

CALIFORNIA STATE

LEATHER FORECAST:
Fair, brisk west winds.

GOLD-GOLD-GOLD

State of Arizona sent
5,368 FINE OUNCES OF GOLD
to the United States Mint
in San Francisco in May.

TIPICALLY GAIN

The Call's increase in advertising yesterday over the same day last year was
\$8,019 LINES

"The People's Newspaper"

"An Independent Newspaper"

VOLUME 114.—NO. 12.

SAN FRANCISCO, THURSDAY, JUNE 12, 1913.—PAGES 1 TO 10.

PRICE FIVE CENTS.

SUBMERGENCE RECORD BROKEN BY SUBMARINE IN LONG BEACH

Inventor Cage and Companions Come to Surface After 36 Hours Beneath Water, Exceeding Time of Octopus Made in 1907 by Half a Day—All Well and Happy With Exception of Operator Who Suffers From Effects of Work

THOUSANDS GREET BOAT'S APPEARANCE

Apparatus Responds Perfectly to Uses for Which It Is Designed—Air Supply Good and Designer Declares He Could Have Remained Down Four Times as Long if Necessary—Little Discomfort Felt at Bottom of Sea

(Special Dispatch to The Call)

LONG BEACH, June 11.—Carrying out to the minute the mapped out program of his submergence test, inventor John M. Cage and his submarine craft rose to the surface of the Long Beach inner harbor at exactly 5 o'clock this evening, breaking by 12 hours the world's submergence record made by the Octopus in 1907.

So well timed was the movement that the submarine engines started at 12 seconds before the boat showed her flagstaff out of the water just on the stroke of the hour, and as the seconds ticked off the entire boat came up, how first, just as a cheer from thousands of throats gave the signal to the neighboring factories, whose whistles broke out in deafening peals added to by the fog horns of three dozen launches.

Then the submarine company's launch, which was crowded with half a hundred people, including the wives of the crew of the submarine, shoved alongside and Mayor Hatch stepped aboard the flat top of the craft and with a deft slash of a knife cut the seal.

TEN THOUSAND PERSONS CHEER

A tense moment passed and then, from the inside, the hatch was thrown open and inventor Cage appeared in the hole and waved his hat in answer to the yell of welcome from 10,000 throats of spectators who thronged the docks and lined both sides of the channel.

As he climbed to the deck his hands were grasped by the mayor, and in response to a query he said he was all right and feeling dandy.

Then came up next Operator Hoopengartner, tired looking, but showing his relief over the termination of a long siege of work. He was quickly followed by the other four members of the crew and then the six lined up with the mayor, bowed and looked happy as they sized up the crowds and posed for the clicking motion picture machines.

The wives of the men waited patiently until the ovation was ended and then greeted their husbands in the silent way that only a woman can who has pinned her confidence in her husband's courage and bravery in danger and found him alive and safe after the ordeal.

Considerable difficulty was experienced in keeping row boats and launches away from the submarine, despite the efforts of a detail of policemen, but this was finally accomplished, and after welcomes had been finished, the engines were started and the boat went across the channel to her mooring barge, and after being made safe and given in charge of the watchman, Cage and his companions boarded the company launch and were taken to the submarine plant, where they parted and went home to sleep.

OPERATOR IS FATIGUED

The only one who showed any signs of fatigue was Guy Hoopengartner, the office manager of the company, who acted as telegraph operator during the long hours the boat lay on the bottom. Although still suffering from injuries received last week in a fall, he has been constantly at the key sending and receiving messages.

Telegrams announcing the breaking of the record were sent to President Wilson, Secretary of State Bryan and Secretary of the Navy Daniels, as well as brief news stories to a dozen eastern newspapers.

A large number of messages are in the telegraph office from outside points, but when an attempt was made to send them, Hoopengartner wired that his fingers were all used up, and it was no use he could not take the messages. After greeting his wife, Mr. Cage said to the reporters:

"It seemed like we were in a vault,

Continued on Page 2, Column 3

COURT UPSETS CIVIC OPERA HOUSE PLANS

Supreme Court Decision Holds Agreement With Musical Association Unlawful

Plans for San Francisco's civic center, so far as a municipal opera house are concerned, were knocked into a cocked hat by a decision handed down by the state supreme court yesterday.

The agreement entered into between the board of supervisors of San Francisco and the Musical Association of San Francisco for the erection of a building on land owned by the city is illegal and can not be carried out, the court decrees, because the city has not the power to permit a private corporation to erect a building upon city property and turn the "entire control and management of the land, with the building, to a board, composed, for the main part, of persons whom the municipality has not selected, and whose actions it can not direct."

Under the provisions of the agreement, nine of the 15 members of the directing board of trustees of the proposed opera house were to be members

of the Musical association. The building planned was to cost not less than \$750,000. Plans had been prepared and a site set aside.

George C. W. Egan brought the suit against the city and the Musical association. The association entered a demurrer to his complaint, which was sustained in the lower court.

The supreme court reverses this ruling in the opinion written by Justice Sloss and concurred in by the entire court.

It explains at length why the management of an opera house can not be delegated to some city officer under the San Francisco charter. It states further the city charter does not authorize the city to make gifts or subject its property to a trust.

In the case at issue, the court says, the trust embraces not only the build-

Continued on Page 2, Column 4

MILITANT PASTOR SUBDUES COWBOYS

Young Preacher Covers 25 Riots With Revolver and Marches Them to Jail

GRAND JUNCTION, Colo., June 11.—Twenty-five cowboys who were shooting and rioting in the streets of Debeque, a small town near here, were arrested today by Rev. A. F. Glover, 22 years of age, who "covering" the men with his revolver, marched the rioting party to jail.

Friends of the men who were arrested immediately procured a warrant for the minister's arrest, charging him with carrying concealed weapons, but Mayor Walker ordered the city marshal not to serve the warrant.

The trouble started this morning when Abe Ong, a cowboy, called Mayor Walker a liar and the mayor knocked him down.

The cowboys then in a spirit of revenge, rode through the streets of the village shooting their revolvers and shouting.

Sheriff Schraiber of this city, accompanied by two deputies, left for Debeque this afternoon to aid in preserving order, as the cowboys have declared a civil war upon the townspeople.

FIRE PANIC IS AVERTED

Blaze in Theater Drives Women and Children Hastily Into Street

Fire at 4:55 o'clock yesterday afternoon created a panic in the Sutter theater in Sutter street near Fillmore. There were about 50 people, mostly women and children, in the theater when crossed wires set fire to the electric piano on the mezzanine floor. The disaster was prevented by opening the fire exits immediately, the patrons being able to leave in order. The theater is owned by Albert Payne, a well known society man. The damage was about \$250.

BANKER DIES ON TRAIN

O. A. Loydal of San Francisco Stricken While on Way Abroad for Health

(Special Dispatch to The Call)

SACRAMENTO, June 11.—Word has been received here of the death on a train en route east of O. A. Loydal, wealthy hop grower and banker of San Francisco. Loydal was a former Sacramento man and was a brother of the late William Loydal, hop dealer, who died about a year ago. He was on his way to Germany for his health.

NEW NAVY SPEED RECORD

South Dakota Sets Pace for Armored Cruisers

SAN DIEGO, June 11.—All speed records for armored cruisers were broken by the cruiser South Dakota, which made 22.13 knots for four hours in a run off port here, the result of which was officially announced today. The cruiser also broke the builder's record trials. The best previous record was 21.93 knots.

YOUNG BUSCH III ENGAGED

Plancee, Divorcee, His Senior, and Has Three Children

ST. LOUIS, June 11.—Adolphus Busch III is to be married soon to Mrs. Florence Parker Lambert, former wife of Marion L. J. Lambert. The engagement was announced this afternoon. Young Busch is 22 years old and she is several years his senior. She has three children, the oldest of which is 13, and is a divorcee.

TERROR REIGNS IN TETUAN

Moors, Dressed as Women, Stab and Kill in Streets

TANGIER, Morocco, June 11.—Panic prevails in Tetuan. Moors dressed as women have been stabbing and killing people in the streets. The consulates have been supplied with extra guards.

SHOUH HEADS BAY LINES

Executive Director of S. P. Electric Takes Charge of Suburban Service

Paul Shoup, executive head of all the electric lines of the Southern Pacific company, has assumed charge of the operation of the entire transbay system of the corporation.

MORGAN'S ESCAPE REMAINS MYSTERY

Dashing Raider's Cell in Ohio Penitentiary Reveals no Evidence of a Tunnel

COLUMBUS, O., June 11.—The question "Did General John H. Morgan, the dashing confederate raider, tunnel his way out of a cell in the Ohio penitentiary while a prisoner of war, or did his guards allow him to escape?" a subject of wide discussion since the civil war, has not been settled by tearing down the cell block in which General Morgan was held.

Partial exploration of the air shaft under the Morgan cell by prison officials failed today to reveal the evidences of the tunnel to the satisfaction of those who contended that the noted raider was allowed to pass out the front gate of the big institution.

The cell is being torn down, together with others in the same block, and Warden Thomas is preparing to convert that part of the prison into a "hall of ethics" for the convicts.

PRESIDENT REFUSES TO GRANT CARTER OF HAWAII AN INTERVIEW

After Reading Testimony of Former Island Governor, Wilson Excuses Himself

WASHINGTON, June 11.—An echo of the senate lobby inquiry reached the White House today when it was discovered that former Governor Carter of Hawaii was on the engagement list of the president.

Mr. Carter told the committee yesterday that although the president had made an engagement to see him, Secretary Tumulty had refused to arrange a meeting for Hawaiian sugar producers.

The president today sent word to Mr. Carter that he begged to be excused from the interview, which had been arranged for noon today.

FASHION MAKES MEN ERR

So Asserts Chief Petersen of Oakland in Washington Convention

(Special Dispatch to The Call)

WASHINGTON, June 11.—"Our women wear their dresses too short at the bottom and cut too low at the neck," said Chief of Police Petersen of Oakland, Cal., to a gathering of police chiefs today. "More decent dressing on the part of the women would do more than a million lectures to increase the standard of morality among our young men."

PROVIDE FOR COLLECTION

Treasurer of J. P. Morgan for Metropolitan Museum of Art

(Special Dispatch to The Call)

NEW YORK, June 11.—An appropriation of \$750,000 by the board of estimate for the housing of the J. P. Morgan art collection in the Metropolitan Museum of Art is assured tomorrow. This will make the Metropolitan Museum one of the greatest, if not the greatest, art gallery and museum in the world.

MRS. PRATT IS PRINCESS

Former Miss Parkhurst of Cleveland Married to Cousin of Serbian King

PARIS, June 11.—Mrs. Hugo Pratt, formerly Miss Abigail Parkhurst of Cleveland, O., and Prince Alexis Georges Karagorjevitich, a cousin of King Peter of Serbia, were married in Paris this afternoon.

EXCEEDS CENTURY MARK

Widow of Educator Dies at Age of 101 Years

BLOOMINGTON, Ind., June 11.—Mrs. Rebecca Dennis Wylie, 101 years old, died here today. She was the widow of T. A. Wylie, once vice president of Indiana university.

MAYOR INSPECTS COAST; FINDS IT 'MUCH IMPROVED'

Purpose of Visit to Inform Himself As to Advisability of Placing All Cafes on Equal Footing

FIRST TOUR FOR FOURTEEN MONTHS

Fillmore Street Resorts Included in Whirlwind Trip; Ocean Beach Next

Mayor James Rolph and Police Commissioner Theodore Roche, accompanied by Detective J. J. Manion, made a tour of the Barbary coast last night, visiting nearly every section of the segregated districts and the cafes and dance halls.

That the purpose of his visit was to obtain first hand knowledge of this section of the city that he might be better able to advise the police commission concerning the resolution presented to that body some three months ago, proposing that all cafes be placed on an equal footing, was strongly intimated by Mr. Rolph after his tour of inspection.

AWARE OF DISSATISFACTION

The mayor admitted that there was considerable dissatisfaction over the existing ruling of the commission that in no place where liquor is sold should women be allowed to dance unless that place carried a restaurant license.

"I have no statement to make concerning my trip," said Rolph. "Commissioner Roche called upon me and requested that I accompany him on a tour of the Barbary Coast. It is a big problem, and I want to have the facts at first hand. It is nearly 14 months since I last inspected this section."

"What is your impression of the Barbary Coast in comparison with the conclusion of your last visit?" the mayor was asked.

"Very much improved," he declared emphatically. "In fact, Commissioner Roche particularly wished me to view the result of the police commission's efforts and I am greatly pleased at what I have seen."

WORD SWIFTLY PASSED

The news that the city's chief executive was visiting all sections of the coast spread like wildfire throughout that section and the word was passed from cafe to cafe.

In many of the places Rolph sat quietly in a corner viewing the proceedings and attracting but little attention among the patrons.

To most of the questions put to him Rolph was particularly reticent, stating that he desired to confer with the commissioners before giving out any statement for publication. Despite this reticence it was apparent that the sights had left a deep impression on him.

"It's a big problem," he repeated several times, "and I believe in being fair to everybody. It is a mayor's duty to know his city."

The trip occupied more than three hours. At midnight the mayor and Commissioner Roche got into Rolph's machine and drove to Fillmore street for the purpose of paying a personal visit to the resorts on that street.

As a final word the mayor stated that it was his purpose to make a trip to the beach resorts in the near future.

"SILENT" CARSON TALKS UNDER "LAUGHING GAS"

Conversation No Indication of Man's Sanity Says Superintendent of Insane Hospital

(Special Dispatch to The Call)

STOCKTON, June 11.—Nitrous oxide, or "laughing gas," has solved the problem that has so long baffled all the efforts of physicians and government officials—whether or not "Silent" Carson, seven times on the verge of execution and seven times reprieved, can talk.

Under the influence of the anesthetic in the Stockton state hospital Carson broke his long silence. Carson all along has professed that his vocal organs were paralyzed.

Superintendent Clark says that he actually may have the delusion that this is so and that his talking under the influence of the gas might be because the delusion would be absent when he was unconscious.

CANAL RECORD IS BROKEN

Dredgers Remove 1,000,000 Yards of Earth During Month of May

PANAMA, June 11.—The record of the monthly dredging operations in the canal was broken in May, when more than 1,500,000 cubic yards of earth was removed from the two entrances.

CANADIAN MILL DESTROYED

Biggest in Western Dominion—Loss by Fire is \$500,000

PRINCE ALBERT, Sask., June 11.—The mill of the Big River lumber company, 10 miles north of Prince Albert, was destroyed by fire today. The loss is estimated at \$500,000. The mill was the largest in western Canada.

Court Parts Soderbergs Wife Is Given Divorce

Mrs. Walter Soderberg, who was awarded a decree of divorce yesterday, and Dick, her 5 year old son.



Husband Reads From Her Letters to Prove Her Affection Was Chilled by Poverty

As the curtain dropped on the last act of the domestic tragedy of Mr. and Mrs. Walter Soderberg in Judge Thomas F. Graham's courtroom yesterday afternoon, their little, fair-haired, 5-year-old son, Dick, looked in bewilderment upon his mother, who was receiving the congratulations of her friends, then upon his father, who stood at one side, head bowed and tears streaming down his cheeks. Going to his father, the boy said:

"Don't cry, daddy. I love you." Dick did not understand that one minute before the court had issued an order which separated his mother and father and that henceforth he will have to visit his parents at different times. When the father left the courtroom, little Dick walked among the spectators sobbing:

"I want my daddy."

After a short session following the noon recess, Louis Ferrari, attorney for Mrs. Soderberg, held a conference with his client and with Mr. Soderberg after which it was agreed that Mrs. Soderberg should take a decree on the grounds of cruelty, and that the defendant should contribute \$25 a month to the support of the child. The parents were awarded joint custody of Dick.

Letters couched in words of tenderness from Mrs. Soderberg to her husband were introduced by Soderberg, who acted as his own counsel. "I am introducing these letters," said the defendant, "in order to show that the spark of love was not dead until after I had met adversity. It is the old story of 'poverty coming in the door and love flying out the window.'"

Continued on Page 2, Column 5

SINGLE LIFE COSTS LOTHARIO \$6,000

Revolver and Gray Hairs in \$100,000 Breach of Promise Suit

(Special Dispatch to The Call)

RENO, June 11.—The \$100,000 breach of promise suit which Miss Anna McDonald of this city brought against W. L. Hacker, chief clerk of the state assembly and former city attorney of Sparks, for alleged failure to keep a promise of marriage, resulted today in a judgment of \$6,000 being handed down in her favor by District Judge Cole L. Harwood.

Hacker testified that Miss McDonald had threatened to shoot him, and that he considered that by this action she had broken the engagement. The plaintiff denied the statement that she had threatened Hacker, and testified that she never carried a revolver in her life.

While giving her testimony she bared her head to show the gray hairs she alleged her suffering had caused, but Hacker said that she had the gray hairs while he was courting her.

SEVEN KILLED IN BOILER EXPLOSION

Machinery Defect Wrecks Steel Barge in Racine, Wisconsin

RACINE, Wis., June 11.—The explosion of the boilers on the steam barge E. M. Peck in the harbor here today will cost seven lives.

The chief engineer, W. E. Andrews of Huron, O., and three firemen are dead, and the second engineer, B. J. H. Schwensen of Sandusky, O., is missing and is believed to have drowned. A watchman and the man at the wheel are expected to die from their injuries and five others were more or less seriously hurt.

The barge was proceeding up the river when the explosion occurred. The steel sides of the vessel were almost torn to pieces above the water line. Fire broke out immediately, and tonight the vessel is a charred hulk. Captain H. M. Hyttle was knocked into the river from the bridge of his tug, which was some distance from the Peck, by a flying splinter and many others had narrow escapes.

MONEY ORDER SENT ESOLA BY BUNKO MAN IS IN EVIDENCE

Telegraph Check for \$60 From Mistress of Pasquini Received For by Convicted Detective Falls Into the Hands of District Attorney—Case Complete, Is Statement by Mr. Brennan, Who Is Confident of Securing Conviction

MRS. BERTOLA TELLS PROSECUTOR STORY

Admits Having Sent Funds to This City on Behalf of Pasquini, Who Flew When the Situation Became Too Warm for Him—Fuora Giannini "Comes Through" With Story of Being "Go-Between" for Bunko Men and Allies in Department

Money Order Sent Esola
Officer's Receipt for It

Application for money order to be telegraphed to Frank Esola by Frances Bertola:
Los Angeles, Cal., Dec. 29, 1911.
The Western Union Telegraph Company.
Pay to Frank Esola,
Police Station,
San Francisco, Cal.
Sixty Dollars.
(Sig.) FRANCES BERTOLA.
209 Frankie street,
Receipt signed by Frank W. Esola for \$60 sent him by consort of bunko man:
(Sig.) San Francisco, Cal., Dec. 29, 1911.
Received of Western Union Telegraph Company, Inc.
Sixty Dollars
in payment of money transfer made by said company
From Frances Bertola, Los Angeles, Cal.
(Signature) FRANK ESOLA.
Dec. 30, 1911.
Receipt issued to Frances Bertola:

THE WESTERN UNION TELEGRAPH CO.
Los Angeles, 12-29, 1911.
Applicant's Receipt.
Received from Frances Bertola Sixty—\$ 60.00—dollars
To be paid to Frank Esola
At San Francisco, Cal.
Subject to the terms and conditions of transfer order of this date. Charges paid, \$1.40.
C. A. BOYER, T-A,
Manager.

Evidence apparently incontrovertible that Frank W. Esola, the police officer, received last week of grand larceny, convicted the sum of \$60 from Rafael Pasquini through a telegraph money order issued on application of Frances Bertola, mistress of the notorious bunko man, is in the possession of the district attorney's office and will be presented by the prosecution next week during the trial of the eight indicted policemen.

The evidence is in the form of the application made by Frances Bertola for the money order, the receipt issued her by the Western Union Telegraph company for \$60 to be sent to "Frank Esola, police department, San Francisco, Cal.," and Frank Esola's receipt for the money.

All of these documents are dated December 29, 1911, the first two at Los Angeles, whither Pasquini had fled after pulling off a bunko game in San Francisco.

The documents were obtained last night from Superintendent May of the

R. B. Hayden
STRAIGHT
Bourbon

DISTILLED BY
GREENBRIER DISTILLERY CO.
Nelson County, Ky.

CHARLES MEINECKE & CO.
Sole Importers, 614 BARRACORTE ST., S. F.

SANTA FE CHIEF CONCURS PLANS FOR EXTENSIONS

Ripley Favors Projecting Northwestern Pacific to Portland as Soon as Advisable

LOVETT IS ADVISED OF CO-OPERATION

Eureka, Trinidad and Del Norte Work Will Go Right Ahead

President E. P. Ripley of the Santa Fe railroad has concurred in the extension of the Northwestern Pacific railroad as planned in the budget of the Southern Pacific railroad...

NEW DEPOT CERTAIN

One thing that has been determined definitely upon is the building of a new depot at Third and Townsend streets...

The Northwestern Pacific and the Southern Pacific are in agreement for the extension of the Trinidad line to Gold Beach, Ore., through Crescent City in Del Norte county...

TO EXTEND TO EUREKA

The Northwestern Pacific will extend to Eureka; but, in the agreement between the Santa Fe and Southern Pacific, the jurisdiction of the Santa Fe will end at Eureka and the Southern Pacific will control the rest of the line to Portland...

U. R. R. CONCERNS TRANSFER RIGHT

Passengers From Geary Line May Continue Down Fillmore on Same Fare

Passengers transferring from the Geary street municipal railway to the Fillmore street line may now transfer to the cable line from Broadway down the hill to Lombard street without paying an additional fare.

Supervisor Fogelsang, chairman of the public utilities committee, wrote to the United Railroads setting forth the complaint made by many passengers of the city that they were not allowed a transfer on a transfer at Fillmore and Broadway.

Thornwell Mullally, assistant to the president of the company, replied yesterday that he had issued orders permitting the double transfer.

His letter, in part, was as follows:

It was expressly understood between the city officials and ourselves that transfers were not to be issued upon transfers. It is our desire, however, to continue to deal with the city in the same broad and liberal spirit which actuated us in making the agreement.

Supervisor Murphy and other members of the committee did not agree with Mullally that his company was making a concession to the city in granting the privilege. They maintained that it was part of the agreement.

SCHOOL BOARD NAMES SAN RAFAEL TEACHERS

Twenty-eight Instructors Are Elected to Serve in Educational Department

SAN RAFAEL, June 11.—The San Rafael board of education has appointed the following teachers to act as high school teachers during the coming year: Virginia Dwyer, Elizabeth Dwyer, Georgiana Dwyer, Follia McDurdy, Loretta Best, Rose Higley, Mrs. Charles Farrell, K. I. Chain and E. Nelson.

Fourth street school—Myra Gates, Cora Hogan, Leta Bonner, Mrs. Leta Mundy, Kathleen Bonnelly, Mary Farrell, Maudie Boyd, Loretta Best, E. Go and E. M. Knigut.

College school—Kathryn Murray and Kathryn Moore.

Third street school—Louise Smythe, Loretta Peterson and Margaret Murray.

Short school—Janet Saunders, Nell Miller, Lena Jones and Cora Yerkel.

LEASH TO REPLACE MUZZLE

Dogs will be freed from muzzles after June 20, when the muzzling ordinance expires. In its place a new ordinance was recommended by the supervisors' health committee yesterday providing that all dogs on the public streets must be held in leash. The strap, chain or cord must not be more than eight feet in length. The death penalty is prescribed for any dog running at large unleased, whether licensed or not.

Madam Butterfly Awake To Join Mothers' Congress

(Special Dispatch to The Call) SEATTLE, June 11.—Another milestone in the march of Madam Butterfly.

Her first step was taken a few weeks ago in the organization of a Japanese women's club. Now she is going to join the mothers' congress.

Madam Takahashi visited the sentiment of her sisters yesterday at the executive meeting of the mothers' congress when Mrs. L. Peyton of New York, who took second in the touring car class, and the Oakland Commercial club, which secured second in the societies and organizations division.

CALIFORNIA CARS IN ROSE CARNIVAL

Oakland Commercial Club Takes Second Prize in Societies Division

PORTLAND, Ore., June 11.—Although never so striking as the horse and vehicle parade, the decorated automobile parade today failed to come up to expectations, and neither equalled in number of cars nor elaboration of decoration those of former seasons.

As might be expected, Portland cars took the greater number of prizes, the only outside prize winners being Mrs. L. Peyton of New York, who took second in the touring car class, and the Oakland Commercial club, which secured second in the societies and organizations division.

The decision now is that the Third and Townsend street depot shall be constructed at a cost of \$500,000 and that it can always be used as a sub-terminal and freight station, no matter whether the Market street structure is erected.

The Northwestern Pacific and the Southern Pacific are in agreement for the extension of the Trinidad line to Gold Beach, Ore., through Crescent City in Del Norte county.

The Northwestern Pacific will extend to Eureka; but, in the agreement between the Santa Fe and Southern Pacific, the jurisdiction of the Santa Fe will end at Eureka and the Southern Pacific will control the rest of the line to Portland.

FRESNO BODY AGAINST HETCH HETCHY PROJECT

Chamber Declares Itself After Hearing Plea of Modesto Delegation

FRESNO, June 11.—After listening for almost three hours to arguments of representatives of the Modesto and Turlock irrigation districts as to why San Francisco should not have access to the waters of Hetch Hetchy, the Fresno Chamber of Commerce tonight passed a resolution favoring the conservation of the waters of Hetch Hetchy for the use of the people of the San Joaquin valley.

In presenting the case to the directors of the Chamber of Commerce tonight the irrigation representatives pointed out that San Francisco receives plenty of water elsewhere and presented figures to show that the greatest benefits to be derived from this water would come to the valley and not to San Francisco.

The representatives present from Stanislaus county were H. G. Turner, George T. McCabe and L. L. Demmitt of Modesto, T. H. Kewin of Salida and J. V. Date of Hughson.

APPENDICITIS ATTACKS THIRD VICTIM IN FAMILY

Dr. Samuel Gardner Operated On for Disease After Fighting It for Many Years

Appendicitis has attacked a man who has been fighting it for years. Dr. Samuel J. Gardner of the Southern Pacific hospital, who has been regarded as one who knows more of the ailment than any other surgeon on the coast, has been operated on by Dr. William B. Conroy and J. H. O'Connor.

The Gardner family, who has been identified with service in local hospitals through three decades, has been three times afflicted. Dr. John Gardner, who was chief surgeon of the Southern Pacific hospital, and Dr. Samuel Gardner Sr., a well known practitioner, were victims.

Dr. Gardner is in a fair way to recover.

PETITIONS IN BANKRUPTCY

The following petitions in bankruptcy were filed yesterday in the United States district court: C. A. Scoville, real estate agent of Oakland, liabilities \$1,435, no assets; Adolf Behr, a local landscape gardener, liabilities \$282, no assets, and Warren C. Sears, a clerk living in Alameda, liabilities \$1,064.30, no assets.

An Important Item

In every picnic basket should be Italian Swiss Colony TIPO (red or white). California's best table wine. TIPO makes a cold lunch palatable.—ADV.

FER-MIL-LAC CULTURED MILK

A recent scientific discovery of inestimable value. It is perfectly pasteurized milk, fermented or "cultured" with the Bulgarian bacillus discovered by the Pasteur Institute of Paris. It is a friendly organism which destroys disease bacteria of the digestive tract; especially certain germs which tend to harden the lower intestines, causing the symptoms of old age and decay and bringing early death.

It prolongs youth and life.

At the same time it is a delightful beverage and an easily digestible, nourishing food.

Delivered anywhere: pint, 10c; 1/2 pint, 6c. Also at soda fountains, bars and restaurants. Dairy Delivery Co. Telephone Market 2718 Or any of our branch stores.

MEN SMOKED IN NEPTUNE'S REALM

First Time in History of Submarine Use Such Acts Were Possible

Government Inquiry Will Doubtless Follow Remarkable Exploits

Continued From Page 1 and the feeling was not pleasant for the first few hours, but after that, when experiments showed everything was working perfectly, we were all satisfied. I believed I could do it, and I have succeeded. It is a simple matter to regulate and we could have remained below four times as long if necessary, but I am satisfied with breaking the record, and if any other man wants to beat it he is welcome to do it.

During the first 18 hours the men used only 100 pounds of air, exercising caution and care in the supply, but after that they were more prodigal and used 700 pounds in the next 18 hours, and came to the surface with 600 pounds remaining in the tanks. Then the exhaust was turned on, and in one minute the room was cleared of every impurity. Everything worked perfectly and Engineer Marshall said it was a loss up which engine of the two he would use.

The temperature was kept at whatever degree the imprisoned men desired. If it grew too cold from the compressed air the engines were heated up and in a few minutes the temperature raised. It was lowered by letting in more air.

The quarters were crowded and sleeping accommodations were slight, but the men each managed to get about two hours sleep by lying on the narrow benches in the room. The men smoked whenever they cared to, and this case says, is the only submarine in which this could be done.

There were absolutely no fumes from the gasoline engine, the exhaust forcing this feature out into the water. Tonight the men are in their own beds, with orders to telephone operators not to disturb them under any conditions.

The Cage vessel has ideas embodied in it in direct opposition to established plans of submarines. It weighs 7 tons.

The government, by Captain Pond, naval commandant of the twelfth district, investigated the craft, and as a result of his visit the submarine company received permission from the government to bid on eight new ones under specifications sent to Mr. Cagge.

Bids were submitted in Washington, December 6, in competition with the Electric and Lake Boat companies, but although the Cagge bids were about \$750,000, lower than their rivals, the latter secured the contract.

No explanation was ever offered the inventor as to why his bids were not successful, and now that the Cage boat is answering every test, it is probable that an official inquiry will be asked for in Washington.

SCHEME ADMITTED TO BE ALTRUISTIC

Court Nullifies Opera House Agreement While Expressing Its Regrets

Continued From Page 1 ing to be erected, but also the land upon which the opera house is to stand.

It was argued that the section providing that the board of supervisors may authorize the erection of an auditorium by the Panama-Pacific International Exposition company, or of an opera house, museum or other structure, providing the ownership of the structure shall always be vested in the municipality, covered the agreement.

The court holds the charter "does not here, or elsewhere, contain any clause authorizing the city to part with its right" of managing city property applied to public purposes through its own officers.

The court apologizes for the decision and makes a statement of regret that it can not give its assent to the carrying out of a project which it admits is altruistic.

"If it were proposed to erect this building upon private property and then transfer the land and buildings to the city upon the conditions embodied in the agreement," the opinion reads, "the transaction might well be sustained upon the ground of altruism."

PAYOT EXPRESSES REGRET "It will be a very sad day for San Francisco when the municipal opera house plan falls through," said Henry Payot, commenting upon the court's decision.

"Without an opera house there will be a gap in the civic center scheme it will be next to impossible to fill. Of course, I have not read the decision and am not acquainted with the findings set forth in it, but I do not understand how the men who plan to put up \$100,000 for this project can be expected to give over the entire power of the internal management to politicians. Under the agreement the property would revert to the city absolutely.

A gallery price of 50 cents, at which figure 2,500 persons could be accommodated was provided for. This would give every one with a taste for good things a chance to hear the best at unheard of prices. It is only in the business of choosing productions and the active management of the house as an amusement house that the board of trustees would be in control.

The musical association will take this matter up at the earliest possible moment.

Other prominent business men interested in the musical association are: John Martin, Leon Sloss, Seth Chamberlain and Henry T. Scott.

SAN RAFAEL ELECTORATE TO VOTE ON BONDING

SAN RAFAEL, June 11.—The town trustees have passed a resolution of intention providing for a bond issue of \$215,000. The date for the election will be fixed Monday.

The issue is to provide \$100,000 for street work, including the state highway work through San Rafael; \$25,000 for a street repairing plant; \$25,000 for a municipal bathing park; \$25,000 for a garbage incinerator; and \$40,000 for dredging and widening the San Rafael canal. For the latter work the government will add \$25,000.

Congressman Kent is making an effort to secure an additional \$25,000 for the canal project.

MRS. SODERBERG WINS DIVORCE

Husband Disproves Charge of Habitual Intemperance; Decree After Conference

Love Letters of Estranged Couple Are Read in Court by Defendant

Continued From Page 1 Soderberg convinced the court that the charges of habitual intemperance were untrue. He introduced evidence to show that he had always tried to keep alive his wife's affection for him, and that even after they had separated he had tried his utmost to have her come back and "start all over again."

"I sent her books and cards, trying to inculcate in her new thoughts about life," he told the court. "And in Sacramento I begged her to come back to me. I told her that we would cut out the butterfly life that we had been leading just to please our friends. I realized then that it was a rotten life and that it would only lead to our indefinite estrangement."

After one of the letters had been read into the record Mrs. Soderberg said, "I have changed my mind since writing that, Walter."

Asked if she thought it unnatural for a man to seek to retain or rekindle the love of a woman, Mrs. Soderberg said:

"I think a man very unnatural who wants a woman to live with him after she has ceased to love him. Had I gone back to you when the old love was dead I would have lost my self-respect."

"Your self-respect permitted you to live with me when I had lots of money," retorted Soderberg.

During the cross examination of Mrs. Soderberg, the defendant asked his wife if it was not true that she had always wanted to pose as "cook-of-the-week" and "boss" when her relatives visited them.

"No," replied the witness, "but I really believe that things would have been different if I had."

After reading one of the affectionate letters which his wife had written to him, in an effort to show that she had not considered him cruel prior to that time, as the complaint alleged, Attorney Ferrari said:

"Your honor has had enough experience in settling and adjusting domestic affairs to know that very often the more cruelly a man treats a woman the more affectionate she becomes."

In a letter written from Pacific Grove, where Mrs. Soderberg spent the summer of 1912 with a party of friends, the plaintiff said:

"I am terribly sunburned and look ugly, but I know, dear, that you will love me just the same."

"I consulted a fortune teller yesterday, and she told me how to care for Dick. She advised me to be gentle but firm. I am going to follow her advice."

Near the close of the case, when Attorney Ferrari was attempting to settle the contest without further delay, Soderberg said:

"I realize that we lived a rotten life, a butterfly life, just because it was the kind of life that many of our friends were living. I am willing to allow the

defendant to take a decree, but not on the grounds of habitual intemperance. And I do not want that child to be given into her sole custody, because I do not want him left to the mercy of a woman without a heart or soul."

After agreeing upon the sum of \$25 a month for the support of the child and the payment of \$100 for counsel fees and cost of court, Soderberg allowed his wife to take a decree on the grounds of cruelty.

McNAB TO ADDRESS SCHOOL (Special Dispatch to The Call) SANTA CLARA, June 11.—John I. McNab of San Francisco, United States district attorney, will deliver the address at the graduating exercises of the Santa Clara high school, which will be held in the auditorium of the school Thursday evening, June 26.

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