HOUSE MINORITY IS SOLID FOR JUDGE WORKS

Wolfe and Cassidy, Joel, Coghlan and Schmitt Follow Advisory Vote

Formal Investment of Title Will Come Today and Term Starts March 4

senators and assemblymen who have been popularly accredited to him as chattels since the day of the August primary election.

The election of John D. Works on the first ballot today, and by an overwhelming majority, has a deeper significance than can be found in the personal equation. Neither Works nor Spalding nor the spineless legislators who feared Boss Lissner present more absent, are more than collateral incidents of the big issue that was determined today.

It was demonstrated that that respect of the popular will, of which we have all preached, is a sounding phrase in California. It was demonstrated today, and most unmistakably, that no advisory popular vote for United States Senator can be expected to have any force in a California legislature.

A Californit legislature established today a precedent heretofore unknown in any direct primary state. It was the first legislature to repudiate a direct primary law—the first to flout the will of the people as expressed through the operations of a direct primary law.

The pity of it all is that it should have been done in the name of reform. Two years ago at the end of the long bitter fight for a direct primary system I heard men who today call themselves progressives and who then gloried in the title of insurgents, pleading for the sacred rights of the people. I heard them inveigh against the federal constitutional provisions that deferred the people from the right of direct election of their United States senators.

MENTAL ACROBATS SAYS SANFORD

Today I heard the samemen attempt to justify their flouting of the people's recorded will by shuffling back to the provisions of the sacred constitution which they pooh poohed two years ago.

It was instructive—even entertaining. I heard one energetic and versatile if not fluent progressive explain that if it was fair to circumvent the federal constitution with a direct primary election law none should be heard to complain if the legislature circumvented the will of the people recorded under the provisions of that direct primary law.

The whole thing was delightfully summed up by Senator John B. Sanford, democrat, who said to his republican colleagues: "I have watched your contortions with infinite amusement. As mental acrobats you are the wonders of the age."

John D. Works has been elected a senator of the United States. The direct primary law which gave California her freedom from the Herrin machine is dead today. It is to be resuscitated tomorrow and packed away for future emergencies. It is to be fixed so that the people may use it again for the nomination of a candidate for the United States senate four years hence. The question is can the public confidence that was buried today be resuscitated?

In any event the election of Works resulted in producing in the senate of California seven admirably considered and elaborately explained reasons for supporting the constitution and the statutes of the United States as against the constitution and statutes of California.

POLITICIANS ARE ONLOOKERS

Until after the assembly ballot had been taken the proceedings in the senate, involving an alleged contest for the election of a United States senator, did not attract as many people as did the election of Perkins, unopposed, two years ago. The politicians were on the scene, but the public had evidently taken cognizance of the steam roller that flattened men out as never did a Herrin machine. Guy T. Earl and Charlie Snook of Alameda county were on the floor and several of the senators charged with speeches or explanations had members of their families or friends at their sides.

A. G. Spalding's name was placed in nomination by Senator Leroy A. Wright of San Diego, legislative custodian and champion of the direct primary law and the direct primary constitutional amendment which made that law possible. Wright knew what was coming. He knew that Boss Lissner has turned his thumb down. He knew that every trade possible had been made and he know that the deliveries were about to be made.

PLEADS FOR SQUARE DEAL

Whight pleaded for a square deal for the people, for adherence to that slogan of "Down with the bosses" that had resulted in a popular majority of 106,000 for the direct primary constitutional amendment.

"We passed a law declaring that we would permit the people to advise us in the election of a United States senator. That is the law now. That law is about to receive its first test—the law that made Hiram W. Johnson governor of this state. If we are to be advised, let us take our advice from the sovereign people, not from any man—any new boss.

"No more serious harm could be done the cause of reform than the loss of public confidence. That loss of confidence must be followed by public contempt. Honest men obey the laws because they want to obey them, not because they fear the penalties. The loss of public confidence, the contempt of a constituency are penalties swifter and surer than those prescribed by law.

GATES NOMINATES WORKS

Upon Lee C. Gates of Los Angeles developed the duty of nominating Judge Works. His speech was eloquent, skillful. He contended that the senate need not regard the senatorial vote taken at the direct primary election because the platforms of the several parties were not in existence then and consequently the advice of the people was not written until the November election. He declared that the legislature must look to the substance rather than the form of the law, and that the advisory vote at the primary election meant nothing, because the people did not know the views of the several candidates. At the general election, said Gates, the people declared for a strong progressive policy and by inference therefore they declared for Works, whom they had rejected at the August primary election.

Then began an hour devoted to explanations. Senator Stetson of Alameda pleaded for disregard of the primary law and the election of Judge Works today as eloquently and with even more labor than he pleaded for the election of George C. Perkins from the same seat two years ago.

The democrats who voted for Works made their explanations the weapons for flaying the republicans who were repudiating their instructions.

"It is not necessary for me to explain my vote," said Cartwright of Fresno. "I have always felt that my first duty was to my constituents. Any other course would result in the establishment of misrepresentative government. I am bound by the promises I made my constituents in the campaign."

Senator Martinelli made the shortest and best speech. He said: "I am going to vote for A. G. Spalding in obedience to the wishes of the people of my district recorded under the primary law as they understand it and as they understood it when they went to the polls and instructed me for Spalding by a large plurality."

Wolfe amused himself and annoyed some of the senators with a short resume of the fight for the direct primary election law. One of the features of this resume was a brief outline of the changing position of Stetson in three sessions of the legislature.

Voting in the Assembly

CALL HEADQUARTERS, SACRAMENTO, Jan. 10.—Speaker Hewitt dropped the gavel in the assembly just on the hour of noon and announced as the special order of business the election of a United States senator. The statutes regarding the method and procedure of electing a senator were read and the speaker declared that nominations were in order.

E. C. Hinkle of San Diego was the first to gain the floor and made the nominating speech for A. G. Spalding. In part he said:

"Mr. Speaker and gentlemen of this assembly, we are here today to elect for the first time a United tSates senator chosen in the people's caucus, which was held August 16. Our duty in this respect is outlined in section 2 of the direct primary law, which provides that under the advisory vote given at the primaries we may vote for the candidate who carried the district from which we come or for the candidate who carried the greatest number of districts in the state electing legislators of our party. At that primary election the names of three candidates for senator were voted upon.

The results of that vote have been published in the journal of the assembly and they show that Spalding carried 73 districts, Judge Works 40½ districts and Meserve 6½ districts. Why should we publish those results in the journal unless, under the law, they are to guide us? Why were those returns made to the senate and the assembly unless the law provided they should be for the purpose of advising us?

LAW ON TRIAL

"If the law is not what we want it to be, we can change it, but only by standing by the law as it exists can we, the law makers, obey our oaths. Is not this a moral obligation? Can we elect some other man than the one chosen on the theory that section 2 of the primary law does not meet with popular approval? The law is on trial. Good government is on trial. Let us start right and let us continue, morally and legally, right. Now is the time for the square deal. Spalding is a man who never would have presented his name unless he was the choice of the people under the law."

The nominating speech for Judge Works was made by W. F. Chandler of Fresno, who began with a brief sketch of Judge Works' life and reference to his political activities in California since 1883, when he came to this state. The most honorable position Works ever held, said Chandler, was that of councilman of Los Angeles during a critical time in that city's history.

DWELLS ON REFORM

Continuing, he said:

"Gentlemen, we are entering on a period of progressive reform, the people are demanding progressive reform. At the recent election the gentleman was on the progressive ticket for United States senator and won more votes than any other candidate, therefore rasing an impelling moral obligation for his election at the hands of this body. He is an able jurist and constitutional lawyer. He is the south's choice for senator, for the south has overwhelmingly declared for him by popular vote and by districts as well. It behooves us to elect a man who has distinguished himself in public affairs rather than a comparative stranger who has only distinguished himself, if he is distinguished, by becoming extremely wealthy."

Seconding speeches for Spalding were made by Assemblymen Milton D. Schmitt of San Francisco, W. B. Griffiths of Monticello, John C. March of Sacramento and Henry W. Brown of Colma. Judge Works' nomination was seconded by H. G. Cattell of Pasadena, C. C. Young of Berkeley and William C. Clark of Oakland. Assemblyman Held of Ukiah placed the name of Edwin A. Meserve in nomination.

SPALDING UNRUFFLED

Spalding, whose interest in the balloting was not sufficient to prevent him from taking a good sleep during its progress, was entirely unruffled by the result. He had asked no man for his vote, and he had contended from the first that the primary law and the legislature were on trial. He issued a brief statement and with his friends from San Diego left Sacramento on an early evening train.

Passes for Police

[Special Dispatch to The Call]

CALL HEADQUARTERS, SACRAMENTO, Jan. 10.—An amendment of the act governing common carriers was proposed by Sumner Crosby of Alameda in the assembly today to permit transportation companies to issue passes to municipal peace officers in their respective municipalities and to county and township peace officers in their respective counties.

Want Desertion Law Repealed

[Special Dispatch to The Call]

CALL HEADQUARTERS, SACRAMENTO, Jan. 10.—Walter Macarthur, president of the sailors' union, is in Sacramento to urge the repeal of that portion of the penal code which makes it a crime to entice seamen to desert. He says that the law is in conflict with the federal constitution. Macarthur arrived this evening and will remain until the bill is introduced by Senator Wolfe, which will be either tomorrow or next day. The bill has been before the legislature twice before, passing both houses, but failing to secure the governor's signature.

Injunction Measure

[Special Dispatch to The Call]

CALL HEADQUARTERS, SACRAMENTO, Jan. 10.—Long delays in trials by temporary injunctions may be obviated by a bill presented by Senator A. E. Boynton of Oroville and Assemblyman William Kehoe of Eureka today. The bill was introduced at the instigation of City Attorney Percy V. Long of San Francisco. It provides that cases where temporary injunction is granted shall come to trial immediately after the expiration of the first continuance and thus make it impossible for corporations to accomplish the ends of permanent injunctions by sesubservient judges.

Assembly Innovation

[Special Dispatch to The Call]

CALL HEADQUARTERS, SACRAMENTO, Jan. 10.—Minority representation in the assembly is provided for in a rather unique bill introduced today by Senator John P. Hare of San Francisco. The plan is to create an assembly three times as large as the senate. The present assembly districts are to be done away with and in lieu thereof three delegates are to be elected from each of the senatorial districts.

The election of delegates is to be cumulative, that is, in any district an elector may either vote for three candidates of his party or vote three times for one candidate. Thus electors of the minority in any district might by combination on one candidate elect him to the assembly. This plan, if practiced in all districts, would place the minority on a more even footing with the majority in the house.

The cumulative plan of electing assemblymen has received considerable attention in several states, but in face of the fact that it has never been put in practice it may be considered an innovation.

Oregon Plan Introduced

[Special Dispatch to The Call]

CALL HEADQUARTERS, SACRAMENTO, Jan. 10.—Assemblyman T. F. Griffin decided that while the legislators were not in a mood to abide by the terms of the direct primary law as to the selection of a United States senator, it would be the proper time to introduce a number of bills and a constitutional amendment or two providing for the adoption of the Oregon system of selecting a senator. His bills call for a statewide advisory vote on United States senator regardless of party affiliation. The legislators will have the privilege of filing an affidavit that they will or will not be morally bound by the advisory vote.

Amend Child Labor Law

[Special Dispatch to The Call]

CALL HEADQUARTERS, SACRAMENTO, Jan. 10.—Thomas F. Griffin of Modesto introduced a bill in the assembly today amending the child labor law so that the truancy officer shall have jurisdiction over children up to the age of 15 years instead of 14 as at present.

Mother's Work Not Included

[Special Dispatch to The Call]

CALL HEADQUARTERS, SACRAMENTO, Jan. 10.—That women wage earners in factories, manufacturing establishments and other places of business shall labor not more than eight hours a day and six days a week is the substance of a bill introduced today by Senator Benjamin F. Rush. It is provided that all woman employes shall come under the laws, but those engaged in the more manual class work are particularly referred to.

A bill of somewhat similar nature was introduced in the assembly by Thomas F. Griffin of Modesto. It provides for a 10 hour day and six days a week schedule and also has a stipulation to compel employers to provide chairs or seats for female employes for times when they are not engaged in active duties.

Rush's bill is more in favor. The bill was prepared by William A. Vanna of the laundry workers' union in Los Angeles.

PILES CURED IN 6 TO 14 DAYS
Druggists will refund money if Pazo Ointment fails in any case of Itching, Blind, Bleeding or Protruding Piles. 50c *

COMPLETE POLL WHICH GAVE TOGA TO WORKS

[Special Dispatch to The Call]

CALL HEADQUARTERS, SACRAMENTO, Jan. 10.—Following is the complete poll of the vote taken in both houses of the legislature today for United States senator:

SENATE

FOR JOHN D. WORKS:
Republicans—Avey, Beban, Bell, Birdsall, Black, Boynton, Bryant, Burnett, Cutten, Estudillo, Finn, Gates, Hans, Hewitt, Hurd, Larkins, Lewis, Regan, Roseberry, Rush, Stetson, Strobridge, Thompson, Tirrell, Walker, Welch—26.
Democrats — Caminetti, Cartwright, Juilliard, Shanahan—4.
Total vote, 30.

FOR A. G. SPALDING:
Republicans — Bills, Cassidy, Martinelli, Wolfe, Wright—5.
Democrats—0.
Total vote, 5.

FOR JOHN E. RAKER:
Democrats—Curtin, Hare, Sanford—3.
Republicans—0.
Total vote, 3.

FOR WILLIAM KENT:
Democrats—Holohan—1.
Republicans—0.
Total vote, 1.
Absent:
Democrats—Campbell—1.

ASSEMBLY

FOR JOHN D. WORKS:
Republicans — Beatty, Beckett, Benedict, Bishop, Bohnett, Butler, Callaghan, Cattell, Chandler, Clark, Cogswell, Crosby, Cunningham, Denegri, Farwell, Feeley, Fitzgerald, Flint, Gaylord, Gerdes, Hamilton, Harlan, Hewitt, Hinshaw, Jasper, Jones, Kennedy, Lamb, Lyon of Los Angeles, Malone, McDonald, McGowen, Mott, Mullally, Nolan, Preisker, Randall, Rimlinger, Rodgers of San Francisco, Rogers of Alameda, Rosendale, Rutherford, Ryan, Sbragia, Smith, Sutherland, Telfer, Tibbits, Walker, Wyllie, Young—51.
Democrats—Griffin, Guill, Hall, Lyon of San Francisco, Maher, Mendenhall, Polsley, Slater, Stuckenbruck, Walsh, Wilson—11.
Total vote, 62.

FOR A. G. SPALDING:
Republicans—Bennink, Brown, Coghlan, Cronin, Freeman, Griffiths, Hayes, Hinkle, Joel, Judson, Kehoe, Lynch, March, Schmitt, Stevenot, Williams—16.
Democrats—0.
Total vote, 16.

FOR E. A. MESERVE:
Republicans—Held—1.
Democrats—0.
Total vote, 1.
Absent:
Republicans—Bliss—1.

TOTAL VOTE IN BOTH HOUSES:
Works, 92.
Spalding, 21.
Raker, 3.
Meserve, 1.
Kent, 1.
Absent, 2.

COGSWELL GUARDS THE STATE'S PURSE

El Monte Man Is Named as Chairman of Ways and Means Committee

Kehoe of Eureka Appointed to Smooth the Roads and Highways

SACRAMENTO, Jan. 10.—The membership of the 66 standing committees were announced by the speaker at this morning's session. Assemblyman Cogswell of El Monte received the chairmanship of the committee on ways and means, considered the most important of the list. Assemblyman Kehoe of Eureka heads the judiciary committee, and Assemblyman Chandler of Fresno the committee on roads and highways. The following is a complete list of committees:

Agriculture and fruit and vine interests—Judson (chairman), Lynch, Mendenhall, Wyllis, Guill, Hamilton, Cogswell.
Attaches and employes—Bliss (chairman), Coghlan, Cronin, Griffiths, Clark, Butler, Guill.
Banks and banking—Jones (chairman), Rimlinger, Beatty, Freeman, Beckett, Griffin, March.
Building and loan associations—Mott (chairman), Bennett, Callaghan, Denegri, Schmitt, Bennink, Hayes.
Claims—Walker (chairman), Hinkle, Butler, Jasper, Walsh, Coghlan.
Commerce and navigation—Schmitt (chairman), Beatty, Callaghan, Hinkle, Rosendale, Kennedy, Wilson.
Commissions and public expenditures—Denegri (chairman), Cattell, Hinshaw, Feely, Nolan, Maher, Ryan.
Common carriers—Preisker (chairman), Flint, Joel, Telfer, Crosby, Bliss, Gerdes, Denegri, Smith, Mendenhall.
Conservation — Clark chairman), Bohnett, Lyon of Los Angeles, Sutherland, Cattell, Harlan, Kennedy.
Constitutional amendments—Sutherland (chairman), Bishop, Rosendale, Flint, Clark, Coghlan, Joel, Hinshaw, Freeman.
Contingent expenses and accounts—Stevenot (chairman), Kennedy, Randall, Telfer, Crosby.
Contested elections—Gaylord (chairman), Lyon of San Francisco, Walsh, Brown, McDonald, Slater.
Corporations—Joel (chairman), Butler, Mendenhall, Nolan, Sutherland, Telfer, Polsley, Judson, Harlan.
Counties and county boundaries—Bishop (chairman), Hall, Farwell, Bennink, Held, Ryan, Sbragia, Walker, Callaghan.
County and township governments—Rogers of Alameda (chairman), Griffiths, Bennink, Bliss, Brown, Hall, Lamb, Preisker, Smith, Slater, Fitzgerald, Hinshaw.
Direct legislation—Tibbits (chairman), Cattell, Clark, Walsh, Kehoe, Judson.
Election laws—Young (chairman), Beatty, Benedict, Clark, Gerdes, Polsley, Preisker, Rogers of Alameda, Bohnett, Randall, Mott, Gaylord, Rosendale, Stevenot, Lyon of San Francisco.
Education—Wyllie (chairman), Chandler, McGowan, Benedict, Bohnett, Stuckenbruck, Williams, Coghlan, Lyon of Los Angeles.
Engrossed and enrolled bills—Randall (chairman), Farwell, Hamilton, Ryan, Nolan, Stuckenbruck.
Fish and game—Griffiths (chairman), Rutherford, Cunningham, Held, Flint, Jones, Malone, Hinkle, Mendenhall, Hall, Lyon of Los Angeles.
Federal relations—Freeman (chairman), Cogswell, Hamilton, Young, Bohnett, Kehoe, Chandler.
Governor's messages—Jasper (chairman), Lyon of Los Angeles, Feeley.
Immigration — Butler (chairman), Bennink, Chandler, Gaylord, Rosendale, Crosby, Farwell.
Insurance and insurance laws—Callaghan, Beatty, Farwell, Rodgers of San Francisco, Schmitt, Hinkle, Hinshaw, McGowan, Lynch, Harlan, Slater, Mullalley.
Irrigation and drainage—Lyon of Los Angeles (chairman), Farwell, Freeman, Griffin, Hall, Judson, Mendenhall, Wilson, McGowan, Walker.
Judiciary—Kehoe (chairman), Beatty, Rutherford, Sutherland, Benedict, Bishop, Bohnett, Brown, Clark, Coghlan, Cronin, Freeman, Held, Jones, Joel, Preisker, Rogers of Alameda, Harlan, Wilson.
Labor and capital—Telfer (chairman), Beckett, Mullalley, McDonald, Malone, Maher, Kehoe, Fitzgerald.
Livestock, dairies — Hamilton (chairman), Beckett, Walsh, Jasper, Harper, Stuckenbruck, McDonald, Judson, Rimlinger.
Manufactures and internal improvements—Cunningham (chairman), Crosby, Mullalley, Hall, Denegri, Maher, Walsh.
Mileage—Kennedy (chairman), Cronin, Hayes, Mullalley, Ryan.
Medical and dental laws—Hinshaw (chairman), Butler, Denegri, Malone, Rogers of Alameda, Flint, Brown, Gerdes, Bliss.
Military affairs—Crosby (chairman), Jones, Hayes, Hinkle, Randall, Slater, Sutherland, Tibbits, Fitzgerald.
Mines and mining interests—Fitzgerald (chairman), Gaylord, Tibbits, Walker, Williams, Farwell, Lyon of San Francisco, Hall.
Municipal corporations—Coghlan (chairman), Bishop, Benedict, Schmitt, Walsh, Smith, Maher, Lamb, Hinshaw, Hamilton, Freeman.
Oil industries and oil mining interests—Farwell (chairman), Walker, Hall, Feeley, Cunningham, Chandler, Callaghan, Benedict, Bennink.
Public buildings and grounds—Hinkle (chairman), Kennedy, Mullalley, Preisker, Randall, Ryan, Smith, Telfer, Tibbits, Guill.
Public health and quarantine—Malone (chairman), Lamb, Mott, Denegri, Williams, Flint, Maher, McGowan, Rutherford.
Public lands and forestry—Flint (chairman), Benedict, Harlan, Williams, Maher, Tibbits, Pelsley, Gaylord, Stevenot.
Public morals—Cronin (chairman), March, Stuckenbruck, Rogers of Alameda, Wyllie, Young.
Public printing—Rodgers of San Francisco (chairman), Telfer, Callaghan, Kennedy, Wilson, Lyon of Los Angeles.
Public works, state capitol and park—Hayes (chairman), Judson, Lamb, Lynch, Sbragia, Nolan.
Public charities and corrections—Williams (chairman), Lamb, Slater, Beckett.
Reapportionment—Bohnett (chairman), Butler, Hinshaw, Griffin, Griffiths, Hinkle, Kehoe, Randall, Rogers of Alameda, Rutherford, Young, Slater, Gerdes, Joel, Beatty.
Reform of the civil service—Rosendale (chairman), Brown, Gaylord, Hamilton, Held, Griffin.
Retrenchment and reform—Lamb (chairman), Clark, Freeman, Judson, McDonald, Polsley, Williams.
Revenue and taxation—Held (chairman), Smith, Griffin, Mott, Cattell, Coghlan, Schmitt, Rosendale, Cogswell, Kehoe, Rutherford, Joel, Chandler, Bohnett.
Revision of criminal procedure—Beatty (chairman), Rogers of Alameda, Coghlan, Bishop, Sutherland, Crosby, Griffin, Stevenot, Mott, Mendenhall, Tibbits.
Revision and reform of laws—March (chairman), Joel, Walker, Butler, Held, Lyon of Los Angeles, Wilson, Cronin, Schmitt.
Roads and Highways—Chandler (chairman), Cattell, Brown, Wyllie, Preisker, Flint, Judson, Jones, Stuckenbruck, McDonald, Gaylord, Jasper, Beckett.
Rules and regulations—Preisker (chairman), Held, Young and the speaker.
State hospitals and asylums—McGowan (chairman), Bennink, Griffiths, Hayes, Lyon of San Francisco, Rimlinger, Feeley.
State library—Feeley (chairman), Gaylord, Gerdes, Brown, Wilson, Jones, Bohnett.
State prisons and reformatory institutions—Gerdes (chairman), Harlan, Lynch, Bishop, Telfer, Rogers of Alameda, Cunningham, Cattell, Stevenot.
Swamp and overflowed lands, levees and river improvements—Lynch (chairman), Cronin, McGowan, Polsley, Wilson, Rogers of Alameda, Stuckenbruck, Mendenhall, Jones, Lyon of San Francisco, Farwell.
Ways and means—Cogswell (chairman), Chandler, Beckett, Fitzgerald, Flint, Gerdes, Hinkle, Kennedy, Cunningham, McGowan, Slater, Schmitt, Wyllie, Lynch, Hinshaw, Gill, Young, Telfer, Malone.
Universities—Harlan (chairman), Clark, Guill, Jones, Mott, Young, Lyon of San Francisco, Bohnett.

Griffin After Corporations

CALL HEADQUARTERS, SACRAMENTO, Jan. 10.—Among the important bills introduced in the assembly today was one by Thomas F. Griffin of Modesto, designed to prevent foreign corporations dodging trials in the state courts by availing themselves of the right of getting a change of venue to a district or circuit court.

It is provided that if the foreign corporation does secure a change of venue to a federal court its license shall be immediately forfeited in this state.

"Too frequently it has been the case," said Griffin, "that rich foreign corporations have taken cases against them out of the state courts to the district or circuit courts where the attorneys for the plaintiffs, by reason of their inexperience in federal courts, were at a great disadvantage. If these corporations do not want to trust their cases to the local courts they should forfeit their rights in this state."

Free School Books

[Special Dispatch to The Call]

CALL HEADQUARTERS, SACRAMENTO, Jan. 10.—Free text books for school children are contemplated in a bill offered in the assembly today by T. F. Griffin of Modesto. It provides that the voters of a district may decide by vote whether or not to supply the children with text books.

MOUNTED POLICEMAN VICTIM OF PNEUMONIA

Frederick W. French, a mounted policeman attached to the Ingleside station and residing at 504 Ellsworth street, died yesterday of typhoid pneumonia after several weeks' illness. He was 40 years old and was appointed to the police force in 1902. A widow and child survive him.

STEP TOWARD POLITICAL FREEDOM, SAYS WORKS

By JOHN D. WORKS

I AM not taking the victory as personal to myself. It is a triumph of right principles in politics over boss rule and domination of the interests. It is only one more step toward the freedom and independence of the individual voter, that is destined to establish good government in this state and throughout the nation.

My political connections have been declared without reserve, and should be known to the people of California. They were known to the members of the legislature, and resulted in my election.

It will be my endeavor to maintain those privileges in the United States Senate as I have done in the past as a private citizen. I hope that before another senator is to be elected in this state the powers of election will be placed in the hands of the people.

SPALDING TAKES SPORTSMAN'S VIEW

By A. G. SPALDING

I TRUST that I am sportsman enough to take defeat gracefully.

I have only this to say: I would rather go down with the people of California to ignominious defeat, under their first direct primary law, than to gain the United States senatorship with a taint to the title.

I may add that I am estopped from extending my congraulations to Judge Works by reason of his lack of courtesy in failing to congratulate me after the August primaries on having carried the advisory vote by a large majority of the legislative districts of the state.

JOHNSON LAUDS DEMOCRATS

By GOVERNOR HIRAM W. JOHNSON

I AM very much gratified that the legislature has seen fit to send a progressive to the United States senate and in the progressive that they have selected a man in whom I have full confidence.

One of the pleasant features of the election is the attitude of a majority of the democrats in the assembly and senate when they decided upon the course that they believed to be right and disregarded their partisanship. To me this is the essence of patriotism, and I congratulate the democrats who acted in this manner. I trust our party always will be sufficiently broad to do likewise.

I am glad the election is over. We will now begin the real work of the session. The first constructive work, I think, that will be undertaken will be the presentation of the railroad bill, an act designed to accord to the railroad commission the most ample powers that can be accorded to it under the constitution and the laws. The bill is in the hands of Railroad Commissioner Eshleman, Attorney General Webb, Senator Stetson and others. We hope to be ready to present it Thursday or thereabouts, and it probably will be introduced in both houses at the same time.

MEASURE AIMED AT CARELESS HUNTERS

Belief That Gun Wasn't Loaded Would Be No Excuse for Homicide

[Special Dispatch to The Call]

CALL HEADQUARTERS, SACRAMENTO, Jan. 10.—Clarelessness on the part of sportsmen, which frequently results in the shooting of a human being mistaken for a wild animal, is to be made a serious offense, if a bill introduced in the assembly today by Harry Polsley of Red Bluff becomes a law. The man who didn't know the gun was loaded must also sucer.

Polsley introduced a bill amending the law on justifiable homicide by adding this section:

"Provided, that them istaken belief that a human being is a wild animal or that a firearm is not loaded shall not operate as or constitute an excuse for homicide."

WILL CONTESTANT IS CITED FOR CONTEMPT

Both Sides Make Charges in the Benedict Case

Each side in the Egbert Judson Benedict will contest is charging the other with contempt of court, and Judge Graham has cited everybody into court on Friday. Benedict left an estate worth $1,000,000 to his widow, Emily S. Benedict, and the father of the testator, Courtland S. Benedict, has contested the will.

Courtland Benedict was subpenaed to give his deposition before a notary public but did not appear, and the attorneys for Mrs. Benedict say he has been in hiding for six weeks.

Seth Mann, one of the attorneys for Mrs. Benedict, has also been cited to show cause why he should not be punished for contempt. He appeared before a notary to give his deposition, but refused to answer certain questions.

WEALTHY SISKIYOU FARMER IS INJURED

A skidding motorcycle struck Gus Herzog at Van Ness avenue and Market street last night, fracturing his hip. The injured man was removed to the central emergency hospital. Herzog, a wealthy farmer of Ager, Siskiyou county, came here a few days ago to see the birdmen. After supper last night he strolled out Market street, not noticing the oncoming motorcycle as it dashed around the corner.

LANDSLIDE KILLS FORTY—Castro Urdiales, Spain, Jan. 10.—Forty persons were killed and five injured here today when a landslide overwhelmed a gang of laborers, burying them all beneath a mass of earth and rocks.

NORTH POLE STILL LOST, SAYS PEARY

House Committee Wants to Know Why He Didn't Bring the "Proofs"

WASHINGTON, Jan. 10.—Admitting that the north pole is just as much lost as ever and that all future attempts to find it must be independent enterprises unaided by his own work, Captain Robert E. Peary, the arctic explorer, answered a crossfire of questions at a hearing before the house committee on naval affairs today.

He told how he wanted the glory of the polar achievement for himself, declining to let any member of his expedition other than the negro, Henson, go on the last dash with him, how his publishing contracts had precluded him from testifying before the committee last spring and how members of his expedition had been prohibited from writing about the trip.

Captain Peary was asked to throw light on why, as a naval officer, he made no report to the navy department. He said he had made some report to the coast and geodetic survey and had advised the navy department of that fact.

It was his impression that the superintendent of the survey had made a report to the navy. Peary said there was a letter from him on file somewhere asking secrecy for his written report to the survey as to soundings.

"The pole was something to which I have devoted my life, for which I have gone through such as I hope no man in this room will ever experience," declaradePeary.

Captain Peary said he had not prepared a chart which would enable any one to reach the pole.

Historic Ball Field Is No More

[Special Dispatch to The Call]

SANTA CLARA, Jan. 10.—The inclosed baseball grounds, which were famed throughout the state because of their important diamond struggles, and which had produced such notable ball players as Charlie Graham, Hap Hogan, Bobby Keefe, Hal Chase, Harry Wolters, Charles Doyle and many others, has passed out of existence. Its area is now occupied by four large tennis courts, which, when completed, will be the equal of any courts on the coast. One court will be finished with a cement top, another will be covered with heavy road oil and the remaining two will be covered with screened rock lime.

The tennis craze has just hit Santa Clara and the red and white laurels will be ably upheld in the persons of S. T. Heney, Joseph Ray, T. F. McCormick, A. C. Posey, E. G. White, R. M. Hogan, James Lee, E. S. Lowe and Ervin Best.

A new baseball diamond has been built on the college property near the Southern Pacific depot for the various teams outside of the varsity. The varsity will continue to play its games on the S. A. A. field, which has undergone an important change. The recent rains have benefited the diamond greatly and when play is resumed the grounds will be in excellent shape. Since the arrival of Coach Bob McHale the squad has been reduced to about 15 men, out of whom McHale is confident of whipping a championship club.

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$300,000 COLLEGE DORMITORY URGED

Young Believes Plan Would Engender Spirit at University of California

Another Bill Asks $150,000 to Build a Training School for Girls

[Special Dispatch to The Call]

CALL HEADQUARTERS, SACRAMENTO, Jan. 10.—With a view to having students in the University of California live at the campus at Berkeley, Assemblyman C. C. Young introduced a bill today appropriating $300,000 for the construction of a dormitory. It is advocated as a means of increasing the college spirit among the students.

Other appropriation bills introduced by Young today in behalf of the university follow:

For viticultural research, $15,000; for cereal culture research, $15,000; for agricultural and horticultural research in Imperial valley, $6,000; for farmers' institutes, $30,000; for investigating plant diseases, $15,000; for restoring the income of the university, lost in the San Francisco fire, $62,000.

D. W. Mott of Santa Paula presented a bill appropriating $150,000 for the purpose of erecting a training school for girls, the site to be selected by a commission.

Herbert Slater of Santa Rosa introduced a number of bills carrying appropriations to the amount of $221,000 for improvements at the Sonoma Valley home at Eldridge.

Slater offered another bill appropriating $2,500 for the restoration of the old Greek chapel and Russian fort at Fort Ross. For the purpose of preserving another historic landmark, Cherles B. Rosendale of Salinas today asked for an appropriation of $2,500 to restore the old adobe theater at Monterey.

Alameda Judges Want Raise

[Special Dispatch to The Call]

CALL HEADQUARTERS, SACRAMENTO, Jan. 10.—An amendment to the political code providing for an increase of $1,000 per year in the salary of superior court judges in Alameda county was introduced today by Senator John W. Stetson. The present salary is $5,000 for Alameda county. Stetson's increase would bring it in the same class as San Francisco and Los Angeles.

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