

BELL AND THE BOAR

The Silver State in a long editorial, says that the people of the State will be loath to believe the charges made by the APPEAL, as during Bell's incumbency no intimation was made that he did not honestly conduct his affairs.

The APPEAL has never charged ex-Warden Bell with dishonesty. We do not believe that a dollar's worth of property was ever misappropriated by him; we simply charged that he made a misleading inventory to the Legislature, and that when experts made a new inventory they found that Bell's inventory was incorrect by a good many thousands of dollars. This was the only charge made by the APPEAL, and this charge is fully substantiated by the inventories now on file at the Secretary of State's office.

The Silver State continues: "The Constitution constitutes the Governor, Secretary of State and Attorney General a Board of State Prison Commissioners, and an Act to provide for the government of the State Prison gives that Board full control of the Prison, buildings, labor and property, and makes it a part of its duty to purchase, or cause to be purchased, all needed commissary supplies, all raw material and tools necessary for all manufacturing purposes carried on at the Prison, to sell all manufactured articles, and collect the money for the same. Under this Statute, if the Commissioners did their duty, the duties of the Warden were only supervisory."

This very question was brought up in the Board during Bell's incumbency, by Secretary of State Dormer, who held that the Board had control of the Prison. Bell told the Board that he was the boss of the place, and that the power to run it was given him by the Legislature. He refused to acknowledge the authority of the Board. Mr. Dormer brought the matter up. Governor Adams said: "It's a Republican proposition; settle it among yourselves." Attorney General Davenport said he "didn't want to see any trouble," and so the matter dropped, and Bell won his point.

The Silver State further says: "Those who will take the trouble to read the laws relating to the Government of the State Prison, will readily understand that it is more the fault of the Board of State Prison Commissioners, who have full control of the grounds, buildings and property of the Prison, and whose duty it is to purchase supplies, than of the Warden, if the Prison is almost a wreck and the property worthless."

We agree with the Silver State in this, fully, but the Board is not required by law to make out the annual report and inventory. This is the Warden's business and if he does not do his duty properly the Board has the right to appoint experts and make a new inventory, which they did. The result shows that Bell was not dishonest, simply arbitrary, bull headed and incompetent. He thought he could run the place without the assistance of the Board, and failed. McCullough the new Warden shows more sense. He has informed the Board that he is at its disposal and will be guided by its suggestions.

INTER-STATE COMMERCE.

A. N. Towne, General Manager of the Southern Pacific Railroad Company, returned last Wednesday from attending the Chicago conference of railroad men who convened to consider the Inter-State Commerce bill. He gave a call reporter yesterday the following statement about the conference:

"All the railroad representatives accept the reading of the bill as defined by Senator Cullum and others in the Senate debates, and have determined to co-operate fully with the commissioners. The greatest discussion was about the long and short hauls. It is very probable that the conference will result in the abandonment of pooling freight and money issues, but the various associations now existing, will be kept up to collect statistics for future reference of all work done. As to the through freight business from Eastern seaboard towns to this Coast, we hope to put rates at

reasonable and consistent tariffs for all transportation from either of these points. We will also probably make another tariff at still lower rates to meet water and Northern railroad competition, and we will submit this last tariff to the commissioners and ask their co-operation to meet our rivals' rates. Taking the bill all through it is puzzling the brightest minds in the railroad world to correctly apply its full workings."

A telegram was received here yesterday from a freight agent at Los Angeles; stating that West bound freight rates to the Southern points of the State, from Chicago, were being cut down fully 25 per cent, below present tariff rates. It is also acknowledged by the local agents that the same course is in vogue here.

The Frankel Jury Disagree.

Last night's Chronicle has the following:

On the convening of the District Court this morning the jury in the Frankel case, which had been in deliberation all night, came into Court and the foreman announced that it was impossible to agree, whereupon the members were discharged by Judge Risinz.

The last ballot taken before the jury came into Court stood eight for acquittal and four for conviction, Lynds, George, Gray and Hitchcock voting for conviction and Bullard, Kline, Piper, Gillette, Sheibell, Kirman, Stanley and Cavanaugh for acquittal. This necessitates another trial, as Judge Rising informed the jury when it retired that a verdict to be final for either conviction or acquittal must be unanimous.

District Attorney Huffaker says it is optional with him whether counsel for creditors decide to try the defendants again on the same indictment or select another for the second trial. No time was set by the Court for the next trial.

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BERGMAN'S BOMB SHELL

A. Bergman is about to go to San Francisco to purchase new Spring goods. On his return in this space will contain his new announcement.

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