APPEAL COURT DECIDES CASES

De Haven Reversed in Two Instances and Judgment Is Affirmed as to the Others

CAPTAIN MOFFITT WINS

Peculiar Opinion Given in the Matter of Escape of an Unwilling Alien Workaway

Judges Gilbert, Ross, Morrow and Hawley opened the February session of the United States Circuit Court of Appeals yesterday morning and handed down the following opinions:

Samuel H. Moffitt vs. United States; Northern District of California—Judgment of District Court reversed.

Moffitt is master of the British steamship Tucapel and was indicted by the United States Grand Jury for having allowed to escape from the vessel an alien named Rodrigo Marquez, who was not entitled to land in this country. Marquez was a fruit peddler in Mazatlan, Mexico, and was unintentionally "overcarried" to this country on the Tucapel. He was let to work shoveling coal as a "workaway." The vessel arrived at San Francisco, June 29, 1901, with Marquez on board. He said he did not want to land, but desired to be returned to Mazatlan as soon as possible. Marquez was not locked up and just before the steamer left this city on her southern trip he left the ship without the knowledge or permission of the defendants or of the officers of the immigration bureau.

Judge de Haven of the lower court declined to instruct the jury, as requested by the defendant, that the indictment failed to set out that Marquez was an alien immigrant and that there could be no conviction unless the indictment set forth that fact. Nor does the indictment show in what respect this alien was not lawfully entitled to enter the United States. It was not shown in the indictment that he did not come here as an immigrant, but was involuntarily carried here. The jury returned a verdict of guilty and Moffitt was sentenced to pay a fine of $100.

Judge Hawley, in rendering the opinion of the United States Circuit Court of Appeals, said that from the agreed statement of facts it did not appear that Marquez was an alien immigrant who left a foreign shore to come to the United States for the purpose of becoming a permanent resident here.

Notwithstanding the notification given to the plaintiff in error not to land Marquez until permission was obtained from the Commissioner of Immigration, Marquez was not an immigrant within the meaning and intent of the act under consideration and the plaintiff in error was not required to put him in irons or keep him under guard to secure his return upon the steamer. The plaintiff in error was not tried upon an indictment charging him with preventing an immigration officer from performing his duty.

Judgment of the District Court reversed.

Alaska Steamship Company vs. John F. Collins; District of Alaska—Judgment affirmed, with costs.

Northwest Fixture Company, bankrupt, vs. Kilbourne & Clark Company; Washington—Order of District Court affirmed.

Riley Noah and Frank Hayes vs. the United States of America; Northern District of California—Judgment of District Court affirmed.

The steamer Dauntless and Union Transportation Company vs. Sharon P. Doane—Judgment of District Court reversed.

Union Transportation Company vs. W. E. Kent; Northern District of California—Decree of District Court affirmed.

James M. Shoup vs. Antone Marks; Alaska—Judgment of District Court affirmed.

Obstruct the Streets.

Sergeant of Police Harper secured warrants from Police Judge Fritz yesterday for the arrest of Thomas Kelly, 1629 Pine street; John Nolan, 1611 California street, and M. Conlon, 1523 California street, all livery stable keepers, on the charge of obstructing the street. The action is taken under a new ordinance, which provides that no vehicle, except a hand cart, will be allowed to stand on the streets unless a horse is attached to it.

ADVERTISEMENTS.

Miss M. Cartledge gives some helpful advice to young girls. Her letter is but one of thousands which prove that nothing is so helpful to young girls who are just arriving at the period of womanhood as Lydia E. Pinkham's Vegetable Compound.

"DEAR MRS. PINKHAM:—I cannot praise Lydia E. Pinkham's Vegetable Compound too highly, for it is the only medicine I ever tried which cured me. I suffered much from my first menstrual period, I felt so weak and dizzy at times I could not pursue my studies with the usual interest. My thoughts became sluggish, I had headaches, backaches and sinking spells, also pains in the back and lower limbs. In fact, I was sick all over.

"Finally, after many other remedies had been tried, we were advised to get Lydia E. Pinkham's Vegetable Compound, and I am pleased to say that after taking it only two weeks, a wonderful change for the better took place, and in a short time I was in perfect health. I felt buoyant, full of life, and found all work a pastime. I am indeed glad to tell my experience with Lydia E. Pinkham's Vegetable Compound, for it made a different girl of me. Yours very truly, MISS M. CARTLEDGE, 523 Whitehall St., Atlanta, Ga."—$5000 forfeit if original of above letter proving genuineness cannot be produced.

SOEDER HEARING MOVES SLOWLY

Fourth Day of Preliminary Examination Brings to Light but One Material Point

FOWLER GIVES TESTIMONY

Insurance Man Says Blaise Apparently Thought Wife Was Made His Beneficiary

The fourth day of the preliminary hearing of the case of the people against Leon Soeder, accused of the murder of Joseph Blaise, began yesterday morning. The evidence produced did not differ materially from that already inscribed in the record.

Practically the only point made yesterday by the prosecution that can be used against Soeder was brought out in the testimony of J. W. Fowler, an agent for the Pacific Mutual Life Insurance Company, who wrote the accident policies for Blaise and Soeder.

Fowler testified that Blaise did not know that Soeder was made a beneficiary in the accident policy for $3000 that was issued on Blaise's life. Continuing, Fowler said:

I was handed a letter by Mr. Voogt, our general agent. The letter was dated December 18, 1903, addressed to F. W. Voogt and signed "Leon Soeder," 827 Jackson street. When I reached the house Soeder introduced himself and immediately said that he desired a $3000 accident policy. I found that he was a cook by occupation, and told him that a policy for $2000 was all that he would be allowed. Soeder then said that his brother-in-law, Blaise, also wanted some insurance. Blaise was present at the conversation we had, and all the questions that I addressed to him were answered by Soeder, who acted as interpreter. None of the questions Soeder answered without first having conveyed them in German to Blaise.

When I asked who was to be the beneficiary Soeder said that Blaise desired that his wife, who was his (Soeder's) sister, be the beneficiary. A moment later he told me to change the name of the beneficiary and insert his in its place. This change was made without Soeder having first consulted Blaise.

BLAISE WAS IGNORANT.

When all of the questions had been answered Blaise signed the application. After I had made out the applications for the two accident policies Soeder asked me about endowment policies. He asked what would be the premium on a $5000 policy and one for $10,000. In reply to my questions as to whether he could pay for so much insurance Soeder said that his brother and he both got good wages when they worked. I notified Mr. Osborne, the life insurance agent for the company, and in person took him to the house of Blaise and Soeder the same night. That was on December 22.

Fowler then told of the rejection of the application made by Soeder for two $10,000 accident policies and the chagrin of Soeder when he was told that the company would not issue policies for the sum named.

J. M. Kilgarif, one of the office men for the Pacific Mutual Life Insurance Company, testified as to Soeder's visit to his office in response to his summons. Soeder was interviewed by Kilgarif, and the officials of the company, being loth to issue such a sum of insurance on the life of a cook, held a conference and decided to cut the life insurance policy from $10,000 to $3000, that being the amount for which the accident policies were written.

Edward H. Osborne, who wrote the life insurance on the life of Blaise, repeated the testimony given before the Coroner's jury. He stated that when the balance of the premium was paid on the life insurance policy both Blaise and Soeder took out their pocketbooks and contributed to make up the amount due on the $3000 policy the company issued on the life of Blaise.

This testimony was a point for the defense, as the police have contended and attempted to show that Blaise never had any money in his possession.

Several other witnesses were examined but their testimony was unimportant.

To-day at 11 a. m. the last four witnesses in the case for the prosecution will testify. The case probably will be submitted to-day.

BUSHELL ACCUSES SYKES OF IMPOSING UPON HIM

Man Recently Acquitted of Murder Charge Asks Superior Court to Set Aside Deed.

W. H. Bushell, who was recently arrested on a charge of murdering his wife and acquitted, filed a suit yesterday against J. B. Sykes, a teacher in the Lincoln School, to set aside a deed made by Bushell a few days after his arrest.

It appears from Bushell's complaint that last October, when he was in jail on charge of killing his wife, he was approached by Sykes, who, the plaintiff claims, represented that he was an attorney-at-law and offered his services to defend the plaintiff. Sykes, it is claimed, secured from Bushell $20 in cash and a deed to certain property on Seventh avenue, near California street, promising to defend him at his trial. Now Bushell claims that Sykes secured the deed from him without giving any return, and he asks the court to set aside the document on the ground that Sykes deceived him.

CAPTAIN JOHNSON FREED FROM ALL CENSURE

Local Inspectors Say He Was Not Responsible for Damage Done to Spokane.

United States Local Inspectors Bolles and Bulger handed down the following decision yesterday:

In the matter of the steamship Spokane striking on Humboldt bar January 9, 1904, from testimony taken in this case, we find as follows:

The steamship Spokane, M. C. Johnson, master and pilot, while crossing Humboldt Bar about 12 m., January 9, struck twice on the bottom. The tide was one hour flood; the wind was light, a heavy westerly swell and the bar breaking. The steamer was steering her usual courses and crossed the bar in the same place as on former voyages.

The black buoy on north side of channel, which had been gone for some time, had been replaced some 300 feet farther westward of its old position, but of this change Johnson had not been informed.

After a careful consideration of the case we are of the opinion that Captain Johnson was not negligent in this matter.

Damage to the steamship Spokane, about $20,000.

Insurance Company Gains Point.

The Supreme Court yesterday granted a new trial of the suit of Emily C. Thomas against the Northwestern Mutual Life Insurance Company to recover $10,000, the amount for which her husband was insured. Deceased paid but one premium in the time during which he should have paid three, but his widow alleges that an arrangement to that effect was made by him with the insurance company. She won in the lower court, but a rehearing was granted by the Supreme Court in bank, and now the whole matter will have to be thrashed over again.

Want Smith Enjoined.

The Columbia Bowling Association sued yesterday for an injunction restraining Frank A. Smith from acting as director of the association. It is claimed in the complaint that Smith, without reason or right, claims to be a director.

SINNING LEGION STAND BEFORE BAR OF JUSTICE

One Hundred and Forty-Three Prisoners Are Called to Answer Various Charges in One Department of Police Court---Michael Angelo Is Exculpated

Lombroso, the criminologist, would have turned three flip-flaps and landed up in the clock tower of the Hall of Justice if he had seen the criminal calendar in Judge Mogan's court yesterday. Altogether there were 143 cases on the calendar, ranging from charges of murder to expectorating on the sidewalks. The narrow dock was so overtaxed that the prisoners were brought down from the City Prison in relays of twelve at a time.

Hooded crime and open vice stalked abroad until Sergeant Wright, the statistician of the Police Department, lost all track of his work. The Pacific Coast record of a police court was lowered so far that split-second watches went out of business. The Judge was perspiring like Kid Broad after the tenth round and the bailiffs were watered like a bed of pansies.

Most of the increase of crime was due to the fact that the police had raided a number of saloons south of Market street and arrested a large number of men who choose a chair and a fetid atmosphere for their sleeping quarters. So lethargic do they become that even the bright sun of California does not nerve them to laborious exertions.

Another bunch of vagrants was composed of the hay wharf kids, ten in number, that make their boudoirs in the hay cars belonging to the Southern Pacific Company. All of the vagrants were allowed to seek the glad, free air of liberty after a warning from Judge Mogan that a second appearance would entail severer penalties than a few hours in jail, which they had already suffered. They all promised to find beds where the police break not in.

Michael Angelo has been arrested for vagrancy. He came before Judge Fritz yesterday and was carefully scrutinized by Prosecuting Attorney Ferrari to discover whether or not he was the same man that evolved the magnificent decorations of St. Peter's in Rome. Angelo proved an alibi. He claimed he was a native of the mesas of Brazil and he said he wouldn't know a magnificent painting if it came up and shook hands with him on the street. On this showing he was dismissed with a warning to make a thorough search for labor that in his native land is deemed a burden.

Thomas Murphy was before Judge Fritz yesterday on a charge of disturbing the peace. With him came his friendly Thomas Fannon, whose right eye had been shot out by a bartender in the earlier days of his existence in New Mexico. The shot also destroyed Fannon's hearing, but Murphy was still the friend of the maimed man.

They met and renewed acquaintance at Twenty-ninth and Mission streets Sunday night. The steam beer was good and they tingered until after the clock had marked three hours after midnight. Then they emerged to the highway and Murphy was talking. He wanted to tell something about a bear track in the Muggollones. Farron couldn't hear it and Murphy shouted so loud during his explanation that a policeman thought he had an election jag concealed about his person.

When the facts were explained to the Judge the defendant was promptly dismissed. The deaf man was a witness and the Judge looked over the courtroom and required for William Jennings Bryan as an expert on silver-tongued voices that make the deaf hear, but there was no response.

William Gillespie is a twirler in the baseball world, who claimed to Judge Fritz yesterday that he could make a ball twist and undulate like a Sonora pigeon. He said that Jim Morley was "just a-honing" for his services on the Los Angeles team this coming season. He was arrested on a charge of vagrancy because he made himself a nuisance on the Barbary Coast.

Gillespie was tried out last year by Morley as a pitcher and he had to be released because the duly place he could put a ball was over the grand stand. He had speed and enthusiasm but the property owners across the street objected to having their dwellings bombarded in times of peace.

Judge Conlan dismissed a case yesterday for selling liquor to a minor child. Ordinarily this would be an offense that the Judge would have landed on like a 1600-pound stamp dropping on $3 ore. But there were extenuating circumstances. The defendant, Mrs. May Schulz, who conducts a grocery and saloon at 760 Folsom street, was importuned by the 11-year-old son of Mrs. Partman for 10 cents' worth of beer. The boy brought the glad message that his mother wanted to take a dose of distasteful medicine and she wanted the beer for a chaser.

Mrs. Schulz accommodated the diminutive messenger and he was caught with the goods in his possession by a big policeman. The foam on the bucket was still fresh and it was easy to trace its source. The boy's mother was in court to corroborate the statements of the defendant, and Mrs. Schulz was dismissed honorably.

David Cox, George W. Williams and Benjamin Pincus, who are accused of bunkoing a man out of $2800 at the racetrack, were instructed and arraigned before Judge Fritz yesterday. Their hearing went over until Saturday at the request of the defendants.

M. L. Casard, who has been annoying women in Sutro Park and who formerly charged with disturbing the peace, was before Judge Fritz yesterday. He has been at liberty on $10 bail, but when some of the facts were developed during the hearing the bail was increased to $500 and the defendant ordered into custody. If he shall be found guilty there is a dose coming to him.

Joseph Rosso and Raymond Garita invaded a Mexican restaurant at Dupont and Pacific streets Sunday night. One of them ordered "abondigos con sopa y frijoles." The other merely wished for "huevos frescos con gallinas in medio." The waiter brought them two portions of food that would have made the volcano of Popocatepetl boil over into the coffee and tobacco fields of Vera Cruz.

The first taste that Garita put into his system made him think that an attempt was being made not only to assassinate him but also his entire family in Durango. Promptly he splattered the waiter with the edibles and his friend joined him in the wayward course he was pursuing toward enforcing the pure food ordinance. The cook was a target for nine bottles of prime mescal and the innocent serving maids were obliged to follow the cockroaches up the wall to avoid the violence of the outraged diners. A policeman arrived and saved the restaurant.

Judge Mogan found both defendants guilty yesterday on charges of disturbing the peace. Sentence was suspended until the Judge can find time to take a Mexican dinner and ascertain the value of the extenuating circumstances.

Carl Renhart awoke from a deep dream of peace Sunday morning on a flatcar at Fourth and Townsend streets. Also sleeping within his reach was a cask containing 150 gallons of wine. Within its oaken staves it contained landscapes for the brain of man, voices of boys and girls gathering the grapes, sunshine and yellowed leaves and the fruitage of one year's work from many hands. Its proximity and his need caused the iron to enter the soul of Renhart. It also prompted him to get the iron in his hand. He secured a long nail and was in the act of probing the boys of the cask when a watchman found him.

Before Judge Mogan yesterday he admitted his crime. He said he was thirsty when he awoke and the enticing odor of the wine was more than his probity could bear. In defense he exhibited a plug he had whittled to stop the leak in the cask if he had succeeded in his purpose.

The Judge indulged in some speculation as to the number of bums that would have gathered around that honeyed leak if Renhart had succeeded in making an entrance to the cask and what the result would have been to the peace of the city and county of San Francisco. When the Judge finished his ruminations he found the defendant guilty and will sentence him to-day.

BOARD OF EDUCATION VOTES ON PAYROLL

Leave of Absence Is Granted to Teachers and One Transfer Is Made.

The Board of Education held a meeting yesterday afternoon and passed the payroll for January. Leave of absence was granted to the following teachers: Mrs. A. E. Kedon, John Swett Grammar School; Lucille O'Connell, Pacific Heights School; Clara L. Doolan, Bertha F. Newman, Shirley Cookman Hayes and James A. McGuffin, all of the day substitute class.

Miss L. Gillespie, a regular teacher in the department, was transferred from the Spring Valley Grammar School to the Washington Grammar School.

A resolution was adopted asking the Board of Public Works to prepare plans and specifications and estimates for the building of the five additional classrooms in the attic of the Dudley Stone Primary School.

The contract for engrossing diplomas was awarded to P. A. Espina at the rates of 15 cents for high school diplomas and 5 cents for grammar school diplomas.

Patent Examiners Wanted.

The United States Civil Service Commission announces an examination on April 19, at San Francisco, for the position of assistant examiner, patent office. Age limit, 20 years or over. The supply of eligibles for this position is barely equal to the demand and persons who become eligible have an excellent chance of appointment. Persons who desire to compete should apply to the United States Civil Service Commission, Washington, D. C., or to the secretary of the Consolidated Board of Civil Service Examiners, 301 Jackson street, San Francisco, for application form 1312, which should be properly executed and filed with the Commission at Washington.

Artistic Picture Frames.

We have the moderate priced, as well as the high grade picture frames and moldings. Pretty goods at even more reasonable prices than ever before, in all the new shapes and every tint and color of mat board and binding paper. Sanborn, Vail & Co.

Another Infant Smothered.

When Mrs. Annie Gardner of 44 Hayward street awoke at 3 o'clock yesterday morning she found that the head of her infant boy had slipped under her shoulder and that the baby was dead. The child was only three weeks old. Coroner Leland will hold an inquest.

Good grocers, large and small, sell Hills Bros.' Arabian Roast Coffee.

FATHER GRAY CAUSES ARREST OF PHYSICIAN

Charges Dr. Thomas F. Brennan With Having Embezzled Coin and Jewels of Value of $39,924.13.

Police Judge Fritz, accompanied by Attorney M. C. Hassett, went to St. Joseph's Home yesterday afternoon, where Rev. Father P. J. Gray, formerly rector of St. Patrick's Church, who is an inmate of the institution named, swore to a complaint charging Dr. Thomas F. Brennan with felony embezzlement.

It is alleged in the complaint that on December 4 Dr. Brennan embezzled $37,524.13 in cash and a gold chalice, gold watch and chain and gold cross set with diamonds, the property of Father Gray, of the aggregate value of $39,924.13.

Dr. Brennan was arrested in his office in the Examiner building by Policeman Mahoney and taken to the City Prison, where he was booked on the charge. He declined to discuss the merits of the case, saying the facts had already been alleged in a suit for an accounting against him in Judge Sloss' court. He said he had been Father Gray's physician for the last ten years and for four years he had been almost constantly with him.

He believed that Father Gray had been instigated to take criminal proceedings against him by his enemies, but said he had no fear of the result.

Petitions in Insolvency.

Petitions in insolvency were filed yesterday in the United States District Court as follows: R. Valentine, tailor, San Francisco, liabilities $8811, assets $250; J. B. Wadsworth, farmer, Hooker, liabilities $364, no assets.

The John Finn Metal Works, San Francisco Gas and Electric Company, Alexander Yost Company and Charles Stallman, doing business as the Pacific Tool and Supply Company, creditors, have filed a petition asking that the Universal Automobile Company of California Machine Works be declared an involuntary insolvent. The petition alleges that the automobile company has transferred its tools, patterns, drawings and other personal property to J. J. Rauer with intent to prefer him over the other creditors.

Sues Finigan for Rent.

E. H. Coe filed a suit for restitution of premises yesterday against P. A. Finigan. He claims the defendant owes him $130 for rent of the premises at 1931 Union street.

Coffee is now selling at the highest price known for several years on the New York Exchange, and there is some danger of a coffee famine, but there is still enough to be had in San Francisco, so you can brew it on one of the gas ranges for sale by the San Francisco Gas and Electric Co., 415 Post street.

BOTH FACTIONS NOW SATISFIED

School Directors Meet Residents of Sunnyside District and Thoroughly Canvass Situation

NEW BUILDINGS PLANNED

Structure at Present Occupied as Schoolhouse Is Found to Be Overcrowded and Unsanitary

Oil was poured on the troubled waters in the Sunnyside district yesterday morning when the School Directors informed the residents of that district that instead of the old school being closed and the scholars compelled to travel to the extreme end of the district, practically three schools will be maintained pending the erection of the new building. The school problem is a difficult one to settle in the Sunnyside district, as there appears to be two factions, each desiring that the school be located in its particular neighborhood.

The building in use at present is not only overcrowded, but is unfit for use as a school. It is a one-story and attic structure and the children are practically herded into it like sheep into a pen. On the upper floor are two classrooms, which may be reached only by a crooked stairway. The door at the foot of this stairway opens outwardly into the lower hall, and in case of panic would effectually block all egress. The classrooms are small, poorly ventilated and overcrowded, three pupils frequently occupying seats intended but for two.

STORM OF PROTESTS.

School Director Boyle noticed these conditions at a recent visit to the premises and on his recommendation a building on Joost avenue, in the immediate neighborhood, was selected as more suitable. The owner of the building agreed to make all necessary changes to fit it for school purposes and let it at a nominal figure. He was instructed to go ahead with his work, but the alterations had not proceeded far before the directors were besieged with a storm of protests.

The people residing in the neighborhood of the new building were well pleased with its selection, but a great majority of the Sunnyside residents claimed they were being robbed of their school. They also said the new building was too close to the railroad and at the extreme end of the district. In order that all might be given an opportunity to state their cases the directors decided to meet them on the ground. In accordance with this decision almost the entire population of Sunnyside met with the directors and canvassed the situation thoroughly. The directors got enough practical advice to last a lifetime and incidentally some exercise in hill climbing and ditch leaping.

COMPROMISE EFFECTED.

The upshot of the matter was that at a meeting called to order by Mrs. T. A. Harrison, representing the district, President Roncovieri informed all present that not only would the old school be continued after its interior had been improved, but portable schoolrooms would be placed on a lot in the center of the district. He further advised them to apply to the Supervisors for funds to erect the new building, which has already been planned.

The present teachers at the Sunnyside School seem to be very popular and in answer to inquiries President Roncovieri assured his audience that there would be no change made in the staff of teachers before the close of the term.

SAYS SHE WAS SWINDLED IN LODGING-HOUSE DEAL

Mrs. Minna Dunne Swears Out Warrants for Arrest of H. C. Decker and Mrs. B. Seitz.

Mrs. Minna Dunne, 62 Ellis street, swore to a complaint before Police Judge Conlan yesterday charging H. C. Decker, real estate agent, 906 Market street, and Mrs. B. Seitz with obtaining money by false pretenses.

Mrs. Dunne alleges that on January 23 she purchased from Mrs. Seitz, through Decker, the lodging-house at 62 Ellis street for $1200. It was represented to her that Mrs. Seitz was the owner of the lodging-house and had an unexpired lease of seven years of the building.

Mrs. Dunne took possession of the premises on January 23 and in her complaint alleges that she was informed that Mrs. Seitz was not the owner and instead of having an unexpired lease of seven years she, at the time of the sale, had been notified by the landlord to give up possession on February 1.

Wants Police Restrained.

The Wee Ong tong, through Attorney George D. Collins, secured an order from Judge Cook yesterday temporarily restraining the police from forcibly entering the premises at 820 and 822 Washington street. The Chinatown squad on January 25 broke into the premises and arrested several Chinese for playing fantan. Affidavits were filed by the police on the one side and the president and secretary of the tong and others on the other and the hearing will take place this afternoon on the application for a permanent injunction.

ADVERTISEMENTS.

AVOID THE CAUSE OF DISEASE

Nine-tenths of all our diseases have their beginning with

CONSTIPATION

It is a duty we owe to our body to secure a free movement of the bowels once every day. The one reliable remedy for constipation is

HUNYADI JÁNOS

THE NATURAL LAXATIVE WATER.

Half a glass on arising gives prompt and pleasant relief.

PRAGERS

There Will Be Something Doing at Prager's To-Day—Don't Miss It.

Great Remnant Sale.

Silks and Dress Goods at 1/3 Price.

IN our dress goods aisle the greatest sale of the season of mill ends and remnants left from a tremendous sale of staple silks and black and colored dress goods is being conducted. The lengths are from one to ten yards, and in the remnants are black and colored taffetas, peau de soie silk, fancy waist silks and plain evening effects. In dress goods there are plain and novelty weaves, albatross, alpaca, Scotch mixtures and cloths in cream, black and colors.

PEAU DE SOIE—

75c a yard—24-inch guaranteed black peau de soie silk. This is our regular $1.00 quality, placed on sale to-morrow at 1/4 off. An opportunity rarely presented to San Francisco shoppers.

WASH SILKS—

35c a yard—A few hundred yards of imported wash cords. Every yard is worth 50c.

Pragers

ALWAYS RELIABLE

1238-1250 MARKET ST. AT JONES

WATKINS CITES LARGE FIGURES

Tells San Francisco Board of Trade of Transactions Involving Millions of Dollars

The twenty-seventh anniversary of the organization of the San Francisco Board of Trade was marked yesterday by the holding of an annual meeting. For the twelfth term, A. E. Watkins was elected president; T. J. Parsons and S. Nickelsberg were elected vice presidents, Isaac Upham was elected treasurer and H. L. Smith and Joseph Kirk were re-elected secretary and attorney, respectively.

An address was delivered by President Watkins, in which he alluded to the anniversary and said that it was gratifying to report that the board was in harmony and prosperous and that it was well equipped to execute promptly all business within its province. There was a balance of $20,495 25 in the hands of the treasurer, which exceeded the balance on the corresponding date in 1903 by $3753. The membership had gained. The enrollment yesterday was 202 members, as against 195 last February.

Attention was called by the president to the magnitude of the operations of the board in its more than a quarter of a century of existence. It had dealt with 2,705 failures, the amount of liabilities in which, in total, was $78,274,849. The amount of recoveries was $39,274,014, the percentage of recoveries during the life of the board being 49.90. President Watkins reported figures attesting to the prosperity of San Francisco in 1903. Some of his statements were as follows:

Judged by the volume of bank clearings business has been the best in the history of the city. San Francisco ranks seventh among the cities of the United States in amount of bank clearings, which for the year 1903 were $1,522,198,488, as against $1,369,058,560 for 1902, an increase of 11 per cent. The clearances of Seattle for 1903 were $210,075,358, less than one-seventh of San Francisco's for the same period.

In 1902 the clearances of Seattle were $191,948,819, the gain in 1903 being only 9 per cent.

The bank clearings for the five largest banking cities on the Pacific Coast outside of San Francisco, namely, Los Angeles, Seattle, Portland, Tacoma and Spokane, for the year 1903 were $905,358,950. As shown above, San Francisco's clearances were 68 per cent in excess of the whole five cities.

The value of exports by sea from our port in 1903 was $49,330,300. The high water mark was reached in real estate transactions in our city in the year just closed. The sales recorded were $6365, amounting to $47,710,157.

The production of gold in California in 1903 was $16,792,106, a slight increase over 1902. One of the most important factors in Californian products is that of fuel oil, which in the year 1903 was more than 20,000,000 barrels.

OUTLOOK IS GOOD.

All things considered, the business outlook for 1904 is favorable. The war cloud hovering over Russia and Japan is an unknown quantity. Fundamentally war is always to be deplored as an economic disaster but it may scatter temporary benefits, and in the present case a good many of these might fall to the Pacific Coast.

Resolutions in opposition to the parcels post bill, which were introduced by W. R. Wheeler, were unanimously adopted, as follows:

Whereas, The parcels post bill is, in our opinion, opposed to the interest of the membership of our organization, and of the retail trade, particularly the retailers of the smaller cities and towns, inasmuch as it exposes the retail merchant to the unfair competition of the catalogue houses located from 200 to 3000 miles away and would have the tendency to centralize trade in the larger cities; therefore be it

Resolved, That copies of this resolution be immediately forwarded to every United States Senator and Congressman from the Pacific States, also to the author of the bill, to the president of the United States Senate and Speaker of the House of Representatives.

STATISTICS OF FAILURE.

Detailed reports were received from Secretary Smith, from Attorney Kirk and from the treasurer. On recommendation of the nominating committee T. J. Parsons, Martin Triest and George S. Wheaton were elected directors.

It was reported that during the last twelve months 1059 failures were reported to the board and 660 cases were recorded. The liabilities were $3,314,981. The cases that were settled numbered 258 and 402 are pending. Eighty-two were compromised and thirty-nine were extended. The settlements were 182 for cash, 18 for cash and notes, 14 on indorsements or secured notes. The cases that were a total loss numbered 35.

California had 384 failures, Oregon 83 and Washington 80. The larger numbers of failures in California counties were as follows: Alameda 25, Fresno 17, Los Angeles 15, Mendocino 10, San Francisco 99, Siskiyou 14, Sonoma 11, Tulare 12.

In the Divorce Court.

Suits for divorce were filed yesterday by W. E. Bellina against Victoria R. Bellina for cruelty, and Eva Kinkade against Samuel R. Kinkade for neglect. Decrees of divorce were granted to Bessie Nielson from Loren P. Nielson for cruelty, and Esther Scheika from Joseph Scheika for desertion.

SON OF MILLIONAIRE CHARGED WITH CRIME

J. T. Grayson Booked at City Prison on Charge of Obtaining Money by False Pretenses.

J. T. Grayson, son of a millionaire mining man of Portland, Or., who has been cutting a wide swath here on worthless checks, was booked at the City Prison yesterday morning by Detective Whitaker and Policeman Geiman on a charge of obtaining money by false pretenses. He was arrested on Saturday and when his father was appealed to he refused to render any assistance.

The complaining witness against Grayson is William M. Pratt of Pratt & Tierney, saloon-keepers, 133 Mason street. He alleges that Grayson called at his place on Friday night and asked him to advance him $25. Grayson showed him what purported to be a deposit receipt for $1000 with the Wells-Fargo Bank. Pratt advanced him the amount and Grayson gave him a check on the bank. When the check was presented for payment it was marked "no funds."

Elects New Officers.

The annual meeting of the Yosemite Stage and Turnpike Company was held yesterday and the following officers elected: President, R. H. Pratt; vice president, J. J. Cook; secretary, Abner Mann; general superintendent, E. P. Washburn. A. E. Ball's place on the board of directors was filled by Abner Mann. The company declared a dividend of 90 cents.

ADVERTISEMENTS.

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HOME FOR OLD PEOPLE

This home for the aged, conducted by the Sisters of Mercy, is situated at San Diego, Cal., on University Heights, overlooking the ocean. The climate is considered the finest in the world, free from extremes of heat or cold. Aged couples are also received. The charges for a home for life vary from $1500 upward, according to age and requirements. For further information apply to Sister Superior St. Joseph's Sanitarium, San Diego, Cal.