

# ASSESSOR GOES TO OFFICE AND STAYS ALL DAY

Hundreds Crowd Courthouse for Glimpse of Man Accused of Bribery

Indictments on Same Subject, but Differ in Wording to Bar Appeal

accompanied by E. E. Gehring and B. J. Wyman, who are acting with the firm of Fitzgerald & Abbott as his attorneys. There was nothing about his appearance to suggest nervousness or to hint that he might have spent a sleepless night, and he smiled good naturedly as he posed for a number of newspaper cameramen.

He remained affable until the question of his arrest was touched upon, when he refused to make any comment and dismissed all inquiries with the announcement that he nothing to say.

Dalton was served early in the day with a subpoena to appear as a witness before the grand jury, but took advantage of his prerogative as a defendant and refused to testify. Several of the deputies from his office were among those called and examined, while all the officials who had any part in his capture were made witnesses before the inquisitorial body.

The indictments finally returned are based upon the one case of acceptance of money as a bribe to lower the Spring Valley water company's assessment, but are differently worded in order to prevent the likelihood of legal attack.

District Attorney Donahue, who brought about Dalton's arrest, positively denied the rumor that the capture of the assessor was but the stepping stone to a widespread and sensational investigation of county officials. He said that Dalton's arrest was made as the result of an investigation of a single crime, and that at present, at least, there would be no delving into the affairs of his office with the object of determining whether or not there might have been any other irregularities.

## OTHER CORPORATIONS DENY

Rumors that Dalton had been found to have been receiving special favors from a number of other public service corporations as a condition of supposed agreements to reduce assessments were positively denied by officials of several of these corporations. One of these stories was that he had received free telephone service from the telephone company and had telephone in every room in his home; another was that he had received special favors from the gas, electric and water companies. In each instance there was said by officials of the companies concerned to be untrue.

While Dalton himself refused to talk of the case against him or attempt any explanation of the damning chain of evidence that has been collected by the district attorney, his friends hinted broadly at a political plot and declared that District Attorney Donahue had made public threats immediately after the last election to "get" Dalton.

## DONAHUE DENIES REPORT

This was denied by Donahue, who said last night:

"I never at any time or place said or suggested that I would 'get' Dalton or any one else. I have only done in this case what I see as my duty as a district attorney, and I have done it without any personal feeling or animosity against Mr. Dalton. My only feeling in regard to him is one of sorrow to think that a man who has been so favored as to win high place for himself as a trusted public official could so far forget his position and what has been done for him as to accept a \$5,000 bribe in broad daylight."

The outwardly calm Dalton maintained when he reached the courthouse this morning was in part with the nonchalant air which he assumed earlier when he appeared in police court to answer to the bribery charge made against him in the warrant sworn out Thursday night by Detective George Helms at District Attorney Donahue's request. The proceeding was strictly perfunctory and no action was taken by the court.

## POLICE COURT CASE CONTINUED

With Dalton in the police court were his three attorneys, R. H. Fitzgerald, Burton M. Wyman and E. E. Gehring. They conferred with Justice of the Peace Aaron Turner, sitting for Judge Smith, and the case was continued after the regular court calendar had been called. The return of the two indictments will have the effect of automatically dismissing the police court charge. It was after the appearance in the police court that Dalton, with two of his attorneys, Gehring and Wyman, to his office in the courthouse.

Dalton kept his own counsel in regard to the case, except to deny one or two of the wilder rumors that were circulated regarding his personal affairs. One of these stories to which he gave a prompt and emphatic denial was to the effect that Dalton, and the serious charge brought against him had created a rupture in his family affairs.

While there were practically none, even among his most intimate friends, to attempt a defense or explanation of Dalton's act, there were many to suggest reasons which might have prompted him to the commission of the crime. It was generally asserted among those having a knowledge of his private affairs that he has been financially embarrassed for some time, and attention was called to the fact that a suit was brought against him a few days ago by the Pacific Slope securities company for the recovery of \$5,000 on a personal note given in return for certain shares of stock which he received about two years ago.

## WITNESSES EXAMINED ALL DAY

The examination of witnesses by the grand jury occupied the entire day from 9 o'clock in the morning until 5 in the evening, with the exception of a recess taken at the noon hour. The first witness called was Lee Wells, a deputy assessor in Dalton's office, who had charge of assessing the outside property, which includes a large portion of the Spring Valley holdings in Alameda county, and who was called upon to explain the method of assessment and certify to the amount of the assessments of former years.

Thomas M. Robinson, chief deputy in Dalton's office, gave testimony similar to that of Wells and went into the details of the manner in which the work of the office is conducted. The real purpose of his examination was to furnish an insight into the routine workings of the assessor's office and lay the legal foundation for the later proof of Dalton's crime.

John Hedemark, the realty expert employed in the assessor's office, was called to testify as to the value of the assessable property of the Spring

# Political Plot to Ruin Him, City of H. P. Dalton's Friends

Alameda county prosecutor and detectives, who figured prominently in the arrest of Assessor Dalton.



Valley water company in Alameda county and as to the method by which its assessed valuation had been determined.

## DEPUTY COUNTY CLERK CALLED

He was followed on the stand by Andrew E. Johnstone, chief deputy in the county clerk's office, who gave the formal evidence regarding the official position occupied by the accused man and identified the records of the board of supervisors in regard to Dalton's election. He also identified the board which Dalton gave at the time of taking office. Another county official examined was Emanuel George, one of the field assessors of Dalton's office who had a part in determining the assessment against the Spring Valley water company.

The first witness to give direct testimony regarding the crime with which Dalton is charged was John E. Behan, secretary of the Spring Valley water company, who was the first official of the corporation approached by Dalton with the bribe offer. Behan told of his several meetings with Dalton at the latter's request, and of how eventually Dalton proposed to him that he should reduce the assessment of the Spring Valley company by \$2,500,000 and take half of the amount which this reduction would save the company.

## BEHAN PRINCIPAL WITNESS

Behan was one of the most important witnesses of the day, and was on the stand at both the morning and afternoon sessions. The continuation of the story of the bribery was given by S. P. Eastman, vice president and manager of the Spring Valley water company, who took up the negotiations with Dalton after the latter's proposal had been reported to the Spring Valley officials and to District Attorney Donahue, and who actually paid Dalton the \$5,000 of marked bribery money Thursday afternoon.

Eastman testified in detail as to his various meetings and conversations with Dalton, told of the agreement that finally had been reached between them and described the passing of the money to the disgraced assessor.

Several essential portions of his story were corroborated by Dominick Zavattaro, a waiter in the restaurant in which the meetings between Dalton and the Spring Valley officials took place. Zavattaro testified to the presence of Dalton and the officials on these occasions and told of scraps of conversation which he had overheard between them.

## DETECTIVES RELATE BALANCE

The remainder of the story of Dalton's downfall was told by Detective S. C. Hodgkins and Private Detective George J. Helms, who assisted District Attorney Donahue in working up the case and laying plans for Dalton's capture.

The only other witness examined was T. J. Wilder, an employee of the Spring Valley company, who had some knowledge of the action taken after Dalton's proposal to accept a bribe had been received by the company officials.

The two indictments against Dalton are essentially the same and relate to the same crime, the only difference between them being that one is based on Dalton's offer to Behan, while the other relates to his actual acceptance of the money from Eastman. The latter reads:

"The People of the State of California, against Henry P. Dalton, do hereby certify that on the 19th day of May, A. D. 1911, Henry P. Dalton is accused by the grand jury of the county of Alameda, of the crime of bribery, to-wit: that he, Dalton, did unlawfully, wilfully, feloniously and corruptly ask and receive from one S. P. Eastman, who was then and there acting for and on behalf of the Spring Valley water company, a bribe, to-wit: the sum of five thousand dollars (\$5,000), in lawful money of the United States of America, the value of five thousand dollars (\$5,000) in the lawful money of the United States of America, upon the agreement and understanding that the said Henry P. Dalton and the said S. P. Eastman, who was then and there acting for and on behalf of the Spring Valley water company, said corporation, should and would, be reduced by said Henry P. Dalton, as such assessor, for the fiscal year 1911-1912 by the said

## AN EXECUTIVE OFFICER

"The said Henry P. Dalton, at all times in the indictment mentioned and on the 19th day of May, A. D. 1911, and prior to the time of finding this indictment, was an executive officer and a person selected to an executive office, namely, the duly elected, qualified and acting assessor of the county of Alameda, in the state of California, and that, as such assessor, it was his duty to assess real and personal property situated and located in the county of Alameda, in the state of California, for the purpose of taxation; that the said Henry P. Dalton did, then and there, to-wit: on the 19th day of May, A. D. 1911, and prior to the time of finding this indictment, in the said county of Alameda, unlawfully, wilfully, feloniously and corruptly ask and receive from one S. P. Eastman, who was then and there acting for and on behalf of the Spring Valley water company, said corporation, a bribe, to-wit: the sum of five thousand dollars (\$5,000), in lawful money of the United States of America, the value of five thousand dollars (\$5,000) in the lawful money of the United States of America, upon the agreement and understanding that the said Henry P. Dalton and the said S. P. Eastman, who was then and there acting for and on behalf of the Spring Valley water company, said corporation, should and would, be reduced by said Henry P. Dalton, as such assessor, for the fiscal year 1911-1912 by the said

## DEFINITE CHARGE MADE

Henry P. Dalton, as such assessor, should and would, be reduced by said Henry P. Dalton, as such assessor, for the fiscal year 1911-1912 by the said

assessment for which the assessable property in the said county of Alameda owned by the said Spring Valley water company, said corporation, had been assessed for the fiscal year 1910-1911, contrary to the form, force and effect of the statute in such case made and provided, and against the peace and dignity of the people of the state of California.

WILLIAM H. DONAHUE, District Attorney of the County of Alameda, State of California.

Prior to the examination of witnesses by the grand jury, the members of the inquisitorial body were carefully questioned by District Attorney Donahue as to possible bias concerning the charges against Dalton. This was done in order to prevent any legal attack upon the indictments, which later were returned. When summoned to the special meeting of the grand jury the jurors had been warned not to discuss the Dalton case or read any of the papers in regard to it.

## REFUSES TO TESTIFY

The subpoena asking Dalton to become a witness before the grand jury was served upon him during the morning, but he refused to testify in pursuance of the advice of his counsel. The indictments were returned before Judge Waste, who ordered them placed on secret file until Dalton was arrested. Although it was then 6 o'clock in the evening Dalton was still in his office on the floor beneath the courtroom and when Sheriff J. J. Hanifin Jr. entered a few minutes afterward to take him into custody on the bench warrant for his arrest, he had a smile of greeting for the officer.

Dalton was not forced to submit to a second imprisonment last night, his attorneys having already made preparations to obtain bonds for him before the indictments were returned. Judge Waste fixed the bonds on one count at \$25,000 and on the other at \$15,000. The bondsmen qualified before Judge Frank B. Ozden, who accepted the surety at about 8 o'clock in the evening and ordered Dalton out of custody.

The bondsmen who qualified on the larger bond were Louis Schaffer, former chief of police of Oakland, and F. S. Osgood, a druggist. On the other bond were Henry Meyer, a grocer and saloonman; E. A. Young, president of the Merchants' exchange; Manuel George, a farmer of Centerville, and John M. O'Keefe, a retired merchant of East Oakland.

One of the first persons for whom

Dalton asked after his arrest Thursday night was former Governor George C. Pardee, who has been for years his intimate personal and political associate. Pardee, however, was in Sacramento and did not return to Oakland in time to take any part in the furnishing of bonds for Dalton. It was declared yesterday by some of Dalton's friends that he had planned to leave Monday with his wife for an automobile trip throughout the state in company with Doctor Pardee and family.

The members of the Alameda county grand jury which returned the indictments against Dalton are:

FRED W. JERSEY, 1719 Euclid avenue, Berkeley, foreman.

F. M. REED, 236 Forty-first street, Oakland.

THEODORE C. BEE, 4115 Hillside avenue, Oakland.

RICHARD H. CHAMBERLAIN, 41 Bella Vista avenue, East Oakland.

F. D. CHASE, 1901 Bonita avenue, Berkeley.

R. C. CORVELL, 2243 San Jose avenue, Alameda.

JOSEPH DAMM, 1229 Forty-fifth avenue, Oakland.

GEORGE D. GRAY, 755 Tenth street, Oakland.

E. M. HALL, 1211 Fifth avenue, Oakland.

H. S. HAZELTINE, 2717 Russell street, Berkeley.

DAVID B. HUNTER, 2513 College avenue, Berkeley.

CHARLES L. INGLER, 490 Thirty-fourth street, Oakland.

W. J. LUND, 4236 Gilbert street, Oakland.

WALTER G. MANUEL, 500 Lake Park avenue, Oakland.

W. H. MARSTON, 1500 Arch street, Berkeley.

R. O. MEAD, 10 Monte Vista avenue, Oakland.

A. SCHILLING, 1403 Jackson street, Oakland.

B. G. SNYDER, Thirty-ninth and Adele streets, Oakland.

J. J. WARNER, 520 Thirty-second street near Telegraph avenue, Oakland.

Attorney R. M. Fitzgerald will not be active in the defense of Dalton, although he appeared for him today. Nor will his law partner, Carl Abbott, take part. Fitzgerald said tonight that he had not taken part in a criminal trial

# ARRAIGNMENT IS LIKELY MONDAY

First Person Asked for by the Prisoner Was Former Governor Pardee

He Is Said to Have Been Hard Pressed for \$5,000 to Pay on Note

for a dozen years and did not feel that he could do the Dalton case justice. He will act in an advisory capacity, however. Dalton and his attorneys discussed a number of criminal case lawyers today with a view to retaining one to conduct the defense, but no decision was reached.

## NO FREE GAS

With reference to the statement that Henry P. Dalton was furnished with light free of cost by the Oakland, gas, light and heat company, President Frank A. Leach Jr. said tonight:

"This statement is absolutely false. Mr. Dalton was not a consumer until quite recently, when he moved into his new house. Since that time he has been sent a bill regularly, just as every consumer is and at the same rate exactly. The bills were paid. No exception was made in his favor in any way. There is no foundation whatever for any statement to the contrary."

## BOND ELECTION IS CALLED IN MARTINEZ

Water Front Improvements and Town Hall Are Projected

[Special Dispatch to The Call]

MARTINEZ, May 19.—The town trustees at their meeting last night passed resolutions calling a bond election to be held in July for improving the water front, which, it is claimed, is the property of the town, and for the erection of a town hall. The bond issue is divided in three propositions, viz.: \$15,000 for the erection of a town hall, \$15,000 for the purchase of the Houghton claim to the water front, and \$35,000 for the improvement of the land.

## Mother of Twelve Sons

How would you like to clothe all these boys? She don't worry; it's easy on the \$1 a week credit plan. 59 Stockton street. Upstairs.

L. A. WOLFF NAMED DEPUTY.—George S. L. Wolff, of Port Huron, Mich., supreme commander of the Modern Machines of the World, arrived in this city yesterday on a tour of inspection. He last night appointed Louis A. Wolff of this city deputy great commander for northern California. Lovelace leaves for Los Angeles today.

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# The White House

ENTRANCES GRANT AVENUE SUTTER STREET POST STREET

THE FOLLOWING SALES ARE NOW IN FULL SWING:

SEMI-ANNUAL CLEARANCE SALE OF CLOAKS AND SUITS  
SEMI-ANNUAL CLEARANCE SALE OF WAISTS AND GOWNS  
SEMI-ANNUAL CLEARANCE SALE OF MILLINERY  
SEMI-ANNUAL CLEARANCE SALE OF UNDERMUSLINS  
SEMI-ANNUAL CLEARANCE SALE OF ORIENTAL RUGS

## IN THE RIBBON DEPARTMENT

The White House WILL PLACE ON SPECIAL SALE 5-INCH HAIR BOW TAFFETA RIBBON AT... 15¢ YARD

## IN THE HOSIERY DEPARTMENT

CHILDREN'S BLACK COTTON STOCKINGS, MEDIUM WEIGHT, NARROW RIBBED, ALL SIZES, 3 PAIRS FOR 50¢  
WOMEN'S IMPORTED LISLE STOCKINGS, TAN, BLACK, BRONZE AND WHITE, 35¢ PAIR OR 3 PAIRS FOR \$1

## SALE OF CHILDREN'S AND MISSES' WASHABLE HATS

The White House WILL PLACE ON SPECIAL SALE 100 DROOPING AND COLLAPSIBLE STYLES IN WHITE PIQUE AND TWO TONED LINEN WASHABLE HATS AT \$1, \$1.25 AND \$1.50

ALSO 25 CHILDREN'S KATE CASTLETON ENGLISH EMBROIDERED HATS AT.....\$5  
15 CHILDREN'S POKE BONNETS IN COLORED MULL AT.....\$4

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Dark glass gives protection against light.

The brown bottle protects Schlitz purity from the brewery to your glass.

Our barley is selected by one of the partners in our business.

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beer filtered through white wood pulp, but even the air in which it is cooled is filtered.

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