

RUTHERFORD REPRIMANDED.

The Trustees Think He Was Rough on Tamaki.

They Will Confer Next Wednesday Concerning the Henry Clear Water Suit.

At last night's session of the City Trustees President Lawton called up the charges against Officer Rutherford for the alleged ill-treatment of a Japanese named S. O. Tamaki. The latter was not present and the matter went over temporarily.

A resolution of intention was adopted to lay a sewer in the alley between P and Q, Sixth and Seventh streets.

The petition of August Gustafson to conduct a saloon in the block between O and P, Twentieth and Twenty-first streets, was referred to the Chief of Police.

Leonard offered a resolution that if the bill has been used by W. E. Henry for \$500,000, and as the city will require additional counsel, the board meet next Wednesday evening in executive session to take action in the matter, and that the Mayor, Corporation Counsel Devlin, City Attorney Brown and J. H. McKane be invited to be present.

The resolution was adopted.

THE RUTHERFORD MATTER. The charges against Officer Rutherford were taken up.

Tamaki testified that when he asked Rutherford on Fourth street why he had arrested another Japanese, Rutherford struck him on the breast. At the police station Rutherford struck him in the face and knocked him down. He was then put into a cell, but was released shortly afterward.

A Japanese named Terashi testified that Rutherford struck Tamaki in the face at the police station, and then locked him up.

Night Sergeant J. J. Plunkett testified that Rutherford had an altercation with Tamaki, but what it was about he did not know. Rutherford slapped Tamaki, but the latter was not knocked down.

Plunkett said it was necessary at times to shove the heads of Chinese and Japanese out of the City Prison whenever any of their countrymen are arrested. If they were allowed to do so they would take possession of the prison.

Captain of Police Greene testified that Tamaki did not complain to him of the treatment he said he received from Rutherford.

Special Officer Balz testified that Tamaki was talking to another Japanese who had been arrested. Rutherford struck Tamaki with his open hand, but did not knock him down. The Japanese refused to stop talking when Rutherford ordered him to.

Officer Rutherford testified that Tamaki demanded that he release the Japanese then under arrest, and used profane language. Rutherford admitted having struck Tamaki two or three times, but he had warned him two or three times not to talk to the prisoner.

City Attorney Brown said he saw Tamaki the next morning, but the latter had no evidence of being punished, as Tamaki told him it had been. He considered Rutherford one of the best officers on the force.

He had been made to him about Rutherford, and upon investigation no cause could be found. The fact that Tamaki's face was not bruised the next morning would sustain the witness to disabuse Tamaki's entreaty.

Tamaki was recalled. He said he was in City Attorney Brown's office relating to that official with respect to the hands of the officer, when Rutherford asked him not to tell Mr. Brown what occurred the night before in the police station. The City Attorney did not incline to take any action in the matter, and he consulted his attorney.

Rutherford denied Tamaki's statement fully.

This concluded the testimony, and Kent moved that the board take the charges under consideration until Monday evening.

Fennish was opposed to the matter being put off. He objected to any more Japanese evidence being obtained.

Fennish moved that the matter be referred to a committee of three to report to vote on the charges. He did not think there was anything in the case.

Devine said the police officers believe they have the right to forcibly remove a person from the police station. He did not think they had that right.

The motion to lay over was lost.

Fennish moved on a amendment against Rutherford be dismissed, and the motion was seconded by Bragg.

Tozer said the testimony showed that Rutherford had been guilty of using force against an officer. The officer had no right to throw Tamaki out the way the latter says he did.

Devine moved on an amendment that Rutherford be reprimanded, and that the charge be then dismissed, so as to make an impression on the other officers.

Kent said the committee was organized. Rutherford was supported in his defense by his brother officers. He believed what Tamaki had said. Rutherford should be suspended thirty days.

Public sentiment is against Rutherford, said Kent, not only about the charges preferred by Tamaki, but concerning other matters.

Rutherford, he said, had got off luckily in other matters, as was said by one of the jurors who had voted to acquit him of the charge of manhandling for killing his own child. It was reported that the police officers had paid the Trustees for their votes, and that the latter dare not dismiss an officer.

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Carley, Treasurer, F. H. Conn, Trustee, George Sherman.

SCHOOL ELECTIONS.

Spirited Contests for Trustees in Country Districts. In several of the country school district elections were held yesterday for Trustees, and some of them were quite spirited, notably those at Oak Park and Arno. A correspondent at the latter place says of the election there:

"Much interest was taken in the school election here to-day. Mrs. A. M. Valensin and C. L. Donaldson, on the one side, were opposing candidates to L. Cain and J. Clausen. The contest was keen. All in the district who had a right to vote—and some whose right was questioned—presented themselves at the polls. "For the long term Mrs. Valensin was elected by a vote of 20, and C. L. Donaldson, on the same ticket, by 21 votes for the unexpired term of two years. "The election for Trustees for the high school was not sufficiently known. The only candidate, L. Baldwin, was returned by 17 votes."

IN SUTTER DISTRICT.

Two Trustees were elected in Sutter District. The polls were held at the schoolhouse near Sutterville, and quite a strong vote was polled. The result of the election was as follows: Carl Munger 42 votes, C. Gronada 28, C. A. Flisk 22, and J. H. B. 7. The first two named were elected.

IN CAPITAL DISTRICT.

There was a hotly-contested election for two Trustees in the Capital School District yesterday, which includes Oak Park. The result was as follows: Charles Summers, 99; I. G. Shaw, 89; J. Hoffman, 76; Charles Snyder, 82.

POLEY'S FOLLY.

It Brings Him a Fine or Ten Days' Imprisonment.

J. C. Johnson was convicted of battery yesterday in the Police Court. The evidence showed that he struck J. C. Wylie, another employe of the shops, in the face, breaking his nose. He will be sentenced shortly afterward.

Thomas Foley, charged with disturbing the peace, and who wanted to fight Officer Talbot when arrested, said that he had been working at Roseville and came to town to get clothes, and got drunk. He was not used to drinking.

A witness named Van Kinnen testified that Foley represented himself as foreman of a canon and hired him to go to Roseville, and kept him with him, spending considerable money in drinking.

The court said the worst feature of the case was the fact of Foley's wanting to fight the officer. The officers have their duty to perform and must be protected in doing their duty. No good citizen will resist an officer when in the performance of his duty. He believed the defendant was ordinarily a good citizen and would not have done what he did if sober.

Persons who have teams standing in the hot sun for hours at a time will be vigorously prosecuted.

HUMANE SOCIETY.

Its Officers Instructed to Vigorously Prosecute Offenders.

At the last meeting of the Directors of the Humane Society the monthly reports of the badge officers were received and filed.

A. A. Johnston of Courtland, H. F. Miller of Sacramento and W. E. Glick of Sacramento were elected members and recommended to the Superior Court as badge officers.

The Secretary reported aggressive work done during the month, and that much interest is being manifested in the society in the country.

The officers were directed to be especially vigilant during the summer in preventing cruelty to horses, and to keep a sharp eye out for horses that may be worked in hot sun shouldiers.

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JUDGMENT REVERSED.

New Trial Ordered in the Case of Joseph Adams Merkle.

The case of Frank Joseph against Chas. Merkle, on appeal from the judgment rendered by Justice McMahon of Oak Park in favor of defendant, was decided by Superior Judge Johnson yesterday in favor of plaintiff.

The defendant, as Constable, attached a farm wagon then in possession of Joseph Adams Merkle, as the property of M. De Rosa. Joseph brought suit to recover the wagon from the constable, and at the trial the Justice's Court judgment was given for the defendant without hearing any testimony.

Justice Johnson appealed on questions of law alone, and Judge Johnson held that the Justice erred in giving judgment for Merkle without any evidence being given, and that a new trial of the case in the Superior Court. Driver & Sims represented the plaintiff.

FOURTH OF JULY.

The Committees to Hold Another Meeting This Evening.

Chairman Adams of the Fourth of July Executive Committee says everything looks promising for a fine celebration on the Fourth of July.

This evening the various sub-committees will meet in Justice Henry's court-room and submit their reports.

It is expected that selections for Grand Marshal, Order of the Stars, and other positions, will be made at this meeting. A full attendance of all committees is desired, as the full program must be decided on.

HOTEL ARRIVALS.

Arrivals at the Golden Eagle Hotel yesterday: Louis C. Newcomb, C. E. Frindle, Mokelumne Hill; Max Levy, New York; I. S. Poorman, C. F. Marwood, A. H. Williams, W. A. Bernheim, W. H. Groves, R. S. Spalden, Orlando P. Livermore, William Marcy, A. S. Glover, San Francisco.

Arrivals at the Capital Hotel yesterday: F. P. Willis, Chicago; B. F. Langford, Sacramento; Frank Brightman, J. C. Brigantman and children, French Gulch; T. J. Stephenson, Courtland; Miss E. A. Spencer, Eureka; E. W. Thomas, M. D., San Francisco; V. H. Jolly, Wisconsin.

Small Cases.

The cases against Hugh Duffy, charged with violating the ordinance in regard to cesspools, was continued yesterday in the Police Court for one week.

That of Mrs. J. Klebs, for violating the sidewalk ordinance, was continued till the 11th inst.

The cesspool case against W. S. Kendall was dismissed on motion of the City Attorney, the ordinance having been complied with.

Ninety Days for Cook.

C. F. Cook, the colored rowdy who created so much trouble at the picnic at Arcade Grove on Thursday, yesterday pleaded guilty in Justice Henry's court to battery on an elderly man named Cassidy, and he was sentenced to ninety days in the County Jail.

Prisoners for Folsom.

Deputy Sheriff Riley of San Francisco last night brought here Thomas Smith, en route to Folsom Prison for two years for attempt to commit burglary; also John Bulanski, sentenced to one year for burglary in the first degree.

Notaries Public.

Governor Budd has appointed and commissioned the following as Notaries Public: W. H. Dickinson, Los Angeles; John E. Orian, Stanislaus County; Charles J. Fox, Los Angeles.

No safer or more efficacious remedy can be had for cough, croup, whooping cough, the throat, than Brown's Bronchial Troches.

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TO LEAVE FOR CAMP BUDD TO-DAY.

The Military Companies will Go by Steamer, and Reach Vallejo Just in Time to Successfully Attack the Supper Table.

The Second Regiment of Infantry, Third Brigade, N. G. C., Colonel J. W. Guthrie commanding, will go into camp this evening at Vallejo. The camp is designated Camp Budd, in honor of the Governor.

Companies H and G of Grass Valley, C. of Nevada City and D of Auburn will arrive in this city this morning from their respective localities.

Company F of Woodland will leave this place at 7 o'clock this morning and will proceed to Vallejo by rail.

Companies C, D, E, G and H, field, staff, non-commissioned staff and band will leave this city on the steamer for Vallejo this morning at 10 o'clock. They will reach Vallejo about 5:30 o'clock this evening.

Colonel J. W. Guthrie, in command of the Third Brigade, N. G. C., has issued special orders calling for the election of Lieutenant-colonel of the Second Infantry at Camp Budd, Vallejo, on the 14th inst.

Colonel Guthrie has also ordered the troops of the brigade to assemble for target practice at such places and at such times during the present month as may be designated by the various commanders.

The field and staff, and Companies E, F and G, Second Infantry, will participate in target practice on the 17th, 18th, 19th, 20th and 21st.

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