

BOOK REVIEW

One Hundred Years of Intermittent Controversy, Plus Occasional Scandal: Part I

Dennis Smith, *San Francisco is Burning: The Untold Story of the 1906 Earthquake and Fires*. New York: Viking, 2005. 294 pp. \$25.95 ("Smith Book" or "Smith").

Philip L. Fradkin, *The Great Earthquake and Firestorms of 1906: How San Francisco Nearly Destroyed Itself*.

Berkeley: University of California Press, 2005. 418 pp. \$27.50 ("Fradkin Book" or "Fradkin").

Simon Winchester, *A Crack in the Edge of the World: America and the Great California Earthquake of 1906*. New York: Harper Collins Publishers, 2005. 462 pp. \$27.95 ("Winchester Book" or "Winchester").

Sandor Demlinger, *1906 Earthquake: San Francisco's Great Disaster*. Atglen (Pa.): Schiffer Publishing Ltd., 2006. 143 pp. \$24.95 ("Demlinger Book" or "Demlinger").

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The four books being reviewed here, plus some other material, will be discussed presently in separate sections. Three of them are prose accounts of what happened to and around San Francisco a century ago, plus a few photographs. The fourth one is mostly photographs, plus a few pages of prose. The review will be divided into two parts, one in this issue, one in the next. A general introduction first might be helpful.

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This year, 2006, is the 100th anniversary of the 1906 San Francisco earthquake (SF-06 Quake) and the fires it caused, or—at least—that followed it. A good deal has been written about these events this year in the popular press.¹ There have also been remarks here and there in the insurance industry press. Some of that will be cited here and there. Most significantly, there has been in 2006 an extremely important “Report” written by the vice president of a European reinsurer. It will not be discussed until the next issue, but it is of cardinal significance to those interested in the SF-06 Quake as an insurance industry event of primary significance, which it was.

INTRODUCTION

One hundred years ago, on Wednesday, April 18, 1906, at a few minutes after 5:00 a.m., an earthquake struck near the northern California coast. It happened along the San Andreas Fault. The Winchester Book has a marvelous full-page map of where the earthquake took place, and where it was easy to feel the earth rumble beneath one’s body. The earth quaked violently from substantially north of San Francisco to south of the Bay area. The quake has been estimated to have a magnitude of 7.8 on the Richter scale. As Smith says, that was “a level that no quake in the continental United States has reached since then, [although] several earthquakes in Alaska have been of greater magnitude and one in Hawaii. Indeed, in 1964, an earthquake in Prince William, Alaska, reached a magnitude of 9.2.”²

¹Two exquisite examples are to be found in newspapers. It seems that San Francisco staged anniversary parties at the time of the anniversary. These are some comments from one of the newspapers. “In this centennial year of the great 1906 earthquake, San Francisco has tectonic shifts on the brain. [We will see what this means presently.] Among the planned commemorations of the event are ‘Symphony No. 1: The Earthquake,’ to be played by the Contra Costa Wind Symphony, and ‘Earthquake Walking Tour of San Francisco’ by the Northern California Geological Society and a tour of campus retrofit projects at the University of California, Berkeley. [¶] But the loopyest owed to the unpredictable layers beneath the city’s surface may well be ‘earthquake’—a luminous quivering rendering of the Twin Peaks neighborhood composed of nearly a thousand translucent Jell-O cubes. [¶] Inspired by liquefaction . . .” (Patricia Lee Brown, “In Memory of 1906, A City Shakes Like a Bowl Full of Jell-O,” *New York Times*, 16, February 5, 2006.) Here is what appeared in another paper: “This Tuesday’s 100-year anniversary of that disaster has elicited an unlikely but palpable sense of local pride. In true San Francisco style, the celebratory events include ‘lesbian to the rescue,’ a slide show about Doctor Marie Equi, an Oregon doctor who came to the help of the injured.” (“San Francisco Remembers the 1906 Quake and Ponders the Next [‘]Big One.[’]” 3, *Financial Times*, April 15-16, 2006.) The local Chinese population in San Francisco is planning its own part of the party. (Rebecca Smith, “A Century Later, Chinatown Revisits History of Quake.” *Wall St. J.*, A1, April 7, 2006.) See Justin Ewerts, “Special Report: Nightmare in San Francisco.” 140, *U.S. News and World Report*, 42, April 17, 2006 (wonderful pictures) and Karen Breslau, “A Question of ‘When.’” 147, *Newsweek*, 46, April 24, 2006. See also Joel Achenbach, “The Next Big One.” 209, *National Geographic*, 120, April 2006 (wonderful photographs and a special map and diagram supplement.)

²Smith does not devote serious discussion to Richter, although Winchester does. The Winchester Book indicates, for example, that Richter was a professor at CalTech and that his scale, while widely used

Unquestionably, as significant as the 06-SF Quake was, it was not the worst in the twentieth century. That one was the earthquake in Japan in 1923. It destroyed Yokohama, caused huge destructive fires in Tokyo, and inflicted 140,000 fatal casualties.³

The four books under review here all explore the San Francisco earthquake, and Winchester discusses other quakes and other locations, both in Northern California and elsewhere in the country, as well as some foreign incidents. (Winchester thinks that the quakes of approximately 1906, all over the world, were—every one—related to each of the others.)

Interestingly, we have all heard about the 1906 San Francisco event since our youths. American history and geography textbooks from elementary school usually contained pictures and short accounts of the matter. It makes a great story. Contrary to the title in Smith's book, however, the story has often been told and retold, again and again. The story is not "untold." Much of it has been repeated many times.⁴ At the same time, the way this story is told has changed substantially over the first century of its history. As one might expect, at first there were lots of distortions and cover-ups (or, somewhat less strenuously put: several cover-ups). Over the years, however, historians have tried to tell the story more and more accurately.

In order to tell this story, any history will include many of the same elements. There must be a discussion of what San Francisco and the Bay area was like before the quake and how it developed. There must be a description of the quake itself. There must be a description of the immediate reaction to the quake. (The death of 110+ mental patients at a hospital in the southern Bay area is usually mentioned, as is the fact that many more of the patients-or-inmates who tried to run away were tied to trees to hold on to them.) A history will include a discussion of the fires that occurred immediately and shortly after the quake, and how they came into being. There must be an account of the use of dynamite and other explosives to try to contain the fires, which—instead—spread and multiplied them. That part of the discussion must include an account of how it happened and how it went wrong. Naturally, there will be a discussion of casualties and how some of them happened.

A lot of people were involved in dealing with the quake and the fires. Some were casualties; some were villains; some were "makers of mistakes"; and some were heroes—either celebrated or not. One of the main underlying theses in the Smith Book is that the firemen of that place and time have received

for a long time, is being supplanted among seismographic professionals. He also says that Richter was a "nudist, vegetarian, womanizer, [and] Asperger's syndrome-afflicted" intellectual leader. See Nigel Cawthorne, *100 Catastrophic Disasters*, pp. 12–43 (New York: Barnes & Noble, 2006) on significant quakes from A.D. 526 to 1993.

³Joshua Hammer, *Yokohama Burning* (New York: Free Press, 2006).

⁴See Dan Kurzman, *Disaster! The Great San Francisco Earthquake and Fire of 1906* (New York: William Morrow, 2001).

vastly insufficient recognition. (This distinguishes them from the firemen who worked in or at the World Trade Center on 9/11, of course.⁵)

Any discussion of public reaction and the quasi-governmental administrative body and its efforts and activities must include a discussion of the "Committee of Fifty." A discussion of this improvisational pseudopublic body will include what it did, of whom it consisted, controversies surrounding it, controversies within it, what it didn't do, and so forth. Many of San Francisco's elite citizens were on this Committee of Fifty, assuming that they were male Caucasians.

Near the time, and for some years after, there was a substantial cover-up of the facts. They must be told, and the story of the cover-up must also be told. Significantly, it affected and interacted with insurance claims. Indeed, these three books do not pay considerable attention to insurance matters. For obvious reasons, this review will focus on precisely that part of the history, as have some recent popular, professional literature.⁶

The cast of significant characters is discussed to one degree or another in all three of the books under review here, and they are often discussed elsewhere as well. Here is a list of some of them:

- **Dennis Sullivan (1870–1906).** Sullivan was the fire chief of San Francisco when the quake happened. He was very knowledgeable about the history of fires, fighting fires, collecting water in order to fight fires, and so forth. In the years immediately preceding the San Francisco earthquake, he made a special study of the fire in Baltimore, where dynamiting was used and where it was just as unsuccessful as it was to be in San Francisco.⁷ Sullivan was first injured and then killed during the earthquake as the result of a fall through a hole in the floor of an upper story of a fire house. The hole was caused, writes Smith, by a falling thin cupola of the California Hotel. Sullivan's wife

⁵Of course, there were many more casualties among New York firemen. For a compelling photograph of parts of the monument to New York firemen who were killed on 9/11, see the Ting Li Wang color photograph on the front page of the June 11, 2006, *New York Times*. There are more black-and-white photos inside. See David L. Dunlap, "A Hands-On Tribute to the Pain and Valor of 9/11, in Exact Detail," *New York Times*, A32.

⁶Earthquakes and insurance continue to be an important topic of public concern. Recently, the *Wall Street Journal* reported that "Allstate Insurance Co. says it is dropping earthquake insurance to most of its 407,000 quake customers nationwide as part of a larger move to reduce exposure to catastrophic losses." The *Journal* reports that in addition to "quake-prone California, the Insurance Information Institute lists Seattle, Portland, Ore., New York City and Salt Lake City as among cities with high loss potential." The action of Allstate does not affect San Francisco or the Bay area: "California coverage isn't affected by the Allstate decision. . . . It is covered by the California Earthquake Authority, which has about 750,000 policies covering about 14% of the state's homeowners." "Allstate to Drop Quake Coverage For Most Clients to Cut Exposure," *Wall Street Journal*, D5, June 6, 2006.

⁷See Peter Charles Hoffer, *Seven Fires: The Urban Infernos That Reshaped America* (New York: Public affairs, 2006) 154–203.

(whose name was, according to Smith, Mollie) also fell, but she was in bed and stayed there during the fall. There is general agreement that if Sullivan had survived, fighting the fire would have been more efficient, and there would have been less destruction.

- **Frederick Freeman (1877–1941).** Freeman was a naval officer. He brought ships across the bay and helped fight the postearthquake fire near the waterfront. He is generally regarded as a complete and total hero. Both Smith and Fradkin do just this, although Smith does so at greater length and in more detail. Unfortunately, over many later years, his life spun downward and he was kicked out of the service, probably as the result of alcoholism. (Smith discusses Freeman at considerable length, and he includes a discussion of his life after 1906. Fradkin also names Freeman a hero; he does not discuss his role in the 1906 catastrophe at any length at all; he says nothing about Freeman's subsequent life.)
- **James D. Phelan (1861–1930).** Phelan came from a wealthy family and was personally ambitious. He became head of a local bank. He was mayor of San Francisco before the fire from 1897 until 1902. During his mayoralty, he hired Daniel H. Burnham, a famous architect and urban planner, as well as the leader of the "City Beautiful" movement, to redesign San Francisco. The quake put an end to that. According to Smith, "[t]hree things had been of great importance in this civic-minded gentleman's life in recent times: the City Beautiful plans, the Hetch Hetchy Water proposal and the fight against [S.F.] corruption."⁸ Phelan became a United States senator for California in 1915. His term went from 1915 until 1921.
- **Rudolph Spreckels (1873–1958).** This was another very wealthy man. His family had been active in creating the sugar cane industry in Hawaii and in its import to the states. Buildings were named for Spreckels. He was active in creating street car systems, and became wealthier after the earthquake. Eventually, he moved to New York, lost his fortune in the depression, and remained active into the 1950s.
- **Edward H. Harriman (1848–1909).** His rise in business was meteoric. At 22 he was a member of the New York Stock Exchange. At 33 he acquired railroads. Shortly thereafter, he began to rebuild bankrupt railroads. In 1897 he became a director of the Union Pacific, and the next year he became chairman of the executive committee. In

⁸Interestingly, the Hetch Hetchy matter is still a problem in California and environmental politics. See Robert W. Righter, *The Battle Over Hetch Hetchy: America's Most Controversial Dam and the Birth of Modern Environmentalism* (London: Oxford University Press, 2005). See also John Warfield Simpson, *Dam!: Water, Power, Politics and Preservation in Hetch Hetchy and Yosemite National Park* (New York: Pantheon Books, 2005).

1903 he became its president, after having become the president of the Southern Pacific in 1901. Aside, perhaps, from President Teddy Roosevelt, Harriman was the important non-Californian to be involved in the aftermath of the quake and fire. He was active in the financing of the San Francisco response to the 1906 disaster, he squabbled and made up with Phelan, and was highly regarded. John Muir, who worked with him and knew him well, wrote his eulogy. His son was Averell Harriman, who was a New York senator for many years.

- **Eugene Schmitz (1864–1928)**. This was the mayor at the time of the earthquake. He was largely incompetent, having been mostly a musician and orchestra leader. He was set up to be mayor by others in order to make extended corruption more possible. After the quake, Schmitz was convicted of crime, but it was reversed. The Web site of Wikipedia states that Schmitz was known as the worst mayor in San Francisco's history.⁹
- **Abraham Ruef (1864–1936)**. Ruef was a child prodigy and a brilliant lawyer, a cultured reformer, and a profoundly corrupt lobbyist. In some sense, he was the Jack Abramoff of his day, on a local level. "Ultimately, it was Abe Ruef who was at the bottom of all things corrupt in the Bay City." Anticorruption forces pursued him with particular vigor after the quake, and he was the only one of the demonstrably corrupt individuals to actually spend time in prison.¹⁰
- **Amadeo Peter Giannini (1870–1949)**. This man was a citizen banker of Italian origin. He helped a great many people deal with the quake and the fire. Eventually, he became head of the Bank of America. Interestingly, in the early twentieth century Giannini, like others, was the butt of ethnic discrimination, contempt, derision, and humor.
- **Frederick Funston (1865–1917)**. This was an army brigadier general, the second in command, formerly speaking, who became the first in command because the actual first in command was away at a wedding. Funston led the attempt to use explosives to control the fire. He was involved in declaring martial law, and he was without question one of the local-citizen leaders (even if he was military) in trying to deal with the quake and the fire. He is conceived as a hero of the "Huge Event." This view is almost certainly mistaken, since the central mistake in dealing with the quake was probably his.

⁹ En.wikipedia.org/wiki/Eugene_Schmitz (June 14, 2006).

¹⁰When Ruef was indicted, writes Fradkin, he pled not guilty to all the charges. "Judge J. C. V. Hebbard, was so drunk at the hearing that it was uncertain if it had been conducted in the correct legal manner. Ruef was therefore ordered to appear back in court in two days but failed to show up. The police chief and his men went searching for the boss. . . ." An interesting story follows involving William Burns, who became head of the famous detective agency.

Naturally, this is not the complete cast. Others are important though not as central. If the list were to go on it would include Fremont Older, the editor of the *San Francisco Evening Bulletin*, and others as well. None of the three authors suggest that anyone who was part of or related to the insurance industry should be included. No one actually present or truly active is even mentioned by name or described in any way.

THE SMITH BOOK

San Francisco is Burning is terrific bedtime reading. The tapes-or-CDs make good listening. The printed text is 277 pages long; there are 10 CDs and they last for 12.5 hours. The book begins with a helpful map and there are some useful photographs, as well as several useful graphs. The bibliography, alas, is quite short, but the index is acceptable. There are no footnotes, but the author says that his book is not "an academic work, but a historical narrative[.]" As a result, he has no footnotes. He has written this way so that readers will not be "diffused" in reading. At the same time, he submits that "all information contained in the book may be relied upon as historically accurate." The book consists of 95 chapters, most of them quite short; some of them are not more than a page or two long, in fact, in some cases they are shorter than a page.

The author himself was a New York City fireman, and he is the founding editor of *Firehouse Magazine*. In addition, he has written a number of other books: several are about fires or the work of firemen. One is entitled *Report from Ground Zero: The Story of the Rescue Efforts at the World Trade Center*. Smith is currently chairman of the First Responders Financial Company. This outfit does not have a Web site. Probably it is a mutual fund, or something of this sort, for policemen and firemen. (This is a rational speculative guess, if there is such a thing.)

The Smith Book contains several very important themes. Not all of them can be discussed, of course, but here are some important ones.

Lack of Readiness. The city was politically unprepared for either an earthquake or a major fire. Those types of events, and their impact, had simply not been thought through by the elite leadership of the city. This was true even though people like Fire Chief Sullivan had brought serious fire fighting problems to their attention. Further, the plumbing system was hydrologically defective to a serious extent, as Sullivan also pointed out. The city government had not protected itself from citizens throwing debris into water tanks that were to be used to fight fires and had not kept its water system prepared for catastrophe. Firemen and policemen had previously received some training in dealing with earthquakes, but none of them had ever experienced actual quakes before, and their training was both brief and insufficient. Moreover, city government, not to mention state government, was completely unprepared for how to respond.

Explosives. The fires in San Francisco were mostly caused by the use of explosives. Some of them, of course, were caused by the earthquake itself. A quaking earth causes candles to tip over and already lighted kerosene lanterns to fall to the floor and smash. Nevertheless, "it was the dynamiting that created much of the destruction." In addition:

About 95 percent of the explosives sent by the army to be used for firebreaks consisted of gun cotton, black powder, and a substance called ["dynamite powder."] all three of which are classified as low explosive, as opposed to the high explosive of dynamite. Hardly anyone in San Francisco understood the nature of these materials, or that low explosives had an undeniable tendency to start fires.

In addition, the only professional explosive expert on the scene was drunk most of the time.¹¹ Curiously, none of the firemen and none of the policemen were experts on explosives. Here is a description of the pattern:

As the dynamited buildings . . . fell, not only did they quickly catch fire, but some of the explosives sent burning embers flying across the street, spreading the fire in the very manner the explosions had been designed to prevent. The dynamiting, therefore, not only fueled, but worse, was actually incendiary, giving rise to . . . entirely new fire[s].

In addition, no one cleared away obstructive debris created by the dynamiting in firebreak areas.

Martial Law. In fact, the matter was so ill-thought-out that, at the encouragement of General Funston, the mayor declared martial law. That declaration was unsupported by any law, out-and-out illegal, and unconstitutional as well. The first paragraph of this sign blasted around the city was especially shocking. Here is its text:

The Federal Troops, the members of the Regular Police Force and all Special Police Officers have been authorized by me to KILL any and all persons found engaged in Looting or in the Commission of Any Other Crime.

According to Smith, there was some looting, and there was some resultant killing—pseudo-executions. We shall return to this matter later.

Not all looting led to shooting. There was a desperate need for food and medicine "by many who had become sudden and incognizant refugees[.]"

¹¹ Much of the city's cultural legacy, including over 166,000 volumes from the public library, was destroyed either by fire or explosions. Not very long after dynamiting started, "it became evident that the dynamiting was not going well. The blaster . . . , who was so often alleged to have been drunk, would later testify in court that he saw 60 buildings blown up on the first day alone, and in each case, a fresh fire was started. It is difficult to find more than two accounts of demolition by dynamite that were successful, yet there are many reports of fires that were started by the dynamiting process. It is telling that Funston remained determined to use explosives to stop the conflagration, even though plenty of evidence argued against that strategy by early afternoon of the first day."

This was especially true after the first day. "Mothers needed milk for their children, and otherwise respectable men broke into stores to acquire it." Even alcohol was stolen. "San Francisco's policemen . . . long known for their tolerant nature, helped people as often as possible as their job required, and they saw the suffering population on their own terms, which is to say with understanding. So, the police have survived history as true heroes," in contrast to the military.

During this historical time, order was more important than law, so that those with weapons, who were trying to protect the city, asked few questions before they opened fire. "Guardsmen and soldiers were even accused of shooting at men of the other services and at policemen." Perhaps some of the civilians who were helping out were not thinking clearly because they were resentful of having been impressed to perform work on behalf of the military. Indeed, some may have regarded what happened to them as "temporary enslavement." In addition, according to Smith, there was probably something he calls "situational awareness," a term that he says is used by first responders and the military to

describe a set of circumstances that is not perceived equally by people who experience it. It can cause difference, even contradictory behaviors in an emergency or battle environment. In the San Francisco catastrophe[,] people generally believed that they were in a legitimate shoot-to-kill situation, and that where looting was concerned there was very good reason to believe the worst about their neighbors. General Funston, a honest, forthright and upstanding individual had helped bring about such a "situational awareness" among San Franciscans by making short-sighted decisions.

Does this remind any one of at least the newspaper reports on what happened right after Katrina?

Mercy Killings. In addition to instant executions, there were also mercy killings. Of course, this is a completely different matter. Obviously, mercy killings are not the same as executions, however informal either one is. According to Smith, "mercy shooting, which began on the first day of the fire, apparently got out of hand with elements of the National Guard, for some were performed without the victim's consent." Not all of them were like this, of course. Military records do not report much of this sort of thing, or—for that matter—much in the way of shooting criminals. Nevertheless, according to Smith, "[r]eports of euthanasia were common, particularly the stories that proliferated around the tumultuous winds of the firestorm[.]"

Smith argues that what happened is comparable to the bombing of Dresden, Germany, by the United States and Britain toward the end of World War II:

[I]n San Francisco numerous people had been trapped in the ruins when the fire reached them, but the fire never behaved in the way it did in the firestorms of Dresden. The oxygen supply was not depleted, and no winds were strong enough to lift people

off their feet. The fires of the Bay City burned slowly, for the most part: only a few accounts describe a whirlwind, and photographs of the event testify to a slow but a certain burning. [¶] But still, no matter the speed of the burning, there was much wanton behavior.¹²

Probably, the police conducted themselves better than the military did. "Police officers," according to Smith, "accustomed to walking a beat[,] were well experienced in dealing with people who were weak as well as every type of malefactor prone to foolishness or error."

Public Affairs. After the storm, there was a lengthy attempt to wipe out municipal corruption. Of course, this was highly publicized, both locally and elsewhere. There was also a good deal of publicity regarding the Committee of Fifty, the local elite and wealthy leaders of the city who tried to figure out what to do next. Naturally, there were conflicts on the committee, including conflicts over who should control the money. Nevertheless, the committee eventually worked well.

Some of the committee members were more concerned with the recent local history of municipal corruption than anything else. A number of politicians confessed criminality, and in return for helping the prosecutor, they were not themselves prosecuted. The mayor was prosecuted, but his conviction was reversed. Ruef, the principal lobbyist, was prosecuted and convicted. This is a more complex story than Smith cared to tell.

Most interestingly, Ruef's chief prosecutor was shot, although not killed, during the trial. The shooting took place in the courtroom. As was demonstrated fairly quickly, the accused did not motivate or engineer this particular crime, contrary to immediate popular guesswork.

Postdisaster Publicity. Interestingly, there was a good deal of publicity, coming from various sources, which was designed to "preserve an image of a San Francisco that was safe and stable." According to Smith, before the quake the crime level was not as high as crime in the west is often conceived. The main focus of much of the publicity was on trying to avoid the problems created by the earthquake. After all, earthquakes were known to occur without human control. Thus, the Southern Pacific Railroad, which had a magazine named *Sunset*, ran "nothing but optimistic accounts of the fire, with hardly any mention of the earthquake." Fires, of course, can be predicted, controlled, and prevented; earthquakes cannot.

¹² Nothing is said, however, about the Dresden bombing of February 13-14, 1945, being a virtual mimic of the German bombing on London on December 29, 1940, intended to be an attack on St. Paul's Cathedral— or about the fact that there were many fewer casualties resulting from the unsuccessful German raid than there were from the raid on Dresden some years later. Why is this relevant? It suggests superficiality for any historian who makes this comparison without thought. Ask yourself who else is included in this point.

The actual story pertaining to the Southern Pacific is much more interesting, more complex, and at least more ambiguous (or multifaceted) than Smith, or either other book lets one realize. First, the earthquake and the fires destroyed many of the records of the railroad's land department, which was located in San Francisco. Consequently, "[r]ailroad land-development business was delayed or halted for several years while the company laboriously reconstructed the information, e.g., contained in deeds, etc.] from county federal, and corporate documents in New York and major Southern Pacific terminal cities."¹³ Second, its business office there suffered the same fate.¹⁴ Third, the railroad was often a big supporter of scientific research.¹⁵ There is no clear and solid evidence that it opposed earthquake research immediately after 1906. In fact, given the number of bridges railroads tend to have, one would think they would want to know everything they could. Fourth, *Sunset*, the magazine under discussion, contributed heartily to the redevelopment of the city after the 1906 disaster. It did this even given the Wall Street panic of 1907.¹⁶

Insurance. The attitude of insurance companies was exactly the opposite. Fires were insured, but earthquakes were not. As a result, insurers were buying the rights to every photograph they could find. Their purpose was to demonstrate the presence of the earthquake. Others were getting control of photographs with the purpose of emphasizing fires. There is some suggestion that the railroads and real estate developers were involved in this activity.

Unquestionably, there were cover-ups going on. In addition, there were successful efforts to stifle "any research into earthquakes that might have been underwritten by the city, the state, or the federal government. Similarly, any public discussion of the hazards of living in an earthquake-prone area was discouraged." Of course, Smith implies that the Southern Pacific was either a leader or a tool in these efforts.

History provides a "mixed-review" of the efforts of insurance companies after the fire. "Of the hundreds that insured property in San Francisco, only six paid what they owed, according to their policy[.]"¹⁷ Some of the misconduct of insurers was caused by the lack of regulation. Government wasn't watching

¹³Richard J. Orsi, *Sunset Limited: The Southern Pacific Railroad and the Development of the American West—1850–1930* (Berkeley (Ca): University of California Press, 2005) 127.

¹⁴*Id.* at 400.

¹⁵*Id.* at 218.

¹⁶*Id.* at 159, 298 and n.70 at 548.

¹⁷According to Smith, these were Aetna Company of Hartford; California Insurance; Continental Insurance; Liverpool, London, and Globe Company; Queen Insurance of America; and Royal Insurance of England. According to Smith, these ratings come from the National Association of Credit Men. Fradkin uses the same source. Its reliability is not clear. This organization was a national association of unsecured creditors. It was formed in Toledo, Ohio, in 1896. It later changed its name slightly: for obvious reasons the last word was changed to "Managers." Today, it represents 30,000 credit executives worldwide. *Credit in Early History*, www.nacm.org. See David A. Skeel, Jr. *Debt's Dominion: A History of Bankruptcy Law in America* (Princeton (N.J.): Princeton University Press, 2002) 75, 83 and 92. The second cite, written by a professor of law at the University of Pennsylvania, demonstrates cursorily

insurers perform adjustments or resolve claims. In addition, insurers were not required to keep accurate reserves. As a consequence, they frequently sold way too much insurance. The aggregate amounts sold were too large, and the total number of policies were too large. Some insurers wanted to and did discount payments to policyholders a bit. German companies reneged completely and for obvious reasons immediately withdrew from doing business anywhere in this country.¹⁸

One particularly interesting case is that of the Firemen's Fund Insurance Company. It had been founded after a fire in 1863. There was a provision in the constitution of the insurer requiring that 10% of the profits of the company were to be paid to the "widows and children of firemen who lost their lives in fires[.]" It had \$11 million in claims but had only \$7 million in the bank. Its directors decided to pay claims to the extent that it could—50¢-on-the-\$1—and then go bankrupt. Stock in a restructured, new, replacement company was issued to policyholders that were not fully paid. "It was a fair resolution, and indeed a more than generous one[.]" as the company again grew into one of the industry's leaders." (Although it is not included among photos in the Smith Book, there is an informative photograph of the destroyed home office of Fireman's Fund. Naturally its records were destroyed. Obviously this created a problem for insurers: they lost their records, insureds lost theirs.)

Insurer resistance to some claims, at least, might be expected. A lot of the claims made by policyholders were either fraudulently exaggerated or completely fraudulent. If their houses were destroyed by the earthquake, the claims were fraudulent. If they were destroyed by both the earthquake and the fire, then they were exaggerated. Obviously, we are seeing exactly this kind of thing go on again in the aftermath of Katrina, Rita, and Wilma.¹⁹ Much is being written comparing and contrasting the 1906 events with these hurricanes of 2006.²⁰ Here, the main problem is wind versus flood. A secondary problem

that it is hard to see why a report from this organization matters in the slightest to arrive at factual determinations as to insurer performance.

¹⁸In fact, Mayor Schmitz went to Germany to try to persuade them to behave themselves, or, at least, that's the reason he gave for going to Germany. He was also, at the time, being investigated and was eventually indicted.

¹⁹Or, at least something like the same thing. The Government Accounting Office has indicated that the "take" is approximately \$1.4b. so far. Eric Lipton, "Study Finds Huge Fraud In the Wake of Hurricanes," *New York Times*, A18, June 14, 2006. Of course, if this article had been written about the 1906 San Francisco disaster, it would have been entitled, "Hung Losses In Wake of Quake." See Emily Chamlee-Wright & Daniel Rothschild, "Government Dines on Katrina Leftovers," *Wall St. J.*, A18, June 15, 2006, which is not about fraud at all, but is quaking about property rights. Still the title is too suggestive to miss. Especially since government money keeps rolling in. See Robert Pear, "House Approves \$94.5 Billion for Military Operations and Hurricane Recovery," *New York Times*, A19, June 14, 2006.

²⁰See Ken Brownlee, "America's Greatest Disaster?—A Tale of Two Cities," 54 *Claims* 22 (April 2006), followed by Ken Brownlee, "America's Greatest Disaster?—A Tale of Two Cities—Part II," 54 *Claims* 22 (May 2006).

is whether broken levees caused flooding, as opposed to some other kind of water damage. Before it's all over, it would not be surprising if some Ninth Ward wrecks don't get up and running (sort of), get insured, and then burn down.

In 1987, the insurance industry sponsored a scientific analysis of earthquakes and fire for San Francisco in the future. Smith reports that "it was as close to Doomsday reportage as [he had] ever seen." According to this report, Smith writes, since San Francisco determined to rebuild quickly after the 1906 fire, it did not pay attention to building codes. It either overlooked the existing ones or reduced them. Consequently, many of the buildings still standing in San Francisco in 1987 had "wind loads and roof loads, that ha[d] been reduced by as much as 50 percent." According to this 1987 report, says Smith, if San Francisco suffers an earthquake similar to or worse than the one that happened in 1906, if the city did not have 148 manned engine fire companies it would lose as many as 48,000 buildings. According to Smith, the number 148 is 100 engine companies more than what San Francisco actually had when the Smith Book was published.

Short Critique. Much of this book is very brief. Discussion of insurance itself is quite brief. There is hardly anything said about the changing geological science regarding what caused earthquakes. Not much is said about the role of state and federal government in dealing with problems after the events of April 18th and so forth. The Fradkin Book is more detailed with respect to some of these points.

THE FRADKIN BOOK

This book is longer than the Smith Book. It is better written. It is more detailed about a variety of things. It is still—to a considerable extent—social and political history. It has footnotes. Its bibliography is much better, as is its index.

Fradkin himself is a prizewinning journalist. He has written a number of books about California history. He has written two others about earthquakes. The first one is called *Magnitude & Earthquakes and Life Along the San Andreas Fault*, and the second one is entitled *Wildest Alaska: Journeys of Great Peril in the Lituya Bay*. Both were published by The University of California Press, the first one in 1999, and the second in 2001. Interestingly, *The Great Earthquake* is dedicated to Kevin Starr, the "prince" of historians writing about California.²¹ The *Preface* for this book is extremely important and should not

²¹Starr has even written a little on the topic. His most recent essay appeared in the November 2005 Alumni Journal for Cal-Berkeley. See his "Fault Lines of 1906," www.alumni.berkeley.edu. Here is the headline sentence "There's new evidence that San Francisco's political civil war caused a human-made catastrophe as damaging as the earthquake itself." He is talking about how the army took over.

be missed. The first line thereof states the "principal theme" of the book, and it is this: "San Franciscans, not the inanimate forces of nature, were primarily responsible for the extensive chaos, damage, injuries and deaths in the great earthquake and firestorms of 1906." Despite the fact that San Francisco had experienced earlier devastating earthquakes and fires, the city dismissed the past and failed to prepare for the future. Instead, during the earthquake and fire of 1906, "military and civilian officials reacted foolishly under great duress. The rich and powerful then usurped functions of government." When the quaking and the burning were over, "the city was not only physically ruined but also morally bankrupt."

Thus, although this is a book about the past, and is a book about how nature can influence history, at least through its impact on political power, the book is also about the future. It "is very much about the next 100 years." It is "a disaster manual for the future."

Obviously, Smith and Fradkin argue similar theses, at least in part. In particular, both condemn how the fires came into being and were handled. Both used the Dresden bombing as a significant analogy. Smith's discussion has already been mentioned; here is some of Fradkin's: "The 1906 earthquake and firestorms were the closest this country has come to experiencing the widespread ravages of modern warfare." Here is an example of how similar the two books are. According to Fradkin,

The damage from the earthquake alone was considerable but all-consuming, given the final stage of the catastrophe. But by itself the earthquake would still have been a major disaster. Most deaths were caused by the instantaneous shaking. People could walk away from the fire[,] if they were not trapped by the debris. Most of the damage was caused during the three days of fire.

Both Smith and Fradkin emphasize the extent to which deception was involved in publicizing the disaster after it was over. "Those in power denied that a state of martial law had existed, although the convenient ambiguity had permitted their unconstrained use of force. They also emphasized the destructiveness of the fire and exorcised the word *earthquake* from public discourse." Both emphasized the difference between publicity and insurance claims, on the one hand, and the view of insurance companies on the other.²²

Both emphasized the chase after municipal corruption. "Civic graphed prosecution—more accurately termed persecution—followed the natural catastrophe and became the means whereby the elite, who had illegally seized the reigns of government during the disaster, held onto the bucking horse of

²²Curiously, only Fradkin mentions the Ballantine law review article that is of immense importance in considering the nature of what happened. Henry Winthrop Ballantine, "Military Dictatorship in California and West Virginia," *1 Cal. L. Rev.* 413 (1913).

power." Both emphasized the speed at which the city was rebuilt. Finally, both assert the proposition that a century later "there is good reason to believe that little, except externalities, will be different when a great catastrophe strikes again."

This is already clear; the Fradkin Book contains a number of different themes. It also contains a number of different characters. Most of them Smith also briefly discusses. One interesting character, who was present for the earthquake, and who played no role in San Francisco's response to it, was Enrico Caruso. He sang *Carmen* the night before the earthquake, was shaken up by the earthquake, and departed San Francisco ASAP. Let us turn to some of Fradkin's themes.

World History. Smith very briefly discusses some previous San Francisco earthquakes. The Winchester Book, to which we shall turn next, discusses a variety of earthquakes. Fradkin discusses a variety of storms and fires that hit the United States and other parts of the world before 1906. These, of course, include Chicago, Galveston, and others. Fradkin is interested in making a political point, and he makes it, oddly enough, not only out of discussion of Chicago and Galveston, but out of a discussion of China. His point is that political power often shifts substantially when there is a major storm-based catastrophe. Often, elites who had been struggling for power, either with themselves or with others, take over. There is a long history of "shifts in the structure of power. . . in times of crisis. Large disasters breed unrest and change."

Fradkin's principal example is China. According to Fradkin, China has had a 4,500-year history of seismic calamities, and Chinese culture has "traditionally regarded them as harbingers of great political upheavals." Indeed, Chinese historians in the ancient world believed that political turmoil and natural calamity tend to go together and that earthquakes finish first as natural calamities. Fradkin observes that China has experienced enormous earthquake casualties—"half the world's 6.3 million deaths from earthquakes have occurred in China[.]" Consequently, "it is understandable that empires were at risk in China while municipal governments were transformed in [the United States]. The political lessons and science so painfully and painstakingly acquired in China, however, were lost upon Americans."

The Earthquake. Fradkin's detailed history begins with the social gathering at the Caruso performance the night before the earthquake. It then spends a good deal of time on the reaction of San Francisco elite to the earthquake the next morning. Fradkin's description of the early reaction is roughly the same as that of Smith, although it is more detailed and filled with lengthier evaluation. Here is one of the things Fradkin has to say about martial law. As already described, troops patrolled San Francisco. They also patrolled the streets of Santa Rosa, Oakland, and San Jose. This led to a "murky legal situation" in all four cities:

If there was martial law [in these places], then that meant there was no civil law; if there was civil law, then there was no martial law. In reality, there was both and neither. To put it more precisely, there was the law of the moment. Most of the orders the San Francisco mayor issued and the military authorities enforced, and sometimes initiated themselves, had no legality or legislative sanction. They recall the era of the vigilantes. Afterward, any number of publications and high-ranking officials denied that martial law had ever been declared.

And, of course, it had. Notice the similarity between Smith's idea of *situational awareness* and Fradkin's idea of *the law of the moment*. Notice further Fradkin's love of paradox, as well as his use of it. Prose with Smith is not nearly so profound, as already said.

"Executions." Fradkin agrees with Smith, that looting led to shooting. However, according to Fradkin, there was an "exaggerated concern about looting," and it "led to the extreme solution: to summarily kill suspects of any crime." It was one of the principal tragedies of the disaster. About this matter, Fradkin either gives an argument or makes a point not so clearly made by Smith, namely, that "the shoot-to-kill order was carried out aggressively when the targets were poor people or ethnic minorities." At the same time, Fradkin concedes that his suggestion is based solely upon "anecdotal evidence in newspaper stories and personal accounts[.]" Fradkin even at least wonders whether the later accounts of public behavior should be believed. According to him, all of them "emphasize that looting was minor or nonexistent." Indeed, Fradkin speculates that it was precisely the troops who were guilty of most of the looting. There is no such point or suggestion in the Smith Book.²³

Firemen. As already indicated, a substantial part of Smith's book concerns the fire department and firemen. He discusses Sullivan at some length. In Fradkin, Sullivan gets two mentions and about fifteen lines. The performance of firemen in general is also much more brief in Fradkin's book than that of Smith. The evaluation is approximately the same. First, Sullivan had repeatedly warned that the firefighting water system needed to be improved. It wasn't. Second, the absence of water betrayed the firemen, and more than anything else except for the use of explosives, the problems with the water system were the principal cause of the large fires. "About 300 distribution mains and 23,200 connecting pipes were fractured, mostly where the ground was soft or had been filled. On solid ground, most of the breaks were caused by the dynamiting."

Explosives. Fradkin criticizes the use of explosives. Like Smith, he mentions World War II: "By World War II, German firefighters knew better than to use explosives when their cities were firebombed."

²³None of the books under review here discuss the number of "executions." Some historians or journalists now estimate it to be as high as 50, even though Funston stated that his troops had not killed a single person. See *Nightmare* supra n. 1 at 45.

As is frequently the case, the critique of Fradkin is more detailed than that of Smith, but they are roughly the same. Too many explosives were used all at once, too many were used over time. Their use started fires; it spread fires; it did not create obstacles. They even blew down walls that might have served as obstacles.

Arguably, Fradkin is more realistic and multicausal in exploring responsibility for this part of the catastrophe than Smith. Smith tends to lay the blame on Funston. Fradkin spreads it around some, even to the man heading the fire department after Sullivan was removed by injury. Of course, he does not release the army from blame, as the army itself tried to do in its official report. Fradkin also goes beyond Smith in discussing other disasters the use of explosives caused:

Besides setting fires, the explosives showered debris in the streets. They ignited the sewer gas in the middle of the street, in one case hurling a manhole cover 100 feet into the air "with a report like a cannon." Sewer gas exploded under a horse and cart, upsetting both.

Some of this Smith mentions; some of it he doesn't. (One wonders, of course, what the word *upset* means in this context.)

"*Dago Huxter?*" Amadeo Giannini had founded the Bank of Italy in San Francisco. It was the bank's goal to serve "the people." Many of the people it served were Italians. Unlike some of the more conservative and more "respectable" bankers, Giannini "chose to react aggressively to the disaster. Giannini's plan devised over the next few days, was to begin lending money as soon as possible to his customers to rebuild." This led to a distinguished financial history:

Some twenty thousand Italians lost their homes in the fire. Six thousand new Italian immigrants arrived to help clean up and rebuild San Francisco. In 1930 the Bank of Italy became the Bank of America, which at its height in the post-World War II years became the state's, the nation's, and then the world's largest bank.

Even long after the earthquake, leaders at Wells Fargo conceded that Giannini was the leader of private banking's honorable financial response to the earthquake.

Refugee Sending. In some ways, the aftermath of the 1906 earthquake-fire and Katrina resemble one another. Many people left the injured city and were refugees elsewhere:

In San Francisco, [t]ens of thousands sought refuge in the parks or fled the city. There may have been as many as 200,000 or 250,000 refugees—numbers that represented half or more than half of the population of San Francisco. The army expected that there were 70,000 to 90,000 homeless in other northern California communities. Like the number of injured and dead, no accurate account of the homeless was (or is) possible.

Naturally, different cities responded in different ways. Some of these cities, of course, were quite different in culture and ethos. To some extent, San Francisco paid for its reputation "as a fun-loving, sinful Bohemian city."

The governor of California sent out telegrams seeking help with refugees. Several recipients asked for military protection. In other towns, sheriffs swore in deputies. One town responded by asking that the "entirely destitute" not be sent. It asked that the "desirable element" be sent, "such as can be accepted in best homes." Another city voted not to take anybody. Two towns volunteered to take jail prisoners in their local jail. Portland, Oregon, took 30,000 people and responded quite charitably. Salt Lake City indicated that there would be no free handouts but that "[t]here were openings for one thousand house servants, between two hundred and three hundred hotel and restaurant employees." It is unclear whether Los Angeles took any refugees, but it immediately sent railroad cars and steamers loaded with relief supplies.

Individuals as far away as New York contributed substantial sums. "Jay Gould and Andrew Carnegie dug deep and came up with \$100,000 apiece. William Randolph Hearst left for San Francisco and sought to bring charity."

Casualties. At first, the number of deaths came in at under 500. It increased for a while, and then was largely ignored. In 1980, it began to be noticed that there were few Chinese, Japanese, and Italian names on the list of those who died.²⁴ As a consequence, San Francisco City archivist Gladys Hansen began a study. She examined the problem for a number of years. "Over time, Hansen's estimate has risen to 3,000 on the basis of information contained in letters she has received[,] as well as other information taken from public records. If the entirety of northern California is included in the calculation of the death toll, the number lies somewhere between four and five thousand. This number "does not include those who died of such disaster-related diseases as typhoid, smallpox, and the plague."

This is one of the topics that Fradkin discusses in much more detail than Smith. This is especially true with respect to the slowish evolution of serious disease after the April catastrophe.

Insurance. As Fradkin observes, major catastrophes frequently bankrupt insurers, when the insurers have concentrated their business in a small geographical area. After the Chicago fire, for example, "[p]ersonal property losses amounted to approximately \$196 million, bankrupting fifty-eight insurance companies. Even though only half the claims were paid, reconstruction [in Chicago] was on a massive scale."

²⁴There are streaks in Fradkin about discrimination and cultural contempt for the Chinese in San Francisco in 1906. Municipal elites and authorities, as well as real estate developers, wanted to clear them out of Chinatown and move them south. For a short and blunt discussion of this part of American history, see Mae M. Ngai, "San Francisco's Survivors." *New York Times*, A23, April 18, 2006. The author professes history at the University of Chicago.

In San Francisco, "insurance money was not immediately forthcoming. This was partially because of the verbal smoke screen erected by the very interests that needed the money as quickly as possible in order to reconstruct buildings. Once again, San Francisco had harmed its own cause." The point, of course, is that although the city emphasized the fires—insured events—and de-emphasized the earthquake—an uninsured event—the city was obviously less than truthful. This created distrust and suspicion in the minds of insurers as to who could be believed with respect to the claims.²⁵

Shortly after the earthquake and the firestorms, a great many insurers sent their adjusters—or independent agents—into the field. Their job was to look "carefully and suspiciously at each claim[.]" Careful empirical examination, of course, delays claim resolution and their payment (if any). Obviously, claims had to be settled on the basis of fire damage, since earthquake insurance did not exist.

From the point of view of the insurance industry, the San Francisco earthquake and firestorms were the largest and most complex disaster ever. They had never tried to manage something quite like this before, even given the Chicago and Baltimore fires.²⁶ Because of the extraordinary mix between fire and earthquake, the complications involved in the insurance claims were staggering. Interestingly, something of the same thing is being seen in relation to Katrina-claims. Wind damage is covered; flood damage is not; these need to be separated; the meaning of the word "flood" needs to be determined, when it is perfectly apparent that it means many things, and that the word has both broad and narrow meanings.

In any case, Fradkin describes San Francisco as "an insurance mad-house" during the first few months after the earthquake. There were 300–400 adjusters from across the country; most of them did not know San Francisco or the Bay area; most were based in Oakland; and all had massive amounts of paperwork to do. "Long lines of exhausted, frustrated, and angry policyholders formed in front of [the insurers's] temporary offices."

There were some 100 insurance companies authorized to do business in California. Of those 100, 33 or more were foreign—from outside the United States. Another 125 companies were involved in issuing relevant insurance or reinsurance:

All 225 firms (except for one dozen that went bankrupt or fled California immediately in order not to have to pay any claims) processed nearly 100,000 claims. Between \$220 and \$250 million was paid on insured structures, those pre-quake values were

²⁵ According to Fradkin, the emphasis on fire has now become an emphasis on earthquake. Unfortunately, he says, those who study earthquakes don't know much about fires. As a consequence, as scientific study of the earthquake has grown, objective and in-depth study of the fires has declined. "The original sin of omission has, in effect, been compounded."

²⁶ Fradkin, like Smith, relies upon a report prepared for (and by) the National Association of Credit Men.

between \$315 million and \$350 million. The payout was 80 percent of the face value of the amount insured, compared to the 50 percent in Chicago and 90 percent in the 1904 Baltimore fire, neither of which involved an earthquake.[q] The seven-story Palace Hotel . . . was the largest single insurance loss that had ever been adjusted in the United States. Its pre-quake value was \$1.8 million. The insurance paid \$1.26 million.

Obviously, insurance recoveries were extremely important in rebuilding the city.

"The poor were at a disadvantage in dealing with the insurance companies." They needed money right away. They didn't know how the system worked. Often they didn't speak English very well. They could not exert political influence. They could not exert legal pressure quickly. The conduct of some companies was disgraceful.

On the other hand, many of the adjusters arrived in San Francisco thinking that the earthquake was the cause of most of the damage. Fradkin reports what is in fact a speculation, namely that the adjusters were "under pressure from their home offices to keep payments low." Obviously, if the adjusters in any way failed to pay what claims were actually worth, they failed in their profession. This is particularly true if they were dishonest, ugly, nasty, and so forth.

In the background of all this, insurance companies were meeting with one another trying to find common formulae. Some wanted to pay what they owed. Some wanted to cut it down. "The split divided the firms in the public's mind into 'dollar-for-dollar' (full value) and 'six-bid' (75 cents or 75 percent) companies. The publication of names resulted in magically transforming some of the latter into the former." Lead politicians—such as the governor and the mayor—pressured insurance companies to do the right thing. "As the summer wore on, the insurance situation improved, with more claims being paid."

Fradkin devotes approximately two-and-a-half pages to a discussion of Atlas Assurance Company of London. As already noted, it received very high marks for its handling of claims. Interestingly, senior company officials recognized that the better job it did in paying claims in this high publicity case, the more positive impact there would be on future sales. This point applied not just to future sales but to dealing with legislatures, dealing with competition, stimulating demand for insurance, and so forth. All of these factors together would lead to an increase in profits. The total gross loss for Atlas was \$4.7 million. For this reason, it received "high praise" for settling claims in full, less a one or two percent discount for cash. Three other insurers, Aetna, Continental, and Queen received "high praise" for settling without a cash discount. "Although the Hartford had a 2 percent discount, its losses of \$10 million earned it the single 'highest accommodation.'"

The Ruef Prosecution. One of the main ways in which Fradkin and Smith disagree is with respect to the prosecution of Ruef. Smith seemed to think it was deserved and a good idea. Fradkin, while he concedes that Ruef was the center of corruption, thinks the prosecution was a bad idea. "The graft prosecution, as it came to be known and celebrated by various historians, ranks as one of the darkest hours in American jurisprudence. It was no accident that it came after the earthquake and firestorms." In short, according to Fradkin, San Francisco "needed a scapegoat—an identifiable person or persons on whom residents could pin their collective ills." Fairly obviously, Ruef was in no sense responsible for the earthquake or for the fires. In addition, as corrupt as he was, he probably had done a good deal of good for the city and for city politics.

Moreover, when the chief prosecutor was shot during the trial—this happened on November 13, 1906—Ruef was immediately blamed, at least by the attending crowd. The reaction was obviously anti-Semitic and it's quite wrong that Ruef's bail was revoked. Of course, he had nothing to do with the shooting in any way.

After Ruef was convicted, he was sentenced to 14 years in San Quentin Prison. This was the maximum sentence. He was held in jail for a year, and then released on \$600,000 bail, pending the outcome of the appeal. The intermediate level appeals court upheld the conviction. The California Supreme Court started to send the conviction back, "but after a lot of bumbling, it was determined that the signature of one justice was invalid." So the conviction remained in place.

Ruef entered San Quentin in 1911, "where he worked in a jute mill, wrote a play for prisoners, advocated for prison reform, and received constant visits from Fremont Older," an early adversary of Ruef in his newspaper, who changed his mind and became Ruef's friend. Older had concluded that the investigation, the method of charging, retaining of witness testimony, and so forth, were all illegal and immoral. After a campaign for Ruef's early release, he was paroled after serving four years and seven months of his sentence. He was disbarred, but he prospered for a time as a real estate developer. Ruef was pardoned by the governor in 1920. He died in 1936.

One significant career came out of the prosecution of Ruef. Hiram Johnson had become the chief prosecutor when the first chief prosecutor was shot. Thereafter, the political career of Johnson skyrocketed. He was governor of California for two terms and senator for five.

William James. There is no reference to William James in either Smith or Winchester. William James was a Harvard professor of philosophy in the late nineteenth and early twentieth century. He wrote extremely well—like his brother Henry, the famous novelist, only simpler—and he was a leader in American psychology, the secular and psychological study of religion, and in philosophical pragmatism. His books on virtually all these subjects are still

read. He remains highly regarded by philosophers.²⁷ He is highly regarded by historians of ideas,²⁸ and by virtually all American intellectuals who value pragmatism as an approach to systematic thinking. American pragmatism leaders are usually conceived as a triumvirate: William James, Charles Sanders Pierce, and John Dewey. James is the most engaging of these writers.

It is not uncommon for professors to have "visiting Professorships" around the country. William James had such an appointment at Stanford for the academic year 1905–06. Thus, James and his wife were present for the catastrophe:

When the earthquake hit, all the chimneys in the house where the Jameses were staying were knocked down, and the living roof was filled with bricks. James ran into his wife's bedroom, declaring: "This is an earthquake. Are you frightened? I am not, and I am not nauseated either."

Fradkin remarks that James was probably "the most intellectually acute mind to experience and later write about the earthquake." Given his interest in psychology—including sensations and emotions—it is interesting to observe that he was immediately thinking about that which interested him most. (This is in contrast to the fact that he and his wife slept in separate rooms.)

Naturally, James arranged to get himself to San Francisco shortly after the earthquake. According to Fradkin, he was more interested in observing the facial expressions of those cleaning up and fighting the fire than he was the fires themselves. James spent the afternoon and the evening in San Francisco. He returned from Stanford eight days later. His wife, who stayed in Palo Alto, was extremely concerned about him, since she could hear the dynamiting in the city. He was impressed by "the rapidity of the improvisation of order out of chaos" and a "universal equanimity." Again, according to Fradkin, perhaps the most interesting hypothesis James proposed was this: when one reflected upon what to expect when seeing people who had experienced the quake, one expected the "mental pathos and anguish[.]" but realities were different. "At the place of action, where all are concerned together, healthy animal insensibility and hardiness take their place."

Critique. If you want to read a short book, read Smith. If you like political history, complexity, detailed footnotes, and speculation, read Fradkin. If you want stories about fire departments, read Smith. If you want more details on the Committee of Fifty, read Fradkin. The Winchester Book is very different from these two in some ways, and the Demlinger Book of photographs is almost completely different from the other three. Part II of this review, in the next issue of *Environmental Claims Journal*, will be devoted to the latter two.

²⁷ See Nicholas Rescher, *Methodological Pragmatism: A Systems Theoretic Approach to the Theory of Knowledge* (New York: New York University Press, 1977). See also Hillary Putnam, *Ethics Without Ontology* (Cambridge (Mass.): Harvard University Press, 2004).

²⁸ See John Patrick Diggins, *The Promise of Pragmatism: Modernism and the Crisis of Knowledge and Authority* (Chicago: University of Chicago Press, 1994).