

Conservation Policy Is Attacked

Both Sides of Question Presented Before Mining Congress

A. H. Ricketts Replies to Paper Upholding the System Prepared by the Statistician of Interior Department

The restoration to the states of the regulation of mines, forests and un navigable streams, which under the conservation policy had been taken over by the federal bureau, was urged yesterday at the second day's meeting of the mining congress, representative of 14 states, which is being held in Native Sons' hall, Mason street near Geary.

Both sides of the question were presented. Statistician Charles G. Yale of the local federal bureau read a paper upholding the present conservation system prepared by W. C. Mendenhall, chief statistician of the department of the interior at Washington. A. H. Ricketts, a local engineer, read a paper attacking it. After a short discussion a number of laws, violative of individual rights, or in conflict with the police power of the states—that is, the right to administer its own affairs. It makes its power of supervision the equivalent of an unlimited and arbitrary power, "although there is no place in our constitutional system for the exercise of arbitrary power."

Conditions have become so oppressive that various measures of relief have been suggested. Congress has not only been impotent to investigate actual public land conditions in the west, but it is sought to deprive the departments of control over such lands by placing them within the jurisdiction of the several public land states in which the same are situated. Naturally, the provisions of that bill, which would disapprove of the forest service and it is seeking through the public speeches of the statisticians, Graves, to defeat the bill.

If conservation is in the nature of charity to posterity, then conservation, like charity to the living, doth cover a multitude of sins. While it is well that the woods and the waters and the minerals in the earth should be conserved, yet conservation as now enforced is permitted to prevail, it can only be a question of time when the things of this world again, as in the days of Columbus, become the currency of this country.

Russell E. Dunn, a local engineer, followed Ricketts, giving examples of cases in which he said the rulings of the department worked to the detriment of the mining industry.

LIABILITY LAW DISCUSSED
The afternoon session was taken up by a discussion of the employers' liability and workmen's compensation laws. A. J. Pillsbury, chairman of the State Industrial Accident board, led the discussion by reading a lengthy paper concerning proposed new laws on the question.

Among the prominent workers in the convention are Prof. S. B. Christy, University of California; C. H. Dunton, C. M. Belshaw and E. C. Voorheis.

RESOLUTION TABLED
The resolution in regard to the federal government's attitude in conserving the mineral oil forest and water resources came up for discussion at the meeting of the committee on resolutions in the evening. It was finally decided, and on motion of Prof. S. B. Christy, dean of the college of mining in the University of California, to lay the resolution temporarily on the table. Action was also temporarily withheld in regard to the resolution dealing with employers' liability.

The committee on the Panama-Pacific International exposition recommended the appointment of a permanent committee by the residing of the association to co-operate with the directors of the exposition in arranging for a mineral exhibit for California. The committee is to be composed of one representative from each county in the state.

It was further recommended that a committee of seven be appointed to advise on the holding of an international mining congress in San Francisco during the year 1915. In this regard it was decided to request all the states to join in making the congress of 1915 a success and to aid in making the exhibit complete of the mineral resources of the United States.

Following are the committees:
Order of business—P. M. Newcomb, chairman; S. W. Chubb, H. L. Slosson Jr., Ed H. Bergin, J. R. Triggall, E. J. Rector, Frank W. Street, Prof. S. B. Christy, J. Hamer, H. C. Cameron, M. B. Kerr, B. C. Clark, W. J. Graham, Elgin Stoddard, A. B. Ruggles.
Resolutions—Charles E. Beale, chairman; A. H. Ricketts, F. R. Webe, Frank A. Leach, W. J. Engelbright, A. E. Borslow, Frank Short, A. J. Pillsbury, R. E. Dunn, Prof. S. B. Christy, H. Foster Bain, F. T. Niles, Louis Ross, J. E. Christy, J. E. Schuchman, G. G. Miller, George B. Finlayson, C. O. Derby, George Scarf, Robert J. Strang, Charles Grimes.
Mining exhibit at Panama-Pacific International exposition—N. Cleveland, chairman; E. B. Braun, W. H. Storrs, Thomas T. Reed, Henry Gould, J. N. Sevin, J. Schuchman, E. H. Franklin, W. W. Waggoner, W. W. Coe, James F. Farwell, J. E. Hamer, A. L. James, H. Blumekrantz, E. C. Hutchison.

CITY SEALER'S JOB IS UPHELD BY HIGH COURT
State Jurists Order Boyle to Pay Salary to Municipal Weights and Measures Post
The municipal position of sealer of weights and measures, with such duties as may be appointed, is a legal office and not in conflict with the provision of the state constitution authorizing state sealers, according to a ruling of the California supreme court today. The court held that the provision on behalf of M. P. Scott, deputy sealer for San Francisco, to compel Auditor Thomas F. Boyle to pay his salary warrant.

FAIRBANKS BANKERS ARE FREED BY COURT
Alaskan Jurist Holds Government Failed to Show Intent to Defraud in Statement
VALDEZ, Alaska, Dec. 10.—Captain Elbridge T. Barnette and B. R. Dusenbury were acquitted by Federal Judge Thomas R. Lyons today of the charge of making a false statement of the condition of the Washington-Alaska bank in Fairbanks. Judge Lyons said the prosecution had failed to show intent to deceive or to defraud. The testimony introduced by the prosecution showed that estimates of assets, which, it was alleged, were overvalued, were adopted by a committee of depositors after careful investigation of the securities held by the bank. The second case growing out of the failure of the bank two years ago will go to trial tomorrow.

CANADIAN SHIP BELIEVED LOST
LOUISBERG, Cape Breton, Dec. 10.—The British steamer Morien, with a crew of 20 men, is thought to have been lost. No news of the steamer has been received since she left Louisbourg November 6 with a cargo of coal for Piacentia, N. F.



Prof. S. B. Christy

MEMPHIS BATTLE SHOWS PLOT TO FREE CONVICT

Police Capture Four Before Desperadoes Reach U. S. Officers With Prisoner

MEMPHIS, Tenn., Dec. 10.—Developments tonight in connection with the bank raid, in which one man was killed and several prisoners taken, show that Frank Holloway, bank robber and escaped convict, was in Memphis with his gang to intercept United States marshals on their way from Savannah, Ga., to Omaha, Neb., with Deggs Nolen, accused of misuse of the mails, and free Nolen.

Their plans were frustrated when Holloway, Hantley Mitchell, John McCoy, alias "Tex" Wallace, and Mrs. John McCoy were arrested at the McCoy residence this morning.

Nolen, according to the police, has admitted that such was Holloway's plan, frustrated because of the circuitous route taken by the officers having Nolen in custody.

The men were asleep when the officers gained entrance to the dwelling and were handcuffed before they were sufficiently awake to offer resistance. Mrs. McCoy, who admitted the officers, mistaking the only one in sight for Mitchell, was seized and silenced before she could give an alarm, but in her struggle she overturned some furniture, which awakened Kinney Bergen.

Emerging from a window on the second floor upon the roof, Bergen, clad in pajamas, exchanged shots with one of the detectives, then leaped to the ground, a distance of 25 feet, and escaped. He returned later to get his clothing and opened fire on the detectives standing guard at the house. In the exchange of shots he was killed.

Mitchell is charged with attempted highway robbery and assault with intent to kill. He was held in a business man, who was held up last night. Stiefel identified Mitchell as one of the men. Bergen is said to have been his companion.

Notorious in Oklahoma
OKLAHOMA CITY, Okla., Dec. 10.—Frank Holloway first gained notoriety in Oklahoma when he killed Ed Starr, another bank robber, in Tulsa, in 1909. Holloway was acquitted at a preliminary hearing. In a fight in Oklahoma City about three years ago Holloway shot two of his "pals" and was himself badly wounded. He escaped later from the hospital.

Arrested in Chicago
CHICAGO, Dec. 10.—Frank Holloway was arrested here January 10, 1912, for the robbery of a bank at Herold, Tex., April 21, 1911. He was sentenced to 10 years imprisonment, but last August he escaped from the penitentiary at Rusk. While in Chicago, Holloway "confessed" to several bank robberies with the hope of avoiding extradition to Texas.

Architects Protected by Decision of Webb
Law Does Not Contemplate That They Shall Be Builders, Says State Attorney General
SACRAMENTO, Dec. 10.—A decision having an important bearing on the expenditure of school bond money through the state has been received by State Superintendent of Public Instruction Hyatt from Attorney General Webb, dealing with the matter of whether architects whose plans have been accepted for school buildings are obliged to provide bonds to construct the buildings themselves, within thirty estimates in case the contractor's figures go above the estimates.

MAN DIES FROM KICK
Underster Who Inflated Blow Is Arrested on Murder Charge
LOS ANGELES, Dec. 10.—Abraham Schulman, an undertaker, 50 years old, was arrested here today on the charge of having murdered Morris Ackerman, also 50 years old, whom he was alleged to have kicked in the abdomen during the course of a quarrel Saturday. Ackerman died today, and Schulman immediately was arrested.

GAME LOVERS ORGANIZE
Stanislaus Men Form Organization to Protect Fish and Game
Special Dispatch to The Call
MODESTO, Dec. 10.—The Fish and Game Protective association of Stanislaus county was organized here last evening with the following officers: D. C. Wood, Modesto, president; H. W. Gray, Newman, vice president; D. C. Davidson, Modesto, secretary; Henry Garrison, Modesto, treasurer; E. R. Dixon and Charles Huber of Newman and Frank Fellows, Walter Scoon and Philo Mobley of Modesto, directors. The local association will affiliate with a district association to be formed at Fresno on the 15th. The object is the protection and propagation of the game of the San Joaquin valley.

LEGEND PLOT TO BLOW UP DETROIT

JOB IS RELATED

Witness Says Explosions Were Postponed Because Union Official "Talked Too Much"

By Associated Press
INDIANAPOLIS, Dec. 10.—Testimony by Robert G. M. Ross that officials of various trades unions in Detroit, in June, 1910, formed a plot to cause a series of explosions in that city against nonunion jobs, and that Charles Wachtmeister, business agent of the Iron Workers' union, received \$100 from the "carpenters' union" toward the expenses, but that explosions were postponed because Wachtmeister "talked too much," was disputed by witnesses at the "dynamite conspiracy" trial today.

Ross had been summoned from Indianapolis to testify. Previously, Ortle E. McManigal stated that at Herbert S. Hockin's instructions, he had gone to Detroit with a suit case filled with nitroglycerin to blow up a nonunion job, but that Hockin suddenly had "called it off."

ACCUSED OF SPYING
Ross said that after Wachtmeister had "talked too much," he (Ross) was called to a meeting of union officials, including Frank J. Murphy and Clarence E. Dowd, and asked whether he was not a spy for nonunion contractors.

He said later he dictated to William H. Quigley a letter to Hiram Cline, Muncie, Ind., organizer for the Carpenters' union, calling the explosions off. Quigley today denied that he had ever written the letter and when the government produced what purported to be the letter, Quigley said it was not in his handwriting.

The letter said that Wachtmeister had been drinking and was "flashing the Century," meaning a \$100 bill, alleged to have been paid him for explosions.

Several other witnesses, who said they were present at the meeting, referred to by Ross, denied Ross' testimony that the union officials met because they were "frightened."

SAYS ROSS APOLOGIZED
"Ross came to that meeting and we asked him why he had been circulating reports that we were going to be arrested," Quigley said. "He apologized. He said he was a sheet metal worker, and we asked him how he was making a living. He declared a congressman was paying him to do political work."

Wachtmeister testified he never had received \$75 as a part of a fund to pay for explosions, and he never had a "blackout" as it was said he received for talking "too much." He said he and Hockin had visited a nonunion job in an effort to have it unionized, but he knew nothing of explosions.

"Did you ever hear of Hockin being concerned in an explosion in Detroit, in June, 1907?" asked District Attorney Miller.

"I never heard of it," Wachtmeister replied.

FITZGERALD ON TRIAL IN \$173,000 MYSTERY
Former Teller on Chicago Stand Denies Having Stolen Package From Government Till

Special Dispatch to The Call
CHICAGO, Dec. 10.—George W. Fitzgerald, 41er in the United States treasury in Chicago until five years ago, when \$173,000 disappeared mysteriously, today for the first time formally denied he robbed the government depository.

"Fitzgerald, his hair gray at the temples and stooping as he walked, took the witness stand in a last effort to save himself from prison.

"I handled as union official's depository, the former teller testified. "And well, I never stole a penny. I never bet a cent on a horse race in my life. I never saw the government depository."

He told of his early life. He said secret agents of the government had never taken their eyes off him since the day he walked out of the subway, a hoodlum suspected of stealing thousands that to date have not been accounted for.

CHICO DIVORCEE WON BY STANFORD COACH
R. V. Jordan to Marry Mrs. Baumeister as Soon as She Gets Final Decree From Doctor

Special Dispatch to The Call
CHICO, Dec. 10.—Robert V. Jordan, son of Secretary of State Frank Jordan and corporation secretary in the secretary of state's office, early next year will marry Mrs. Jacqueline Baumeister of Chico. She is the former wife of Dr. E. E. Baumeister of Chico. Her final decree of divorce will be granted about January 2, and the wedding will take place at once. Mrs. Baumeister is popular in Chico and other northern California points. She is the daughter of Dr. J. E. Rodley of this city. Jordan was coach for Stanford at the football game with the University of California.

GOETHALS FOR GOVERNOR
Taft Thinking of Offering Engineer High Post in Canal Zone
WASHINGTON, Dec. 10.—President Taft is thinking of offering the governorship of the Panama canal zone to Colonel George Goethals, the builder of the canal. It is believed Taft will offer the post to Colonel Goethals on his canal trip and take up with him, whether he accepts or not, plans for the zone government. Several positions are to be filled, and do not have to be confirmed by the United States senate. It is probable that Taft will fill them before he goes out of office.

Grist from Legislative Mill

Doings of the Two Houses

WASHINGTON, Dec. 10.—The day in congress:
SENATE:
Met at noon.
Bill introduced to create a major generalship for Colonel George Goethals.

Commerce committee heard opposition to seamen's involuntary servitude act.
Marine representatives opposed seamen's involuntary servitude bill before commerce committee.

E. L. Cornelius was appointed sergeant at arms.
Committee designated introduced bill to allow application for persons wrongfully convicted of crime in United States courts, and afterward pardoned.

Committee investigating revolution heard several witnesses.
Court of impeachment remained trial of Justice Archibald.

Adjournd at 5:58 p. m. until noon Wednesday.
HOUSE:
Met at noon.

Campaign fund investigating committee decided not to resume hearings before December 17.
Resolution to unseat Representative Bowen of Pennsylvania defeated and vote set for Thursday.

Ways and means committee failed to take action on majority's tariff hearing program.
Interstate commerce committee arranged for a hearing Wednesday on Ayres bill for investigation of railroad shop management in Eastern Traffic association.

Representative Hanna introduced a bill to place all fourth class postmasters on minimum salary of \$400.
Rules committee took up New Haven-Grand Trunk investigation resolution.

Money trust committee continued to hear New York bankers.
Adjournd at 4:52 p. m. until noon Wednesday.

UNCLE SAM SUES TO RECOVER LONG STRIP OF LAND

Action Filed Against Oregon-Washington Railroad and Navigation Company at Spokane

SPOKANE, Dec. 10.—The Oregon-Washington Railroad and Navigation company will lose a strip of right of way 2 1/4 miles long and 200 feet wide on its main line between North Yakima and the coast if the government is able to prove its contentions contained in a bill in equity filed in the federal court here today. The strip lies in the Rainier national forest, and constitutes an essential link in the Harman system's main line. The government wants the land for reservoir purposes.

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CLERGYMEN WEAR DETECTIVE STARS

They Are Special Officers to Regulate Dance Halls, and Safeguard Youths

LOS ANGELES, Dec. 10.—Six clergymen are on the rolls of the police department today as special officers. They wear stars like plainclothes men, and are empowered to make arrests for any infraction of the law.

But their special duties are the enforcement of the juvenile laws and the regulation of dance halls and other places where young men and women congregate for amusement.

The minister policemen are members of the Juvenile Protective league. They have been commissioned by Mayor Alexander not only to safeguard the young and prevent the exploitation of girls but to arrest and prosecute parents who neglect the welfare of their children.

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This picture shows a copy of "The Winning of Barbara Worth" wrapped and tied (no string used) with special package band of "Greetings of the Season"—no extra charge.

Said By The Critics

Chicago Record-Herald—His earnest purpose is of the very fiber of his work... a sweet and fine love story... it is a noble and wholesome book.

Boston Globe—This is the gentle story of the love of a man and a woman in the Rindlines of the Shepherd which the vigor of "That Frier of Udell," the kindness of "The Shepherd of the Hills," the power of "Dan Matthews" and the grace of "Barbara Worth" wrapped in more delicate and more beautiful than this great writer has ever before penned.

Memphis News-Solmiter—A really great book... you feel better, you feel refreshed, and you feel a desire to drop to your knees and thank Almighty God for such a book and for permitting you to read it.

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