

Alameda Co

Special Prosecutors Are Selected Court Promotes McNab's Assistant

SAN FRANCISCO ATTORNEYS ARE ASSIGNED TASK

President Wilson Chooses Counsel to Conduct Diggs- Caminetti and Western Fuel Trials

Continued From Page 1

The enforcement of the white slave law," said Mr. Mann. "What kind of an attorney general is it who, having on file from a district attorney statements that people are endeavoring to bribe and buy the witnesses of the government, should, on a telephone message from so great a man even as a cabinet officer, without investigation, without any reference in his department, or pausing to examine the files, orders the cases postponed, which, in all probability, would have led to the cases being dismissed?"

HE CRITICIZES PRESIDENT

"The action now taken is pure hypocrisy. Manliness such as I would have expected from the Christian moral gentleman occupying the White House would have required him to ask the district attorney to withdraw his resignation and try the cases, who being most familiar with them. They have accepted the resignation of the district attorney and dismissed the officer who worked up these cases."

"I suspect the older Caminetti and possibly the junior Caminetti may be quite willing to have the case speedily tried, when the few men who were familiar with the cases and who have worked it up are fired out of the service, before any one else has time to learn all the circumstances of the case."

"No doubt the attorney general is a great lawyer and a great man. But if the democratic administration intends to proceed upon the theory that when a cabinet officer telephones the attorney general, or when some wealthy defendant, as happened in the Western Fuel case, walks into the office of the attorney general and asks to have a case postponed, it is done, there will not be many democratic administrations in the next hundred years."

KAHN INSISTS ON AIRING

Representative Kahn's resolutions to have congress investigate why Attorney General McReynolds considered the delays in the now celebrated Diggs-Caminetti white slave cases and the Western Fuel Company prosecution in San Francisco were not taken up today by the house judiciary committee because of the absence of a quorum. Another meeting is to be held tomorrow.

Mr. Kahn declares President Wilson's decision that the prosecution be immediately resumed will not deter him from pressing his resolution and he expects them reported out to the house for action.

Representative Kahn made a statement of the history of the reputed cases to those members who attended today's meeting and declared the committee on it in its country to make public all the correspondence which resulted in the postponement.

NOTICES ARE QUESTIONED

"Then you do not think the explanation made by Secretary Wilson was satisfactory?" asked Representative Webb.

"No, I do not," said Mr. Kahn. "It is my opinion," said Mr. Webb, "that United States Attorney McNab has been wrong in his actions. It looks to me as if he were rushing into print and seeking a little cheap notoriety."

"I don't think that is true," said Mr. Kahn. "I agreed to a suggested amendment to his resolutions which would confine the request for papers to those which bear on the postponement of the cases and would not involve all of the voluminous correspondence relating to the evidence in the cases."

SPECIAL PROSECUTORS CHOSEN

Thomas J. Hayden and Mat I. Sullivan were chosen by the administration late today to prosecute the Caminetti, Diggs and Western Fuel company cases. Francis J. Heney, whose name had been mentioned in this connection, was not selected as one of the prosecutors.

COURT APPOINTS ATTORNEY PRO TEM

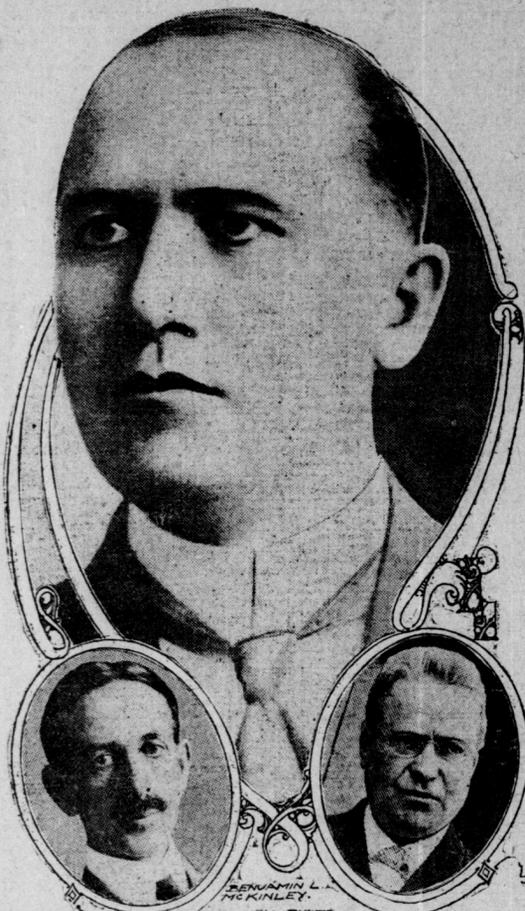
John L. McNab's desk behind the door marked 314 in the postoffice building will be occupied today by Benjamin L. McKinley, who was appointed United States attorney yesterday by Judge William C. Van Fleet of the United States district court, to serve until the vacancy made by McNab's resignation is filled by President Wilson's selection.

For McNab, yesterday was a day of leave taking from the postoffice building. In the morning he appeared before Judge Sturtevant in the superior court to inform the jurist that he had been retained by the Light and Power council and other unions to represent the striking workmen of the Pacific Gas and Electric company in the injunction suit brought by the company to stop acts of violence alleged to have been committed during the present strike.

TWO SPECIAL ATTORNEYS

Later in the day McNab took a train for Santa Clara and on the train prepared an address which he delivered last night. Today he will appear in the superior court in Oakland on business for a client. Hereafter McNab will be in the offices in the Humboldt Bank building occupied by him before he was chosen for the federal position. Unofficial dispatches were received from Washington yesterday to the effect that Mat I. Sullivan and Thomas E. Hayden of San Francisco had been appointed special counsel for the gov-

Assistant United States attorney (upper portrait), appointed by federal court to fill position vacated by resignation of his chief, John L. McNab, pending appointment of successor, and local attorneys selected to prosecute Diggs-Caminetti and Western Fuel company cases.



THOMAS E. HAYDEN, JOHN L. MCNAB, FRANCIS J. HENEY, BENJAMIN L. MCKINLEY, MAT I. SULLIVAN.

ernment in the Diggs-Caminetti white slave cases and the cases against indicted directors of the Western Fuel company. No confirmation of the report was received.

"I have received no official notification of my appointment from Washington, and until I do receive such notification I do not care to say anything in regard to the matter," said Mat I. Sullivan when informed last night he had been appointed a special prosecutor in the Diggs-Caminetti and Western Fuel company cases.

BERKINGTON IS PRAISED

Among the others mentioned are James A. Coonan of Eureka, Frank H. Gould, Senator Campbell of Los Angeles and Stephen V. Costello. Costello and Campbell are mentioned most often as likely successful aspirants to succeed McNab.

The rain of congratulations that has fallen incessantly upon McNab since his act exposing Attorney General James B. McReynolds' ordered postponement of the four famous cases was divided yesterday, Judge Clayton Herrington receiving much praise for his attitude.

Judge Herrington, special investigator for the department of justice, was temporarily suspended for calling McReynolds' action "unworthy" and demanding his resignation.

"The incident is closed as far as I am concerned," said Herrington last night. "Of course, McReynolds ordered his employe to send that telegram suspending me and I will receive McReynolds' formal letter of discharge within a week or 10 days. From what I have heard I think the people of California believe I acted as a matter of principle. I am a regular attorney beginning today."

MCNAB CONGRATULATES HIM

When District Attorney McKinley returned from the courtroom of Judge Van Fleet with the order announcing his appointment in his hand, McNab was one of the first to congratulate him. During McNab's regime McKinley has been his first assistant and very close to him. McNab congratulated his successor, saying he couldn't have picked a better man to pick up the work of the office.

McKinley, who is a nephew of President William McKinley, was appointed assistant attorney for the northern district of California in 1901, through former Attorney General Knox. McKinley is a native Californian, was reared in San Francisco and practiced law here before entering the government service.

Following the calling of the calendar in court yesterday Earl H. Pier,

"NO OUTSIDERS, WE," SAYS HEAD OF TURNER UNION

"Why Do They Do That?" Exclaims Stempel, Seeing Uncle Sam and Kai- ser in Cartoon

DENVER, Colo., June 26.—"Why do they do that?" exclaimed President Theodore Stempel of the North American Gymnastic union, as he pointed to the front page of a Denver newspaper on which appeared likenesses of the German emperor and Uncle Sam.

"We Turners have nothing to do with monarchy. We are Americans, and the great majority of us have never seen Germany. The impression prevails among many that we are a foreign organization. Nothing could be farther from the truth."

President Stempel was talking to several newspaper men when he made the above statement, and declared that he was glad of the opportunity to clarify the minds of the uninformed.

FEATURE EXERCISES

Today was given over to feature exercises by the members of the thirty-first Bundes-Turnfest of the North American Gymnastic union, in session here. Chief among the events of interest was the magnificent allegorical parade, miles in length, which depicted the rise of the German empire from earliest history until today.

At Lakeside park the morning was consumed in drilling and the lighter gymnastic exercises as they performed the contestants as they performed in team work.

Thousands witnessed the contests in the stadium and commented upon the clockwork precision with which the teams displayed their efficiency.

On the field stood George Brosius of Milwaukee, 74 years of age, the founder of turnverien in America. As the young Turners would pass him they would give three "gut heils" in salutation.

At the conclusion of the parade in the afternoon the guests of the city repaired to East Turner hall, where reunions of pioneers, old reliables and instructors of physical culture were held. A reception and Kaffe Klatsch to the visiting women and a reception to the visiting press representatives also were tendered.

company employes and company property.

DREW CAMINETTI IS REARRESTED

SACRAMENTO, June 26.—F. Drew Caminetti, son of Immigration Commissioner A. Caminetti, whose arrest was announced yesterday by the Sacramento grand jury.

Young Caminetti gave bond in the sum of \$2,500, which was furnished by F. W. Scienapp and Louis Caffero and was given his liberty.

DIGGS ARRESTED AT BERKELEY HOME

BERKELEY, June 26.—Maury I. Diggs was arrested this evening at his parents' home, 244 Bowditch street, on a bench warrant from Sacramento following his indictment by the grand jury there on a charge of abandonment of his children.

Diggs was taken before Superior Judge William H. Waste, who accepted Fred A. Connor of this city and Irving P. Diggs, the defendant's father, as sureties on a bond each of \$2,500, upon which Diggs was released, pending trial in Sacramento county.

Deputy Sheriff Swallenberg of Sacramento and Policeman Frank Waterbury of this city served the warrant.

WOMAN CHARGES ATTORNEYS WITH EFFORT TO BRIBE

T. F. Draper and Douglas Young of This City Must Show Cause Before Stockton Justice

(Special Dispatch to The Call)
STOCKTON, June 26.—Upon affidavits sworn to by Elizabeth Boyd, Judge Frank Smith of the superior court of San Joaquin county has issued orders against Attorney T. F. Draper and Douglas Young of San Francisco to the effect that both men appear in court next Tuesday morning and show cause why they should not be adjudged guilty and punished on charges of contempt of court.

Elizabeth Boyd was the stenographer employed by Douglas Young when he was appointed commissioner in the Bishop-Cohen case. Young was charged several weeks ago with contempt of court on the ground that he had returned a fraudulent report as commissioner.

The affidavits sworn to by Elizabeth Boyd charge contempt of court on the ground that both lawyers told her that the sum of \$1,477.90, collected by Young was to be divided between Judge Frank Smith, Attorney Clarence and Loutitt of this city and Young.

The affidavits charge that Judge Smith was alleged by Draper and Young with being dishonest and willing to accept the money. The first charge of contempt of court against Young has been submitted to the court.

Draper is said to be Young's attorney. The Bishop-Cohen case was in progress at 2,000 acres near Stockton and was involved in litigation for some time, owing to a disagreement between the owners, Thomas B. Bishop and Emilie G. Cohen, when Smith ordered the land sold at auction.

Attorneys Clary and Loutitt are attorneys for Thomas Bishop.

SACRAMENTO \$960,000 SHORT OF FLOOD GUARD

Additional \$2m Needed to Complete Bypass and Raise Levees Two Feet

(Special Dispatch to The Call)
SACRAMENTO, June 26.—The additional sum of \$960,000 will be necessary to place Sacramento beyond the danger of flood, according to a report made to the city commission today by City Engineer Olivan. To complete the Sacramento bypass and raise the levees two feet above those of adjacent reclamation districts will require this much more money above the \$887,000 already voted by the citizens. The levees will be raised first and the bypass constructed later, if the needed sum is voted.

TAX DELINQUENCY IS BELOW LAST YEAR'S

Less Than \$40,000 Is Overdue in Assessments For Fiscal Year

Tax Collector J. O. Low made the following comparative report of collections of taxes yesterday for the fiscal years 1911 and 1912:

Charge for fiscal year 1911, \$8,838,721.94; charge for fiscal year 1912, \$9,868,421.25; delinquent 1911, \$49,944.32; delinquent 1912, \$39,344.86.

The final results of the collection shows a total delinquency of \$39,344.86, which is \$7,599.46 less than the delinquency for the fiscal year 1911, although the charge against the tax collector for the fiscal year 1912 was \$1,049,769.34 more than for the fiscal year 1911.

SACRAMENTO RIVER STEAMERS

Excursion to Rio Vista, Sunday, June 29th

\$1.00 round trip on Southern Pacific steamer "Modoc" leaving Pacific street wharf, pier 7, at 8 a. m., returning on steamer "Apache," leaving Rio Vista 2 p. m. same day. Delightful all day trip through the beautiful Sacramento river through the "Netherlands of America."

Fourth Death Toll Begins 'So Many Go' Says Boy

SCAMMON, Kan., June 26.—James Macconlogue, 14 years old, died today of tetanus, resulting from a wound inflicted by a toy pistol which he obtained from a shop kept by his mother. So many kids have got the every fourth of July from lockjaw, anyway," James said, shortly before he lapsed into unconsciousness which ended in death.

CALIFORNIA TOWN DRIVES OUT 15 KOREAN TOILERS

Delegation Meets Fruit Pick- ers at Station and Forces Them to Return to Train

HEMET, June 26.—Business men joined Mayor M. G. Shaw in a statement tonight regretting the action of a party of citizens who drove 15 Korean fruit pickers out of town today. While leading citizens declared they were not in sympathy with the Japanese, they asserted that the expulsion of the Koreans was to be condemned.

In a communication from Los Angeles H. Wakabayashi, secretary of the Japanese Association of Southern California, said Japanese would avoid any place where they were not wanted, and that the Koreans would not have precipitated the incident had they known of the feeling in Hemet.

A party of citizens met an apricot picking crew of Koreans from Riverside and ordered them back on a train. Their baggage was thrown aboard the train after them. There is not a Japanese in Hemet.

Asiatics were engaged by ranchers in the Little Lake region. After the fruit pickers had been driven from town Joseph Simpson and William Wilson of the employing ranchers, told the Hemet men that the Asiatics were not Japanese, but Koreans. The exclusionists replied that that made no difference, that Koreans were as objectionable as Japanese and that the people of Hemet wanted neither race among them.

CONSUL TOLD OF INCIDENT

LOS ANGELES, June 26.—The Japanese organizations of southern California took immediate cognizance today of the Hemet incident, when 15 Asiatics were driven from the town. H. Wakabayashi, secretary of the Japanese Association of Southern California, wired to the Japanese association in Riverside for a report, and then telegraphed the case to Y. Numa, acting consul general in San Francisco.

As Korea is a Japanese dependency, officials of the Japanese association said Koreans were as much entitled to protection from the government as Japanese themselves.

BURIES BABES IN GARDEN

Many Bodies of Infants Found in Yard of Italian Midwife

NAPLES, June 25.—The authorities have unearthed the bodies of a large number of infants buried in the garden attached to a villa occupied by a midwife named Bertoli. The investigations of the police indicate that the disposal of infants in this way has extended over many years.

REDWOOD MARRIAGE LICENSES

(Special Dispatch to The Call)
REDWOOD CITY, March 26.—Marriage licenses were issued here today as follows: Roy Taynor Dixon, 35, salesman for the Pacific Gas and Electric company, living at 1504 Franklin street, San Francisco, and Mabel Annette Tardiel Fisher, 22, also of San Francisco; Fred G. Lampe, 30, San Bernardino, and Mabel Vestey, 21, San Francisco.

FIRE CAPTAIN CAN BE A CHAUFFEUR, RULING BY LONG

City Attorney Overrules the Stand Taken by the Civil Service Com- mission

Contrary to the stand taken by the civil service commission, City Attorney Long advised the fire commission yesterday that a captain may be a chauffeur and at the same time a captain without reduction of rank or salary.

The city attorney's opinion relates to the case of Captain Jeremiah L. Collins, who has been driving Chief Murphy's car ever since the latter held his present office. Objection to the arrangement was formally made to the fire commission by the civil service board on the ground that the salary of a chief's "operator" is fixed by the charter at \$1,600 a year, while Collins receives \$1,850, the regular salary of a captain.

"We therefore beg leave to inform your honorable board," states the civil service notice, "that if Mr. Collins continues to act as chief's operator we shall refuse to approve his salary demand as captain."

Chief Murphy maintains that his personal operator should be more than a mere subordinate, and that there are occasions when his operator must exercise the highest discretion.

The city attorney held that the language of the charter makes it plain that the chief may detail as his operator any member of the department.

At its meeting today the fire commission will transmit the city attorney's opinion to the civil service board.

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50c Ties 35c
(3 Ties for \$1)	
\$1.00 Ties 65c
\$1.50 Ties 95c
\$2 to \$3.50 Ties	.. \$1.15
All Knit Ties	... \$1.15
(Originally \$1.50 to \$3.50)	

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UNITED STATES BRANCH STATEMENT OF THE CONDITIONS AND AFFAIRS OF THE FRANKFORT GENERAL IN- SURANCE COMPANY

OF FRANKFORT, GERMANY, on the 31st day of December, 1912, in accordance with the Provisions of Section 611 of the Political Code, and compliance with the conditions imposed by the Insurance Commissioner of the State of California.

Statutory deposit	..... \$230,000.00
ASSETS	
Cash market value of all stocks and bonds owned by company	..... \$1,200,426.00
Cash in office	..... 1,630.00
Cash in banks	..... 25,748.17
Interest due and accrued	..... 15,968.03
Gross premiums in course of collection not over 3 months due	..... 202,010.28
Cash in hands of trustees	..... 1,919.27
Equity in assessments paid workmen's compensation business	..... 1,832.99
Total assets	..... \$1,688,259.59
LIABILITIES	
Losses adjusted and unpaid	..... 418.00
Losses in process of adjustment or in suspense	..... 23,070.73
Losses retained, including expenses	..... 15,706.23
Unearned premiums on risks running one year or less, 50 per cent other charges for officers, clerks, etc.	..... 415,849.98
Unearned premiums on risks running more than one year, pro rata	..... 81,590.53
Estimated taxes hereafter payable based upon this year's business	..... 11,800.00
Commission and brokerage on business become due	..... 48,743.07
Special reserve for unpaid liability losses	..... 470,179.00
All other liabilities	..... 4,168.89
Total liabilities	..... \$1,028,225.37
INCOME	
Net cash actually received for premiums	..... \$1,207,881.01
Received from interest and dividends on bonds, stocks, loans and from all other sources	..... 48,807.49
Received from home office	..... 10,000.00
Income from all other sources	..... 21,428.04
Total income	..... \$1,288,206.54
EXPENDITURES	
Net amount paid for losses	..... 854,328.19
Expenses of adjustment and settlement of losses	..... 107,372.98
Remitted to home office	..... 21,977.02
Paid or allowed for commission or brokerage	..... 295,948.90
Paid for salaries, fees and other charges for officers, clerks, etc.	..... 90,875.31
Failure for stock, bonds and loans	..... 28,227.19
Gross decrease in book value of ledger assets and brokerage on business become due	..... 834.51
Inspections	..... 17,087.14
All other expenditures	..... 68,638.03
Total expenditures	..... \$1,375,197.29
Surplus	..... \$259,989.30

C. H. FRANKLIN, U. S. Manager.
Subscribed and sworn to before me this 15th day of February, 1913.

EDWIN G. MARKS, Notary Public.

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