateo Tuesday afternoon.

# LETTERS EXPOSE FRAUDS OF BURRS

## State Mineralogist Aubury Will Send Evidence to Postmaster General

### Magazine Was Big Factor in Drawing Victims Into Swindlers' Net

State Mineralogist Lewis E. Aubury will forward to Washington a mass of letters to be used as evidence against Burr Brothers, promoters of oil and mining stock, that Postmaster General Hitchcock says represent a \$40,000,000 swindle. As an indication of the extent of their operations, correspondence from victimized investors in the canal zone, Canada and all points in the United States will be supplied Hitchcock.

The factor which made possible the success of the Burr Brothers' ventures in stocks seems to have been their oil publication, Securities. This they published on an extensive scale and was the means of winning the confidence of investors. By this means the fears of speculators were overcome. Assurances of the reliability of the companies' methods were given much publicity, and, according to the victims, the oil and prospectus of one oil holding continued to be printed long after the corporation itself went out of business. The praises of Burr Brothers' properties were constantly sounded.

#### INVESTORS SUSPICIOUS

During the last four months Aubury had flooded the country with circulars asking for information concerning the private business practices of Burr Brothers. The answers show that many of the investors had reached the conclusion that they had been duped, while others had their suspicions aroused and were anxious for information as to the standing of the companies in which they held stock.

The People's Associated, New York Coalinga company, the Coalinga Aladdin and the Consolidated oil companies are the corporations regarding whose stability the greatest doubt and misgiving seem to have been felt.

The letters carry doubts and suspicions as to the legitimacy of the operations, threats of retributive measures, denunciations of the practices and, in several instances, a surprising philosophical resignation to losses. Women form a large percentage of the investors swindled.

William Franzen of Okouchee, Wis., wrote to the Postmaster General a commiserating note as follows:

"I can fully appreciate your feelings in regard to the loss you sustained. I am a loser to the extent of \$17,000, and I feel that I have lost my life. However, we have but one life to live, and we must make the best of it."

R. A. Johnson, a San Diego policeman, was more to the point. He said: "I got this information out of 43 cents per share. I am now thoroughly convinced that I was buncoed by the Burr Brothers, and if there is any way of prosecuting them I hope it will be found."

James Macdonnell of New York wrote: "I understand that the People's Associated oil company has gone out of business. I got this information out of the side of Burr Brothers. I have invested heavily, and it seems to me Burr Brothers have been dishonest. Their magazine, Securities, continues to print maps of the People's holdings, nevertheless."

The British Columbia Mining and Engineering Record writes that Burr Brothers were interested in floating a number of mining companies in Canada, but were frustrated by an exposure by the postal authorities. As it was, it says, several hundred thousand dollars were secured from small investors in the United States and Canada.

## Helen Stiles Sold For Low Figure

[Special Dispatch to The Call] SAN JOSE, Nov. 23.—A telegram has been received from Los Angeles by Ray Mead, a local horseman, announcing the sale of Helen Stiles, the trotting race mare which has just completed a triumphant tour of all of the large cities of the northwest and Phoenix, Ariz. The former owners were A. Durfee and W. G. Stiles of Oakland. The new owner is Captain Bennett of Los Angeles and the consideration was \$7,000, a surprisingly low figure.

Helen Stiles is named for the daughter of the Oakland horseman, and earned \$10,000 in the northwest and in Phoenix. She was beaten in heats, but never lost a race.

At a meeting of the San Jose driving club last night plans were completed for a free Thanksgiving matinee at the San Jose driving park tomorrow. The card is as follows:

First race—Stimons. Joe Cuicello, Judy C. Jack Montevideo, Billy L. George Landers; Carrie B. Ray Mead.

Second race—Reas D. Joe Cuicello, Lovelock, Ray Mead.

Third race—Ishmael, W. Montgomery; Kiss Kee Dee, James Ferry; Rex, James Sheriff.

## Stanford Soccerites to Try Soldiers

The crack soccer team representing Stanford University will make its bow to the fans of San Francisco this afternoon at 2:30 when it tests the strength of Uncle Sam's crack Presidio aggregation. Each side will enter the game with its strongest team and a hard fought contest is looked for.

The event will be the great social affair of the post, as most of the officers and their friends will be present. The teams will line up as follows:

Stanford: Stewart, McCann, Brown, Hayden, Reynolds, Humphreys, Higgins, Pye, Erb, Gragg, Pung.

United Soldiers: Lynch, Delamare, Monahan, Smith, McKeown, Schwader, Aitken, McElroy, O'Hara, Rutzler, Barton.

## Young Cyclists Ride From Angel City

Frank Eckhard and his brother, Edward, Los Angeles messenger boys, arrived last night from Los Angeles. They rode the entire distance on their bicycles, making the trip in six days. The lads were locked out in the strike in the southern city and left Los Angeles on Thursday morning, having averaged 60 miles a day during their long ride. They made 85 miles the first day and the same number yesterday, the last day of their trip. The youths claim the amateur record for the run, and so far as is known no other amateur performer has ever covered the distance on a bicycle in such good time.

# CRIMINAL SHIELDS MAN WHO SHOT HIM

## Cash Crosby, Known as Petty Offender, Wounded in Saloon by "One of Own Kind"

### Police Suspect Victim of Being Companion of Masked Bandit Killed Sunday

Cash Crosby, alias Cash Crossman, a man well known to the police as a petty offender, was shot and seriously wounded in a saloon at 729 Howard street just after 9 o'clock yesterday morning by a man whose name Crosby refuses to divulge.

When informed by the police that he was fatally hurt and urged to name his assailant Crosby only smiled weakly and replied, "Never mind, boys, he was one of my own kind." Friends of the wounded man who called and begged him to reveal his assailant's name were met by the same stoical refusal.

There were six or seven men in the saloon at the time of the shooting. Edward Barry of 4030 Twentieth street, the bar tender, was drawing beer with his back to the bar when the shot rang out.

Crosby sank to the floor and Barry dropped behind the bar, thinking that he might be the intended victim, and his customers fled out quickly to the street and disappeared.

Hearing no more shots, Barry ventured from behind the bar and found Crosby lying on the floor. He raised him to a chair and telephoned for an ambulance.

#### PROVIDES MONEY FOR FUNERAL

While waiting for the ambulance Crosby handed Barry \$35.35, telling the bar tender to apply the money toward defraying his funeral expenses in case he died.

Detective Sergeant Frank McGrayan and Detective Tom Furman were placed on the case and on searching Crosby's clothes found a visitor's permit to the county jail made out to James O'Neil, the name of the white masked bandit who was shot to death by August Warmbold last Sunday night while attempting to hold up Warmbold's saloon at Ellis and Polk streets.

The police believe that Crosby was O'Neil's companion who ran away when the firing began and that he was shot down by another member of the gang for showing the white feather.

#### OFTEN ESCAPED CONVICTION

Crosby, although an associate of bad men for 15 years, had borne a charming existence in the county. He was arrested August 29, 1902, for burglary at the house of John Orngren, 519 Jackson street. Although held to answer in the lower court he was dismissed by the higher court. He was again held to answer on a burglary charge March 23, 1903, and dismissed. The only conviction recorded against him was for vagrancy, when he was sent to the county jail for three months July 1, 1903. He was arrested a score of times on petty charges, but always escaped through some unknown influence.

James Sotes of 879 Bryant street, who was working in front of the saloon, saw the man who shot Crosby leave the premises and go down the street. Sotes describes the man as about 27 years of age, 5 feet 10 inches in height, weight about 165 pounds. He wore a dark suit, black derby and light topcoat, was smooth shaven and of light complexion.

## Kramer, Rutt and Clark To Match Pedals

NEW YORK, Nov. 23.—A three cornered race for the professional bicycle sprinting championship of the world, in which champions of America, Europe and Australia will compete, was arranged this afternoon to take place at Madison Square garden on Saturday, December 3, the night before the start of this year's six day race.

Frank Kramer, who has held the title in this country for some years; Walter Rutt, of Germany, who has taken the measure of all the European cracks, and Jack Clark, the little Australian short distance champion, form the trio of starters. The race is to be run in heats, best two out of three or best three out of four if a fourth is necessary.

The first heat will be a half mile, the second a mile and the other to be decided by the toss of a coin.

#### BANK CLEARINGS SHOW AN INCREASE

Interesting Figures Reported to the Development Board

Bank clearings as reported to the California development board by the several clearing house cities for the week ending November 23, with comparison for the corresponding week of 1909, follow:

Cities	Amount	Per Cent
San Francisco	\$40,736,476.10	9.0
Oakland	2,574,198.10	62.0
Sacramento	1,484,000.00	41.0
San Diego	1,172,270.17	49.0
Stockton	638,193.14	27.0
San Jose	731,376.00	21.0
Pasadena	625,239.68	17.0

#### EVERETT SCHOOL GIRLS WIN

The girls' basketball team of the Everett grammar school defeated the young ladies from the Hancock school yesterday afternoon on the latter school's court by a score of 26 to 15. Leah Mustin and Hazel Bullerizek were the stars of the winning septet.

## THE KEYSTONE TO HEALTH IS HOSTETTER'S STOMACH BITTERS



If you want a medicine that will give you the greatest satisfaction in cases of Indigestion, Constipation, Biliousness, Colds, Grippe and Malaria take none but the Bitters. Its reputation is established.

# TELL OF THREATS FROM DYNAMITERS

## Staff Men of Times Come From Hospital to Testify Before Grand Jury

LOS ANGELES, Nov. 23.—Threats of vengeance, said to have been made prior to the blowing up of the Times plant on the 1st of October, was the subject of testimony today before the grand jury, which is investigating the alleged dynamite outrage. Members of the editorial staff of the newspaper, who may have had knowledge of such threats, were called. The morning session was occupied by their examinations. This afternoon the inquisitors again went over the plant of the wrecked structure, heard several more employees of the Times and then adjourned until next Tuesday.

Anton Johannsen, the San Francisco labor leader; Jack Lofthouse and Mrs. Belle Lavin, also of San Francisco, the only witnesses from a distance who are yet held for further testimony, again went over the plant of the wrecked structure, heard several more employees of the Times and then adjourned until next Tuesday.

Charles E. Lovelace, one of the Los Angeles Times editorial staff, who was severely injured at the time of the explosion, was a witness before the jury. Lovelace was discharged from a hospital a few days ago. He is compelled to use crutches.

Harry Andrews, managing editor of The Times, who declared an hour or so after the explosion that he was hospitalized a few days ago. He is compelled to use crutches.

Among those who testified were J. L. von Blon, city editor of the Times; R. P. Whitney, telegraph editor, and Harry Carr.

# Cornell and Pennys to Clash Today

## Atlantic City, N. J., Nov. 23.—Cornell will meet the University of Pennsylvania football eleven on Franklin field, Philadelphia, tomorrow afternoon without the services of Pullback Simpson, but the boys from Lake Cayuga do not seem discouraged. Olson will fill the vacancy.

For more than an hour today the Cornellians practiced signals and their work was clean and fast with practically no fumbling.

**Quakers Are Ready**  
PHILADELPHIA, Nov. 23.—"If Pennsylvania is beaten tomorrow by Cornell there will be no excuse to offer," said Coach Smith of the Quaker eleven tonight. All of the Pennsylvania regulars will be in the lineup and they are pronounced by Trainer Mike Murphy to be fit to play the game of their lives.

## Tamalpais Five Off to Good Start

In its initial basket ball game of the season, the Tamalpais club first team won an easy victory over St. Ignatius college by a 29 to 20 score on Tuesday evening at the Tamalpais court.

The features of the game were the splendid work of McGrath and Coffey, the crack Tamalpais forwards, and Wood's clever guard work.

A second game was played on the same evening between the Imps, who represent the Tamalpais club in the 125 pound class, and the Oaks. The contest resulted in a 34 to 13 victory for the Imps.

Everybody was sorry to see I. H. Miller lose his old horse Raleigh, which was claimed by F. Dees for \$1,200. Miller sent an example which many farmers should try to follow. He is out for the purses and pays no attention to the betting ring.

# Harness Races at the Alameda Track

## Alameda County Driving association will hold trotting races tomorrow afternoon at the Alameda racetrack, at the foot of Bay street. Seven races have been arranged, including a dash for yearling harness horses.

The card is as follows:  
First race, 3 minute trot—Sir Thomas Lipton (Fresno), Clay S Jr. (Westphal), Byron Altamont (Muldoney), Pete (Farrell), X-Ray (Loma), Moran entry.

Second race, 2:20 trot—William March Jr. (Doctor Norcott), Harold K. (Gallardo), Laccosa (O'Keefe), Golden Mane (Hinds), San Lorenzo Boy (Shiman).

Third race, free for all—Derrill (Kitt), Clinger (Asher), Cella K. (Schwartz), Walter Wilkes (Gallardo), Babe (Praga), Albany (Toby), Ginger (Madera), doubtful.

Fourth race, 2:30 trot—Duke of Monterey (Nissen), Zampo (Barnett), Black Babe (Pete Williams), Sidray (Caldress), The Devil (Benson).

Fifth race, 2:30 pace—May Day (Captain Durham), Sadie Mason (Schreiber), Berbank (Lowe), Lady Wilkes (Harper), Starline (Benson).

Sixth race, 2 year olds—Edna H. (Hahn), Bill Johnson (Schreiber), Lady Howard (Pete Howard).

Yearling race—Mar Alto (Al Schwartz), Bill Wheeler (Green), Bellings entry.

## Los Angeles Fight Game Revived Today

[Special Dispatch to The Call] LOS ANGELES, Nov. 23.—After a lapse of several months the boxing game will be revived to-morrow when Danny Webster, the local feather weight, and Charley White of Chicago meet in a 20 round bout at Vernon White is the favorite at 8 to 10, although many wagers are being placed on the local boy. The bout will be staged at the old Jeffries athletic club pavilion, which McCarey now controls. Frankie Sullivan and young Rivers will meet in the semi-wind up, scheduled for 10 rounds.

# BALLOON BURSTS—Bakersfield, Nov. 23.—The large captive balloon belonging to Captain Van Tassel burst last evening while 1,500 feet in the air as the result of being stopped too suddenly by the engine. The balloon was being sent up for the purpose of testing an engine, and no passengers were aboard. It will be repaired immediately.

**\$50 to \$500**

Invested with us at this time will, in our opinion, yield from 12 to 15 per cent per annum, or more, within a very short time. We have a manufacturing proposition. Company organized under laws of California, with a capitalization of twenty-five thousand shares, one dollar each. Plant located in the heart of San Francisco, which is open for inspection. We propose to offer a small block of stock at this time for seventy-five cents per share (par value one dollar), for the purpose of enlarging our plant. We have inaugurated an easy payment system for those who are not in a position to pay cash. Big profits, as books will show. This is a first class, edge edged proposition, and to those who are looking for a safe investment we respectfully request you to drop us a card and we will cheerfully go into details with you regarding same. This is a home industry enterprise. First come, first served. Send no money, but simply send your name and address and we will send our representative to call upon you, or if you prefer you can call upon us. Address Box 2104, Call office, San Francisco.

**THIS PRETTY DINING SET \$29**

The table and set of 6 chairs  
Just another example of the "Sterling's" wonderful values and easy credit terms.

**\$3.50 Down—Then Pay \$1.00 Weekly**  
The Set of Six Chairs  
The Extension Table

They are made of solid oak, in fumed finish—they are well made, strong and serviceable. Exactly the kind of a chair you could expect for three dollars.

Solid wood seats, restful backs, made with flat banisters. They have semi-box seats, a particularly solid form of chair construction.

It is a particularly pleasing one. Built of solid oak in fumed finish. The round top, the round pedestal, the gracefully shaped base, all tend to make it a popular pattern—we will vouch for its construction and its durability.

A table that sells readily for eighteen dollars.

**Another "Sterling" Value \$40**  
For These Tasteful Bed Room Furnishings

Complete in every detail. Mattresses, pillows, all are included. Even a handsome rug to make the floor covering.

**\$5.00 Down and \$1.00 a week—**

**The Bureau**  
Solid oak, in golden finish. It is fitted with a French plate mirror, shaped and proportioned exactly as we picture it.

**A Rug, 9x12 Feet**  
And a wide choice of patterns to select from. A very serviceable quality, and made up in artistic designs and colorings.

**The Bed**  
Double size, of course. Brass spindles in head and footboard. Your choice of colors in enamel.

**Table and Chairs**  
These are also built of solid oak. They match perfectly in finish and construction with the rest of the furnishings.

**A STOUT WOVEN WIRE MATTRESS—A GOOD SANITARY TOP MATTRESS AND A PAIR OF SANITARY FEATHER PILLOWS COMPLETE THE OUTFIT.**

**The kitchen complete—\$39**

Linoleum laid, range set up, all ready for business. It's hard to determine which is the easiest, the price or the terms.

**Pay \$5.00 down and \$1.00 each week**

**The Linoleum**  
This offer includes a big square of linoleum, measuring 12 feet each way. Large enough to cover your kitchen without a seam. Excepting the "inlaid," there are no better linoleums made.

**A Wedgewood Range**  
A fine, big, No. 7 range. The Wedgewood is a well known standard range, that we can recommend. We have made a special price of \$25.00 for it, although it usually sells for considerably more.

**A "Treasure" Table**  
This is the regulation bin table, with four bins, molding boards, small drawers and places for everything. House keeping is a failure without one.

**The Chairs**  
Two chairs are included. They are just the ordinary wood-seat, bow-backed chairs that you find in every kitchen.

Free delivery with our own wagons in Oakland, Berkeley and Alameda. Carpets laid, stoves set up and credit given. No extra charges.

A select list of flats and apartments. We will recommend you only to flats that we have inspected and concerning which we can give you detailed information. This service does not obligate you in any way.

**STERLING FURNITURE COMPANY**  
1049 MARKET STREET  
OPPOSITE McALLISTER.

The little four-room cottage shows some new furnishings this week. The price remains the same, but the furnishings are just a little better, a little more attractive than anything shown in it before.