A FEW COINS AND OLD CLOTHES

All That Remains of the Once Large Personal Estate of Boogar.

Litigation Has Eaten Up Most of the Murdered Man's Fortune.

The Court Orders Everything to Be Sold So That the Debts Can Be Paid.

OAKLAND OFFICE SAN FRANCISCO CALL, 908 Broadway, June 14.

An order of court made to-day foretells the going out of the last of the once wealthy estate of the murdered Philip Boogar.

The trustees, E. M. Paterson and Patrick Benson, were granted permission to sell the balance of the estate to pay debts amounting to $14,269.

There is not a great deal to sell to raise this amount. The inventory states that there are two foreign coins worth $1 75, some jewelry valued at $23 85, a trunk of old clothes, worth perhaps $3 50, and $411 in cash. In addition to this there are a few pieces of real estate, but it is hardly supposed that there will be a very heavy dividend to pay on the debts should the most fancy prices be obtained.

When Philip Boogar first came into notoriety several years ago he was a wealthy man. His fortune was variously estimated at from $60,000 to $100,000. Then litigation began. Boogar married a young wife and soon afterward it was alleged he attempted to poison her. She had him arrested for being insane, and then divorce proceedings were begun. Boogar was declared competent, but one suit after another was brought, and as the suits piled up the estate dwindled away. When he was shot by Michael Collins, his father-in-law, there was more litigation. Mrs. Boogar stood nobly by her father, and procured for him such adequate counsel that at two trials the jury disagreed. The third trial is set for August.

Mrs. Boogar secured a family allowance pending the litigation and is also in possession of a homestead worth $5000, but beyond this she got nothing from her husband's valuable estate.

The latest incident in the sensational litigation is the suit of John Losher, a private detective, against the estate for $1800 for services alleged to have been rendered to old Boogar in shadowing his wife. According to Mrs. Boogar this detective made life miserable for her, and now he has brought suit for payment from the balance of the estate which the widow had hoped would remain for her. As soon as possible the property will be sold and the civil part of the Boogar litigation will be ended.

The criminal charge against Collins has been continued for various causes for a year or so, and when George Knight gets through with the Fair will case he will attend to the charge of murder against his client.

TO CAMP AT BOHEMIA.

The Advance Guard of the Boys' Brigade Leaves for the Russian River.

Many Companies Will Follow To-Morrow for the Annual Encampment.

Ladies' Auxiliaries to Camp.

OAKLAND OFFICE SAN FRANCISCO CALL, 908 Broadway, June 14.

The advance guard of the Second California Regiment, N. B. B., consisting of Colonel A. W. Taylor, Lieutenant J. A. Hanley and about ten privates, left on this morning's train for Bohemia on the Russian River.

The famous caterer, Hallihan, and his cook will again accompany the regiment and thus insure first-class service in the commissary line.

The advance guard will have everything in readiness for the regiment and the auxiliary, which will follow on Wednesday morning, June 16.

Major Moore's company of San Francisco will also accompany the regiment, having been invited some months ago.

The camp has been named after its popular Colonel, Taylor, and friends addressing mail to the boys will have to be careful and not confuse it with Camp Taylor, a station on the same line.

The camp will be in charge of Colonel A. W. Taylor of Alameda. Lieutenant C. G. Bird will have full charge of the quartermaster's department, and Lieutenant J. H. Cobbledick will manage the commissary department. Lieutenant J. A. Hanley is in charge of the advance guard. Major H. Fine, M.D., of East Oakland will again act as surgeon, and it is hoped that he will not be required to dress real wounds this time.

The following companies will probably show up in goodly numbers: Company A, Alameda, Captain E. Jones; Company C, Alameda, Captain E. J. Walker; Company D, East Oakland, Lieutenant H. Woodcock; Company E, Alameda, Captain Victors; Company G, Sacramento, Captain ——; Company H, West Berkeley, Captain W. S. Boddy; Second Regiment, Hospital Corps, Alameda, Lieutenant B. Elliot; Company I, San Francisco, Major Moore; Ladies' Auxiliary of all the churches in charge of Mrs. Jones of Alameda.

GROCER AND FOOTPAD.

The Milkcan of the Former Proves Too Much for the Revolver of the Latter.

ALAMEDA, CAL., June 14.—Late Saturday night Ludwig Warnke, a grocer doing business at Railroad avenue and Willow street, was closing his store when a man crossed the street and stood for some minutes watching him. Warnke glanced at him, but paid no further attention until suddenly as he was in the act of locking the door the fellow thrust the muzzle of a revolver into his face and ordered him to put up his hands.

Warnke happened to have a milkcan in his hands, and, though greatly surprised, without stopping an instant to think of the risk, he raised the vessel high in the air and brought it down with all his strength on the footpad's head and shoulders. The blow almost knocked him down and also staggered Warnke. By the time the latter recovered himself the fellow was running down Willow street at the top of his speed, and though pursuit was made he was not overtaken. The police were notified, but can obtain no clew to the identity of the highwayman.

Attempted Suicide.

ALAMEDA, CAL., June 14.—Dennis Godfrey, who tried to cut his throat with a pocket-knife while "crazy drunk" on the street last night, was sent to jail for five days this morning. Godfrey said he had not the faintest recollection of the occurrence. He had been working very hard and losing his sleep and thought he would take a drink. After the first drink he remembered nothing. It is known, however, that he visited a number of places and got more liquor, until he was crazy with its effects. He then tried to cut his throat. There is a stringent law against selling or giving liquor to a person already under the influence and it is suggested that this would be a good case to make an example of the violator of that law.

Notes.

ALAMEDA, CAL., June 14.—The Tisdale party returned from their tour to the Yosemite this morning, after a two weeks' trip, without an accident or mishap of any kind. The only thrilling incident was the killing of a rattlesnake with fifteen rattles and measuring over four feet in length.

The Encinal Yacht Club enjoyed a moonlight sail on the bay to-night.

The Alameda Boating Club has added twenty-six members to its roll within the last thirty days.

A party of school teachers and friends will leave by the next steamer for Oregon to pass their vacation.

The funeral of Augustus B. Graves, the deceased pioneer, will be held at Christ Church in this city to-morrow afternoon at 2 o'clock.

During the past week the police arrested twenty-four drivers of wagons for not displaying the numbers on their vehicles, as required by law.

ALAMEDA COUNTY NEWS.

SIDEWALKS OBSTRUCTED

A Privilege That Has Been Grossly Abused During Late Years.

Stores Will Never Be Rented Whil Business Can Be Done on the Street.

OAKLAND OFFICE SAN FRANCISCO CALL, 908 Broadway, June 14.

The Merchants' Exchange is anxious that the Street Superintendent enforce the ordinance which was passed for the purpose of keeping the sidewalks free for pedestrians. For many years encroachments have been made on the rights of foot passengers, until now it is impossible in many instances on a fourteen-foot sidewalk for two people to walk abreast.

Street Superintendent Miller has received a communication from the Exchange asking him to look into the matter. People who have occasion to use sidewalks have for years been making complaint that the ordinance was not enforced. The last crusade against street obstructions was carried on in such a haphazard, discriminating fashion that it aroused as much sympathy for the victims as commendation for the officials. Nothing came of it, however, and the crusade ended where it began. Its effect was bad, because it made offenders more bold, and instead of maintaining harmless and convenient stands, venturesome merchants have erected regular shops on the sidewalk, some of them extending out five or six feet, and keep a stock and manufactory on the public street.

A notable instance of this can be seen at Thirteenth and Washington streets. A candy-man has built a store on the street, in which he manufactures his candy and sells it, and has fitted it up with a heavy counter and an awning and rows of shelves and electric lights. Under ordinary conditions such a store would be worth a good rental in such a locality, and the taxpayers intend, if possible, that such violation of law to their detriment shall not be permitted.

In the district occupied by the commission men there is also a great desire shown to monopolize the sidewalk, and frequently not more than a third is at liberty. All over the city there are small stands, many of which have no legal right to be on the sidewalk, and a general enforcement of the order will be very difficult.

The ordinance covering the matter says that no one can monopolize more than eighteen inches of the sidewalk from the front of the store, and if this be carried out the corporation yards will be filled with fruitstores, candy-stores, tamalestores, bootblack-stands, news-stands and all manner of signs, as well as wooden Indians and large blocks of coal.

GOT THE FEVER.

Sentiment in Favor of Merging Berkeley Into Greater Oakland.

BERKELEY, CAL., June 14.—Berkeley has to some extent become interested in the annexation scheme, and many citizens are anxious to see the college town come under the wing of Greater Oakland. Those who are particularly interested in the scheme are the residents about Ashley avenue, near the new Oakland border line.

In the more densely populated sections, especially near the university grounds, the sentiment seems to be that simple Berkeley is good enough for the present, and that if the town were merged into Oakland the university community would lose its individuality.

Will Be Closed.

BERKELEY, CAL., June 14.—The Unitarian church at Berkeley will be closed during the summer until the third Sunday in August.

The society has no regular pastor. Rev. Dr. Alger, who has been supplying for several months, preached his last sermon yesterday and to-day left for his old home in Boston.

SWALLOWED CARBOLIC ACID.

Mrs. Thompson Is Driven to Attempt Suicide Through Drink.

Mrs. Emiline Thompson, wife of Chris Thompson, a laborer, attempted to commit suicide at her residence, 722 Brannan street, last evening by swallowing a dose of carbolic acid.

She was taken to the Receiving Hospital in the ambulance, and Dr. Thompson administered the usual remedies. She will likely recover.

Her husband said she was a confirmed drunkard and had reached such a stage that life was unbearable, so she resolved to die. Five years ago she made an attempt by jumping into the bay. She has three children by her former husband, who are living in the country.

MANY MEETINGS ARRANGED.

Various Dates Set for the Sub-Fourth of July Committees.

The finance committee will meet at 7:30 o'clock this evening. The carriage committee will meet at 8 o'clock Monday night. The invitation committee will meet to-morrow at 9 A. M. The literary committee will meet at 8 o'clock this evening. The decoration committee will hold a meeting at 9 o'clock to-morrow evening, and all bidders for decorations are requested to be present. The regatta committee will meet at 8 o'clock Friday evening, and the committee on printing Tuesday next at 8 P. M.

The First Conviction.

The first conviction in the penny-purchasing swindles was obtained yesterday in Judge Joachimsen's court. Mrs. Jane Kennedy and M. S. Gill of the Co-operative Penny-Purchasing Club were arrested a week ago at the instigation of Mrs. Ida Hughes, who had been swindled out of $25 by the two worthies. For some reason or other the court did not impose the penalty of imprisonment, although the charge upon which the conviction was had was that of petty larceny. Instead, a fine of $20 was deemed sufficient in each case.

SAYS THEY TOOK HIS GYMNASIUM

Rev. James Blackledge Said to Have Formed a Conspiracy.

George Bates Alleges That He and His Sister Were Victims.

Miss Caroline Bates Said to Be Starving When Rescued by Her Surprised Friends.

OAKLAND OFFICE SAN FRANCISCO CALL, 908 Broadway, June 14.

A year ago George Bates was principal of the school known as the Berkeley Gymnasium and Rev. James Blackledge and John J. Moran were teachers. Now Rev. Blackledge and Moran are joint principals and Bates is a humble teacher.

In a sensational complaint brought by Bates against Moran and Blackledge the plaintiff asks for $72,850 and costs for a variety of causes which he alleges have deprived him of his school and his financial standing and nearly brought about the starvation, lunacy and death of his beloved sister Caroline.

Several years ago Bates established the Berkeley gymnasium. He employed Moran as a teacher and somewhat later employed the Rev. James Blackledge to teach physical sciences and to act as vice-principal of the gymnasium. In this position Mr. Blackledge had recourse to all the private books and letters of Principal Bates, and the confidence reposed in the minister by Bates is now alleged to be at the bottom of all the trouble that followed.

Although on several occasions Blackledge gave plaintiff his word of honor as a gentleman and as a minister of the Gospel that he would never disclose anything connected with the private or other affairs of said plaintiff to any one whatever, still, it is alleged, that "through the deceit, fraud, conspiracy, wrongful acts, treachery and wrongful design, intent and purposes," the Rev. Mr. Blackledge did, in conjunction with Moran, do damage to the plaintiff of the value of $72,850.

The plaintiff states that they spread false stories about him throughout Alameda County, which led some of his creditors to attach the gymnasium. This forced insolvency upon Bates, and when he was discharged from his debts he declares that he had neither a school nor a financial standing.

Caroline Bates, a sister of the plaintiff, also appears to be a party to the complaint. Moran is said to have obtained from Bates and his sister apparatus and furniture reasonably worth $1500. Caroline Bates was engaged as a teacher in the school established by Moran and Blackledge, known as the Peralta Hall Academy, and as part payment for her services agreed to provide her with reasonable board and lodging. This part of the programme was not carried out, for the health of Caroline was gradually undermined because of the poor quality of the food, and she was further injured by the unmanly threats made by Moran to her. It is alleged that Moran threatened that if she persisted in pressing her just claims against him she would be deprived of the little property the law had left her, and would be discharged from the school.

This treatment must have gravely affected Miss Bates, for it is alleged that she "became seriously and permanently ill, utterly collapsed, physically and mentally, and for a time was entirely without sense or feeling, and that defendants neglected to care for her properly, did not notify plaintiff of his sister's condition, refused to send for necessary medicines and gave food of any kind to her only at long intervals, and plaintiff on information and belief alleges that Caroline was prevented from starvation and death only by the accidental visit of a friend."

George Bates declares that he has now been "compelled to secure employment as a teacher in the City of San Francisco," and thinks that the sum mentioned, with cost for his attorney, H. D. Talcott, will adequately recompense him for his mental and physical sufferings and those of his sister.

SHEETS FOR A LADDER.

Two Berkeley People Escape From a Burning Building.

Mr. and Mrs. E. C Hill Make a Trustworthy Lifeline of Their Bedclothes.

BERKELEY, CAL., June 14.—With a lifeline consisting of sheets tied together Mr. and Mrs. E. C. Hill of Cedar street, North Berkeley, escaped from the second-story window of their burning dwelling yesterday morning. The couple were awakened from sleep by the roaring and crackling of the flames about them, and arose to find their room clouded with smoke. Gathering together what few articles of clothing they could they started for the stairway, but this means of exit had been cut off by the blazing fire and the dense smoke.

The window was their only means of escape. Tying the corners of two sheets together and fastening one end to a portiere, they lowered themselves to the ground. Inspector Wooster of the Alameda Water Company was one of the first to arrive on the scene, and he lent to the escaping couple what assistance was possible.

By the time they had made their tragic escape from the burning building by means of the impromptu life-line a fire company was on the scene. The firemen did effective work, and saved the building from absolute destruction. The loss of Mr. and Mrs. Hill is placed at about $300.

PATRIOTISM HELPED DEATH.

Ralph Pierce Dying as the Result of Last Campaign.

OAKLAND, CAL., June 14.—Ralph Pierce is dying of consumption at Fruitvale which was largely aggravated by his display of loyalty to the Republican cause at the great Tom Reed rally last November. On that occasion there was a meeting at Fruitvale, and Ralph Pierce and Arthur Turnbull volunteered to attend to the loading and firing of the cannon. While stooping over an open box in which the powder was kept it was exploded by a spark and both men were seriously burned. Pierce, who is sixteen years of age, has been confined to his bed ever since. He was previously subject to consumption, but the flames aggravated it and he is not expected to survive much longer.

Lynch Met a Robber.

OAKLAND, CAL., June 14.—George Lynch, a mining man and brother of Senator Lynch of Southern California, visited Oakland yesterday and was greeted by some young fellows who subjected him to the "rush act." They "had known him before," and while in conversation one of them grabbed his money bag. Mr. Lynch fought with the robber and succeeded in saving his money. The matter was reported to the police, and they think the thief is a member of the sporting-life gang and a warrant for George Kelley has been issued.

A Frightened Farmer.

OAKLAND, CAL., June 14.—John Schneider, a farmer from Dixon, was stood up late last night. He went out with a couple of friends to see the sights, and at Sixteenth and Hood streets a man with a white mask showed him a pistol and asked him to pass out his coin. He only had a few dollars, but the thief took all, and Schneider was so scared that he cannot say whether the man was tall or short, fat or thin.

Officials Must Make Inventories.

OAKLAND, CAL., June 14.—Supervisor Talcott surprised the board by reading the act requiring certain county officers to file an amended inventory of the property under their charge before July 1. This section is from the county government act and was not known until the resolution was presented. It will entail a lot of extra work on the officials, as the time is so short.

Burglars Steal Clothes.

OAKLAND, CAL., June 14.—Burglars entered the residence of C. E. Palmer, on Oak street, last Saturday night, and carried off a guitar, three overcoats, some gold cuff-buttons, an embroidered centerpiece and two new silk hats. Owing to the fact that all the valuables had been securely locked up before the family retired the thieves did not make the haul they expected.

Court Vacation Begins.

OAKLAND, CAL., June 14.—The court vacation commences to-morrow and continues until August 6. Each of the Judges will be on hand two weeks of the time by turns. The Probate department must be kept running continuously, but no other business will be considered. The department clerks will also be given two weeks' salary each.

The Festival Chorus.

OAKLAND, CAL., June 14.—The festival chorus, which is practicing classical music for the Christian Endeavor Convention in San Francisco next month, met in the First Congregational Church to-night. Alameda, Berkeley, Golden Gate, Oakland and San Francisco was represented, there being 695 voices. This is the largest chorus ever heard in this city. Consequently, the galleries were well filled by the musically inclined.

Acme Boxing Contests.

OAKLAND, CAL., June 14.—To-morrow evening the first boxing contest of the Acme Club in its new headquarters will be brought off. The first men to contest will be E. J. Smith of the Acme and J. Sears of the Manhattan. Charley Tye of the Acme and M. Egan of the Manhattan will also appear in an eight-round contest.

Rev. Mr. Beatty Was Fined.

OAKLAND, CAL., June 14.—Rev. George W. Beatty did not appear in the Police Court to-day to defend himself from the charge of riding a bicycle on the sidewalk. The usual fine is $2, but because the minister had threatened to fight the case and declared he was not guilty the ordinary bail of $5 was not reduced.

ASA FISK'S ESTATE.

Only the Small Sum of $165,528 02 Found for Appraisement.

Asa Fisk's estate has been inventoried, the list including only a part of the property held by him while he was in active business. Just prior to his death he deeded several valuable pieces of real estate to members of his family, and these tracts are not down as part of the estate in probate. The appraisement is as follows:

Money, $26,579 69; Life insurance, $21,808 59; judgments, $13,244 35; stocks, $686; loans on life insurance, $5010 97; notes unsecured, $11,053 87; chattel mortgages, $1221 41; notes secured by real estate, $98,871 98; notes secured by pledges, $535; miscellaneous property, $1483 10; household furniture, etc., $1373 05; real estate, $76,660. Total, $165,528 02.

Senator Jones' Mine.

Senator John P. Jones of Nevada has put the stamp of his approval on another mine by heading a corporation for its management and operation. He has named the new property the Milkmaid mine. Those associated with him in the venture are: H. M. Gorham, W. E. Lester, D. B. Hunt, Thomas Anderson, J. B. Low and August Waterman. The capital stock is fixed at $10,000,000, and the property is located in Shasta County.

They Touched the Till.

Maggie Thornton, a man named John Thornton, who is supposed to be her husband, and James Mulcahy are all booked at the City Prison on charges of grand larceny. The trio is accused of having made a raid on the till of Daniel Donovan, a saloon-keeper at Third and Bryant streets, carturing therefrom the sum of $12. The alleged larceny was the finale of a drunken debauch.

J. C. SENDERLING CAME FROM AFAR

Bringing a Witness 3000 Miles to Testify in Court.

He Was Present When the Late Jacob Z. Davis Breathed His Last.

Deceased Tried to Dictate a Deed After His Pulse Had Apparently Ceased.

John C. Senderling, who came 3000 miles to testify in the Jacob Z. Davis will contest, was on the witness-stand in Judge Coffey's court yesterday. The courtroom was thronged with interested spectators, who naturally supposed that a man who was sent for to come all the way from Philadelphia ought to have a message of great importance to deliver.

In response to George A. Knight's questions Mr. Senderling told of the manner in which he came to meet the late Mr. Davis during the last visit of the deceased to the Eastern States in 1896. He also related the circumstances of the sickness that culminated in the death of the man whose will is offered for probate.

After meeting Mr. Davis in Chicago Mr. Senderling went to his home in Philadelphia and Mr. Davis went to Boston, accompanied by Mrs. John M. Curtis and Miss Lizzie Muir. He received a telegram to meet Mr. Davis in Boston and proceeded thither, where he joined the party. Mr. Davis appeared in his usual health except that he was grieving intensely on account of the death of his wife, until one day he complained that he was suffering from a severe pain in the abdominal region. He said that he always felt bad when he visited Boston. He went to a drugstore and asked a clerk for a dose of castor oil, which he took, and the day afterward the party left for New York.

In New York they stopped at the Fifth Avenue Hotel. He was still suffering and called in a physician named Dr. Keys, who prescribed some pellets that proved to be compounded of a powerful astringent. At any rate the action was too severe and Mr. Davis decided to resort again to the use of castor oil, a remedy that has been in favor in California since the days of 1849. The oil brought back the old trouble and he had the prescription of the pellets duplicated by the druggist without further consultation with his physician. The medicine again performed its office too suddenly, causing the patient much pain. In the meantime the party had started for Philadelphia, where they arrived on Saturday.

Mr. Davis was still feeling bad, though he did not complain much.

In Philadelphia Mr. Davis thought it his duty to take another dose of castor oil, and informed Mr. Senderling that it was again causing him annoyance. When they arrived in Philadelphia Mr. Davis and the ladies went to the Continental Hotel while Mr. Senderling went to the Windsor House. He saw Mr. Davis on Saturday night, and, though he was not well, he was not noticeably worse. On Sunday they went to church together, and on Monday he was able to walk about some. Tuesday he remained in bed all day, and on Tuesday night he became so much worse that Mr. Senderling sat up with him all night, or at least occupied a lounge in his room in order that he might administer the medicine that had been prescribed by Dr. Curtin, who had been called in to attend him.

Mr. Senderling gave a dramatic recital of the circumstances attending the death of Mr. Davis.

"About 6 o'clock in the morning the ladies knocked at the door and asked me if I wished to go to breakfast," said Mr. Senderling. "I told them that it was too early for me, and asked them to go first, saying that I would wait and go when they returned. A few moments later I asked him if he would like to have some clam soup. He was very fond of that and always carried a spirit lamp with him to heat it. I had procured some bottled clam juice for him and was about to prepare some soup for him, having put the galvanized cup over the blaze, when he complained of another attack of pain. I took the hot cup and put it in a towel and had him hold it over the place where the pain was located in order to give him some ease. All at once he said to me, "My pulse has stopped." I felt, and it seemed that he was right. He usually had a strong pulse and often boasted of it, so when it stopped it was all the more noticeable. He said to get pen and paper quick, as he wanted me to write something for him. I went into the next room, that was occupied by the ladies, and got some paper. It was in a box, as is usual with paper used by ladies. They were not in the room at that moment, as they had gone to breakfast. When I went back I closed the door, as I did not know what Mr. Davis wanted to say, and as it was a deathbed statement I did not propose that anybody should hear it unless he wanted them to do so. I could not get a pen, and so used my pencil, holding the paper on my knee."

Mr. Senderling gave the contents of the writing, reading from the original, the purport of which has already been published in THE CALL. It is in the form of a bargain and sale deed, purporting to convey to Mrs. Isabelle Curtis and Miss Elizabeth M. Muir the property known as the Davis home on Post street, and the valuable piece of property on Kearny street that is generally called the Thurlow block. Before this could be finished he grew too faint to speak, and Mr. Senderling opened the door and called in the young women, telling them that he believed their uncle was dying. He recognized them, and Mr. Senderling hastened to the hotel office and sent a carriage for a doctor. On his return he found Mr. Davis unconscious. A short time afterward he passed away. That was at 7 o'clock on Wednesday morning, the latter part of October, 1896.

Mr. Senderling testified that he read the writing made at Mr. Davis' dictation to the ladies immediately after the death of Mr. Davis. He could not remember all that was done and said for the reason that he was so much excited that he did not take notice of all that was passing.

The contestants of the will contend that Mr. Senderling's testimony is important, as they think that the sick man knew that he was dying and that if he had made a will and left it in the urn containing his wife's ashes he would have been apt to have told his friend where it was deposited, instead of attempting with his last breath to deed to the persons mentioned in the will a portion of the property bequeathed to them in his last document.

To offset this presumption it is pointed out that after Mr. Davis made a will bequeathing all his property to his wife, who, however, died before he did, he also made a deed conveying to her his entire estate, just as he had begun to do in behalf of his nieces, when death put forth the cold hand and ended the transaction.

In seeking a motive for Mr. Davis' action in this regard, it is explained that he preferred to have his property transferred by deed if he could so arrange it, as he feared that would be wastefully handled if it got into the hands of the lawyers, concerning the majority of whom he had an opinion not any too complimentary.

On cross-examination, the will offered in probate was handed to Mr. Senderling, and he was asked if it was in the handwriting of the late Jacob Z. Davis. He replied that he thought it was, but he was not prepared to swear positively.

Replying to Mr. Knight, the witness said he had never seen a letter from Mr. Davis in which the name Jacob was used. The signature was usually made "J. Z. Davis."

JOHN C. SENDERLING, Who Came 3000 Miles to Testify in the Jacob Z. Davis Will Contest.

FLORENCE IN COURT.

Beginning of the Trial of Attorney Bergin's $50,000 Suit for Legal Services.

The trial of the lawsuit of Thomas I. Bergin against Florence Blythe-Hinckley for the recovery of $50,000, said to be due for attorney's fees, began in Judge Hunt's department of the Superior Court yesterday.

The fair defendant was present, surrounded by an array of legal talent that would daunt a less doughty litigant than Mr. Bergin. She was represented primarily by ex-Attorney-General W. H. H. Hart, who has called to his assistance ex-Attorney-General A. L. Hart and Aylett R. Cotton. Mr. Bergin has retained ex-Judge J. F. Sullivan and Matt I. Sullivan, and, as he is a veteran lawyer himself, he goes into the fray with a fair amount of confidence.

Judge J. V. Coffey of the Probate Court where the case was tried was the first witness examined. He identified the mass of documents that had been introduced in the litigation, and said that he remembered that Mr. Bergin was present during the hearing of the motion of certain defendants for a new trial. He was also of the impression that Mr. Hart was there, but said that his notes of the trial would show the facts in that regard. Judge Coffey made a passing allusion to the fact that some exceptions had been taken to his opinion in denying the motion for a new trial, whereas, in fact, the words objected to were transferred from one of Justice Story's decisions, and it was so stated in the paper filed by him. The circumstances were similar, and he had quoted Justice Story's remarks as appropriate.

A subsequent examination of Judge Coffey's notes of the trial revealed the fact that Mr. Hart was present only a short time, and that Mr. Bergin had almost entire control of that branch of the litigation. Mr. Hart, it transpired, was in Washington, D. C., fighting for the rights of his client in another direction.

George W. Miller was called as a witness and identified a large number of briefs and pleadings that were drawn in Mr. Bergin's office or at his dictation.

Following are the names of the jurors selected to try the issues presented: Samuel Harris, Morris Rafael, H. H. Heckman Sr., Albert R. Gunnison, E C. Fowler, James Hawk, E. J. Reynolds, Emil Kehrlein, James C. Blair, Charles E. Lang, L. Elias, M. H. Mohrdick.

Further hearing of testimony will begin this morning.

Divorces Granted.

Judge Hebbard yesterday granted the following divorces:

Abbie Gregory from William G. Gregory, for extreme cruelty and intemperance.

Elenda Johnson from Martin Johnson, for extreme cruelty.

William Doerr was yesterday granted a divorce from Della Doerr for desertion. Judge Hunt severed the nuptial knot.

Divorce Suits Begun.

Suits for divorce were begun as follows in the Superior Court yesterday:

Robert C. Stevenson vs. Minnie Stevenson, for desertion.

Millie Wratten against Frank Wratten, for cruelty.

Mrs. M. V. Kirketerp against William C. Kirketerp, for infidelity.

Fell Through a Skylight.

George Taylor, a painter living at 2612 Folsom street, is under treatment at the Receiving Hospital. He is suffering from a lacerated lip, a broken nose and finger, as well as a fracture of his two great toes. The unfortunate man was at work on the roof of a three-story building at 826 Sacramento street, when he stumbled and fell through the skylight, a distance of fifty feet.

Auction Sales

CHAS. LEVY & CO., AUCTIONEERS.
Salesrooms—1135 Market Street.

THIS DAY,

Tuesday.....June 15, 1897,
At 10 o'clock A. M., at salesroom,
1135 MARKET ST., BET. 7TH & 8TH,
....WE WILL SELL....
AN ELEGANT LINE OF FURNITURE,
Carpets, 1 Square Piano,
Of 50-room house, removed from Taylor's Warehouse for convenience of sale.
....COMPRISING....
One Square Piano, Mantel Mirrors, 5 Plush Parlor Sets, 50 Oak and Walnut Bedroom Sets, Bedding, 1000 yards Carpets, Wardrobes, Folding Beds, Extension Tables, Chairs, Lace Curtains, Dishes, Sideboards, Crockery, Glassware, Ranges, Stoves, etc.
CHAS. LEVY & CO., Auctioneers.

SPECIAL AUCTION SALE.

At "Tattersall's," 721 Howard Street,
THIS DAY.
Tuesday.....June 15, 1897,
At 11 o'clock A. M.,
By order of D. McCormick of Stockton,
We will sell 60 Head of Horses from 900 to 1300 lbs., nearly all broken to harness; several Road Horses; Matched Teams; Milk-wagon Horses; one Fast Pacer; Black Single-footer, gentle for lady; also Wagons Buggies, Carts, Harness, etc.
No Reserve or Limit.
A. L. CRESSWELL, Live Stock Auctioneer.

TRUSTEES SALES.

TRUSTEES' SALE—IN ACCORDANCE WITH the terms and under the authority of a certain deed of trust, duly executed by WILLIAM G. WATERS, party of the first part, to HENRY C. CAMPBELL and THADDEUS B. KENT, trustees, parties of the second part, and the SAN FRANCISCO SAVINGS UNION, party of the third part, dated July 23d, 1891, and recorded in the office of the County Recorder of the County of San Luis Obispo, State of California, in liber 10 of trust deeds, at pages 95 and following, and in pursuance of a resolution passed on the 13th day of May, 1897, by the board of directors of said SAN FRANCISCO SAVINGS UNION, a corporation, and the holder of the note (No. 11,102), to secure payment of which the aforesaid deed of trust was executed, declaring that default had been made in the payment of the principal sum and other sums due under said note and deed of trust, and requesting and directing said HENRY C. CAMPBELL and THADDEUS B. KENT, trustees, to sell the real estate described therein to satisfy said indebtedness,

We, HENRY C. CAMPBELL and THADDEUS B. KENT, trustees, do hereby give notice that on TUESDAY, the 13th day of June, A. D. 1897, at 12 o'clock noon of that day, and at the auction salesroom of Easton, Eldridge & Co., No. 638 Market street, in the City and County of San Francisco, State of California, we will sell at public auction, to the highest bidder, for cash in gold coin of the United States, the pieces or parcels of land situate in the County of San Luis Obispo, State of California, described as follows, to wit:

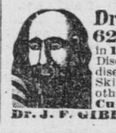
Lots or subdivisions numbers fifty-four (54) and fifty-seven (57), as the same are laid down and shown on the map entitled "Map of the Subdivisions of the Ranchos Canada de Los Osos and La Laguna, San Luis Obispo County, Cal., surveyed by James T. Scranton, May, 1868," filed October 1st, 1869, in the office of the County Recorder of said County of San Luis Obispo, and now of record in liber B of deeds at pages 636 and 637, special reference being hereby made to said map and the record thereof and the field notes from which the same was compiled, for further or more particular description of said lots:

Said lot number fifty-four (54) containing sixty-one and seventy one-hundredths (61.70), and said lot number fifty-seven (57) containing one hundred and twelve and seventy-five one-hundredths (112.75) acres of land:

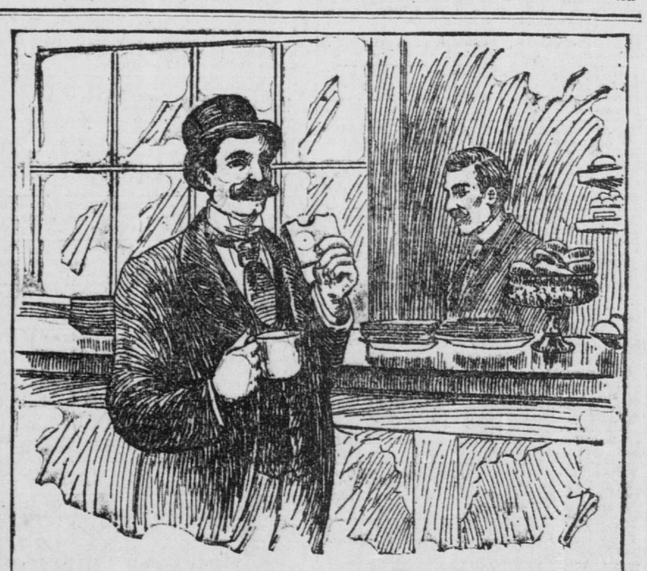
Saving and excepting, however, from said lot number fifty-four (54), a strip thereof twenty-two (22) feet in width along the north line of said lot, and extending from the west line of lot number fifty-two (52) as shown on said map, to the public road on the west line of said lot number fifty-four (54); together with the appurtenances.

TERMS OF SALE—Cash in gold coin of the United States, 10 per cent payable to the undersigned on the fall of the hammer, balance on delivery of deed, and if not so paid, unless for want of title (ten days being allowed for search), then said 10 per cent to be forfeited, and the sale to be void. Acts of sale at purchaser's expense.

HENRY C. CAMPBELL, THADDEUS B. KENT. } Trustees.



Dr. Gibbon's Dispensary, 625 KEARNY ST. Established in 1854 for the treatment of Private Diseases, Lost Manhood, Debility or disease wearing on body and mind and Skin Diseases. The doctor cures when others fail. Try him. Charges low. Cures guaranteed. Call or write. Dr. J. F. GIBBON, Box 1957, San Francisco.



Mr. F. A. Franklin, a traveling salesman, says: "About six months ago I bought my first box of

Ripans Tabules

and was so pleased with the result that I have since bought them in various parts of the State. Being a traveling man, and compelled to drink all kinds of water and eat all kinds of food, I find the Ripans Tabules are the best aid to digestion I have ever tried."

The fac-simile signature of Chas. H. Fletcher is on every wrapper of CASTORIA.