

BEVERAGE SOLD AS WHISKEY PUZZLES HIS HONOR MOGAN

Plainclothes Policeman Purchases It in a Free Variety Theater, but He Cannot Swear That It Contains the Constituents of Genuine Stuff

Police Officer Goff's inability to prove that it was real whiskey he bought, paid for and drank in a Market-street home of gratuitous vaudeville compelled Judge Mogan to take under advisement the charge of selling liquor without a license that stands against George Kennedy, an attaché of the establishment.

It was a simple story the complainant told. In civilian attire he visited the theater and assumed for the nonce the role of Reuben in quest of metropolitan delights. He was cordially welcomed by three ladies and their introductory salutation was quickly supplemented with a request that he buy something. There was beer, but as that beverage was hardly strong enough to make his contemplated case adhere, he ordered whiskey. The four drinks were brought by Kennedy and Goff paid \$1 for them. As soon as the money was accepted the case was virtually completed and arrest of the recipient immediately followed, to the great surprise and indignation of the ladies, who freely ventilated their opinion of "fly cops" and "sneak bulls."

In court yesterday it looked like conviction until a special attorney for the defense took the complaining witness in hand and asked him whether he was positive it was whiskey he bought from the defendant. Was he sure it wasn't mellowed aquaforts, or diluted vitriol, or deodorized arsenic, or liquid radium? Was he ready to make oath—and, please, let him not forget he was on oath—that the beverage supplied him by the defendant was not a decoction distilled from something else than malt? As a conscientious officer could he swear he was not served with extract of boiled bootlegs instead of whiskey? Would he be so good—and, pray, let him be careful—as to describe for the information of the court what the stuff he bought, paid for and drank tasted like? Did it appeal to his palate like any whiskey he had ever before imbibed?

No, the complainant could not swear it was whiskey, or that it had the flavor of whiskey, but he was certain he ordered whiskey and was furnished with a liquid that did duty as whiskey in that temple of amusement. Yes, he considered himself a pretty good judge of whiskey, although he disclaimed distinction as an expert. Suppose his interrogator had ordered as he ordered and had been served as he was served, what would he think he had been served with?

"Not with whiskey in that particular place!" shouted the pleader. Then the Judge opined that if the liquor in question were subjected to chemical analysis the character of its constituent qualities might be revealed, and the defense approved the suggestion with an eagerness that conveyed mistrust to the prosecution. A decision is expected within a week.

Judge Frits fairly gasped when a verdict of not guilty was returned by the jury that heard the evidence against Edward Veach, accused of insulting a 14-year-old girl at the ocean beach. His Honor glared deprecatingly at the "twelve good men and true" as they filed out of court. The testimony for the prosecution certainly was strong enough to warrant a conviction. Among the witnesses was a soldier, who saw the defendant's treatment of the child and informed an officer of it and the officer swore that after he arrested Veach the latter broke away from him and ran quite a distance before he was recaptured.

Veach is employed in a can factory and also serves as supernumerary at one of the theaters. Al Kelly, a has-been in the baseball world, was arraigned before Judge Cabanis and charged with cutting the face of Miss Gertrude Neil of 211 Minna street with a razor. He pleaded not guilty and exhibited a gashed lip to substantiate his story that Miss Neil and another young woman were battling with razors in a house on Minna street when he interfered and was wounded. The case will be heard next Wednesday.

About two months ago Kelly was defendant in the same court on a charge of stealing towels from a boarding-house. He then stated that he was under engagement for this season with the Leavenworth baseball team and with the complainant's consent the case was dismissed to enable the defendant to carry out his contract.

Gertrude Williams and Albert Riley were dueling with razors at 171 Minna street when a policeman arrested them for disturbing the peace, and Minnie Rice, the referee, was also run in and charged with vagrancy. Judge Mogan will attend to the trio on May 25.

Robert Hayes, a striking stablesman, was fined \$25 for having brass knuckles in his possession when arrested in connection with an assault case several days ago. The prosecution was directed by the attorney for the Citizens Alliance and it was at his request that Judge Cabanis taxed the defendant so lightly.

After getting John McCaffrey arrested for striking him on the face Mr. Morris, a Second-street glazier, so far relented as to inform Judge Mogan that he did not desire to prosecute. Indeed, he seemed anxious to have the case dismissed without any hearing at all.

But instead of being grateful for the magnanimity thus shown Mr. McCaffrey laughed derisively and bursted out in court: "Of course he doesn't want to tell what I punched him for." "Maybe you want to tell?" ventured the Judge. "Sure. He went to my house while I was absent and tried to make love to my wife." Subsequent inquiry developed the information that the fair object of Mr. Morris' alleged surreptitious wooing had never been formally wed to Mr. McCaffrey. "We haven't been church'd," that gentleman explained, "but I think just as much of her as if she were my sure enough wife." Case dismissed.

Sarah Black, middle aged and fashionably attired, was described as a sort of feminine Jekyll and Hyde by the policeman who arrested her for drunkenness last Thursday night in the red light district. "She lives in swell style out in the Western Addition," said the officer, "and about once a week she comes in and does the tenderloin. Sarah Black ain't her name, and I don't know what it is."

"Better find out who she is," the Judge suggested, "so we'll know who we have to deal with when you next bring her in."

The defendant paid a \$5 fine from a wallet fairly bursting with cash.

In one of Robert Schaff's pockets was found an iron "knuckle-duster" after he had been arrested for drunkenness and Judge Cabanis will hear both charges against him to-day.

Three witnesses swore that it was Joseph Egan, alias "The Kid," a striking stableman, who dragged Joel W. Fuller from a wagon he was driving and then beat his head with a pitchfork handle and bent back one of his fingers until the tendon burst. Mr. Fuller identified Egan as his assailant. The defense will be heard next Monday by Judge Mogan.

Emily Mahoney sent word from the Receiving Hospital to Judge Cabanis that she hopes to be mentally fit to visit his court next Monday and plead to a charge of vagrancy. On her first appearance before him, last Tuesday, she suddenly began to see specimens of the zoological kingdom that had no existence in reality, and her frenzied appeals for protection from them necessitated her removal to the hospital. It was reported yesterday that her menagerie has been reduced to one scarlet monkey and a pink poll parrot.

Mrs. Anna Speakman showed a bandaged finger when she appeared in Judge Mogan's court to answer the charge of assaulting with intent to murder Mrs. Clara Lefevre, with whom she engaged in a knife and scissors duel at the residence of Adolph Beth, 799 Cole street. The arrest was made on complaint of Beth, who is the defendant's father, and for whom Mrs. Lefevre was employed as housekeeper. Mrs. Lefevre did not appear in court and her absence was explained by a certificate from Dr. Amiel to the effect that the injuries inflicted upon her by Mrs. Speakman were so serious as to necessitate confinement to her home for a few days. She has two deep scalp wounds and some minor cuts on her face. The arraignment was continued till next Wednesday, the defendant's bail of \$100 being allowed to stand.

There was nothing in Mrs. Speakman's appearance to indicate tribulation over the serious charge against her. She was neatly gowned and hatted, and her countenance reflected perfect placidity of mind. When the Judge asked her for the name of the woman with whom she had fought she calmly said, "I do not know."

"I want you to see this face of mine before the bruises leave it," said Ed-ward Powers, charged with having stabbed Harry Brown's arm during a fight with that person. Judge Mogan glanced at the countenance of Mr. Powers and remarked that it certainly appeared to have been roughly treated. Two black eyes and a mutilated lip were the most conspicuous signs of recent conflict. "This face of mine shows that I was handed something before any cutting was done," Mr. Powers continued, "and I hope you'll make a note of it." "It is mentally photographed," his Honor responded, "and when you come up for trial next Wednesday it will be indelibly stamped on my mind's eye."

Alexander Wheatley is held in \$3000 bonds to answer in the Superior Court to the charge of having held up a Chinese opium den and robbed its four inmates. The preliminary hearing was before Judge Mogan.

Victor Bjors, house carpenter, was accused of having erected a shanty over the left eye of George E. Davis, a fellow workman, while the twin were engaged in the construction of a lofty dwelling at Sutter and Buchanan streets. After hearing the story of the assault and what provoked it, Judge Cabanis dismissed the defendant and advised him to exclude facial alteration from his handicraft.

Mary Hurley, the cook lady, whose resistance to dismissal transformed the tranquil "Vegetarian Home," 2526 Ocean boulevard, into a veritable rough house, reappeared before his Honor Mogan and volunteered a whole lot of information about that establishment.

"Mrs. Drexler hired me," she said, "and may be she won't be mad when she hears I have been fired. She is in Europe, and before she started she bought the home and gave it to Mrs. Russell. Is Mrs. Drexler rich? Well, I wish I had—why, if she ain't worth \$3,000,000 she ain't worth a cent. Where did she get it? Made it out of her vegetarian homes, of course. Why, there are eight women inmates out there now, and each of them brought in big money. I wasn't allowed to go near them, but I know what I'm talking about."

The court has not yet decided what to do with Mrs. Hurley.

DEFENSE ENDS ITS ARGUMENT

General Salomon, the Head Counsel for Soeder, Makes Denunciation of Evidence

SAYS IT IS PERJURED

Insistent Woman Is in Court Who Asks the Privilege of Kissing the Accused Man

The inevitable woman made her appearance yesterday during the trial of Leon Soeder, who is charged with slitting the throat of Joseph Blaise, his brother-in-law, on the night of January 19 of this year at a lonely highway on Russian hill.

This woman was gowned in blue and rather passe in appearance. Her hat, as well as her face, told this. When she first entered the court room she surged up to the railing that acts as a bar to those that are not officers of the court. A Deputy Sheriff halted her and asked what she wanted. She made some indistinct answer and Balliff Martin Welch arose from his seat and questioned her.

"I want to get in here so that I can kiss Soeder," she said. The balliff blushing assured her that the proposition was entirely out of order and referred her to Policeman Jack Edwards, who was guarding the door of the court room. She managed to get a point of vantage in the west aisle of the court room and made faces at the jury. During General Salomon's argument she made voluble explanations to the men standing about her and attracted the attention of everybody.

KEPT NAME SECRET. When she left the court room on adjournment she was asked her name and she snapped back, "It's none of your business."

"Why did you want to kiss Soeder," she was asked. "Because I believe he is a persecuted man," she said. Leaving the Hall of Justice she went in the direction of the Barbary Coast.

Alexander Campbell Jr. opened the argument for the defense and consumed the entire forenoon and half an hour in the afternoon. Principally his address was devoted to Catherine Flatley, whom he denounced as a "professional leg-puller," and whose testimony was given because Soeder had severed his relations with her.

General Salomon followed in an exhaustive resume of the testimony given during the trial. At the conclusion of his particularly scathing denunciation of John Cooper, the forger now in the County Jail, who testified that Soeder had confessed to him minutely how he had murdered Blaise. Incidentally he went into the methods of the police in building up a case against his client. Soeder listened to the arguments of his counsel with evident satisfaction.

CHANGES IN SOUTHERN PACIFIC PENSION BUREAU. The removal of Director of Maintenance and Operations Julius Kruttschnitt was a member of the bureau, changes in the Southern Pacific Company's pension bureau. As general manager of the company Mr. Kruttschnitt was a member of the bureau, the rules of which provide that all acts shall be referred for approval to the president of the company. As assistant to the president on this coast Mr. Kruttschnitt naturally had to fill a dual position. With his withdrawal, however, General Manager Markham takes his place in the bureau and all acts of the organization will, until a new assistant to the president is appointed, be referred direct to President Harriman in New York. The position of secretary of the bureau, formerly held by William F. Bull, statistician of the executive department of the company, who has also gone to Chicago, has been filled by A. F. Hess, until lately a clerk under B. A. Worthington, and D. T. Costello has been made executive department statistician. The pension bureau, as it now stands, is composed of the following officials: General Manager Markham, Manager Agtie, General Superintendent of Motive Power Small, Auditor Klhink, Chief Counsel Herrin and Chief Surgeon Ainsworth.

Excursion to Lake Tahoe. The first Tahoe excursion of the season will leave San Francisco Saturday, May 28, at 8:00 p. m. Tickets will be good to return on any regular train, Overland Limited excepted, arriving at San Francisco on or before June 8. Round-trip rate, exclusive of sleeper accommodations, \$8.50. Tickets sold in Oakland and San Francisco. Ask Southern Pacific agents.

A FINE NUT SET. Premium to Classified Advertisers in Sunday Edition.

THE SUNDAY CALL. Has 85,000 Circulation, Principally in the Homes. A quantity and quality of circulation that assures substantial returns. Bring your Sunday Want Ad to-day and receive Nut Set FREE FREE.

IMPROVEMENT IN COMPANY IS PROMISED

Popular Neill-Morosco Troupe Will Open at California.

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RUMBLE WITHIN REACH OF JAIL

Is Convicted of Using the Mails for the Purpose of Defrauding the Unwary

AN UNLUCKY BIRTHDAY

Man Who Realized Three Hundred Thousand Dollars by Swindling Is Checked

By the verdict of a jury of intelligent business men in the United States District Court yesterday George W. Rumble was branded as a fake mining operator, a dealer in gold-brickery and a suave confidence man. The jurors did not remain out more than an hour. The indictment charged Rumble with having made use of the United States post-office in furtherance of a scheme to defraud.

Next Wednesday at 11 a. m. was fixed as the time for passing sentence. The extreme penalty is a fine of \$500 and imprisonment in the penitentiary for eighteen months.

W. H. Hart and Aylett R. Cotton, attorneys for Rumble, intend to take the case before the United States Circuit Court of Appeals, and will make their preliminary motions on Wednesday.

After the announcement of the verdict Assistant United States Attorney Ben L. McKinley informed the court that the surety company which had furnished the \$3000 bonds for Rumble's bail had become bankrupt, and he moved that a new bond in the sum of \$10,000 should be required to insure the prisoner's appearance for sentence on next Wednesday. Rumble was taken in custody by United States Marshal John H. Shine and shortly thereafter was released on filing a bail bond for \$10,000, with the Aetna Indemnity Company of Hartford as surety.

The evidence on behalf of the Government had been collected and prepared by Postoffice Inspector James O'Connell. Mr. O'Connell performed his task so thoroughly and with so much nice discretion that not a loophole was left for the defendant to squeeze out of. The sleuth found that within the last three years Rumble's net deposits in bank in his own name and in the name of his wife amounted to \$265,068, realized from the sale of stock in the Sunset Mining Company and from the sale of bullion produced by the Old Glory mine. All the bullion disposed of by Rumble in the United States Mint and at Selby's Smelting and Lead Works amounted to \$247,410, according to the statements obtained by Inspector O'Connell from the officials of those institutions.

Yesterday was Rumble's sixtieth birthday. He was not at all thankful for the gift handed him by the jury. To attend to legislation. Superintendent of Schools Langdon yesterday returned from the convention of school superintendents at Santa Barbara. Langdon says one of the most important things done at the convention was the appointment of a committee to attend to all legislation affecting schools and education to come before the next Legislature. The committee consists of J. W. McClymonds of Oakland, J. Barr of Stockton, Mark Keppell of Los Angeles, George Sackett of Ventura and W. H. Langdon of San Francisco.

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EVERETT PIANO

The individuality of the Everett tone has aroused the admiration and affection of the piano lover, and that this thrilling and delightful tone is there to stay, to charm and compel the admiration of all hearers, throughout the entire lifetime of the instrument, is what commands the EVERETT an abiding place in the hearts of cultured people. Let us tell you how easily you may own an EVERETT. Come in immediately.

The Wily B. Allen Co.
931-933 MARKET STREET, San Francisco
Other Stores: Oakland, San Jose, Sacramento, Eureka, Fresno and San Diego

The Mauvais Music Co. is now established in our building. For sheet music, books or small musical instruments, call on or address them.

AMUSEMENTS.

GRAND OPERA HOUSE

MATINEE TO-DAY.
LAST NIGHT.
MELBOURNE

MacDOWELL

In Sardou's

EMPRESS THEODORA

TO-MORROW
MATINEE
POPULAR PRICES—15c, 25c, 50c, 75c.

COLUMBIA SAN FRANCISCO LEADING THEATRE

MR. RICHARD

MANSFIELD

Matinee To-day—BEAU BRUMMEL
To-night—IVAN THE TERRIBLE

NEXT WEEK
Monday—OLD HEIDELBERG.
Tuesday—IVAN THE TERRIBLE.
Wednesday—BEAU BRUMMEL.
Thursday—OLD HEIDELBERG.
Friday—DR. JEKYLL AND MR. HYDE.
Matinee Saturday—OLD HEIDELBERG.
Saturday Night (farewell)—IVAN THE TERRIBLE.

Next Attraction, MAUDE ADAMS
Monday, May 30.
In "THE LITTLE MINISTER."

AMUSEMENTS.

INGLESIDE COURSING PARK.

112-Dog Open Stake

Sunday, May 22

Hereafter Running on SATURDAYS

Coursing will begin at 11:30 o'clock sharp and continue until the last winning flag goes up.

TOTAL PRIZES : : : \$2000

All Mission street cars transfer to Guerrero cars, which go direct to the park.

THOMAS TIERNY, Judge.
EDWARD SHORTSTAG, Slipper.

CALIFORNIA

LAST TIME TO-NIGHT.
MATINEE TO-DAY.
THE FUNNIEST SHOW IN TOWN!

OUR NEW MINISTER

WITH ERNEST HASTINGS AND THE FAMOUS ALL-STAR CAST.

To-morrow—Opening annual summer stock season. Neill-Morosco Company in "When It Were Twenty-One." Seats now selling.

POSITIVELY THE GREATEST STOCK COMPANY IN EXISTENCE

The CHUTES

Matsuda's Royal Japanese Troupe, Moving Pictures of the Great Train Robbery and a Great Show Every Afternoon and Evening in the Theater.

TAKE A RIDE ON THE MINIATURE ELECTRIC RAILROAD Esmeralda and Her BABY MONKEY in the

INSPECT CABINET DE LA MORT. CIRCULATE OF THE FERRIS WHEEL Admission, 10c; Children, 5c.

MISCELLANEOUS AMUSEMENTS.

BASEBALL

AT RECREATION PARK, Eighth and Harrison sts.

Oakland vs. Los Angeles

TO-DAY 3 p. m.
SUNDAY 2:30 p. m.
Advance sale of seats at 5 Stockton st.

Orpheum

Marcel's Living Art Studios; Charles Deland and Company and Hume, Moss and Lewis. Last Times of Yung Ju Kim and Chi Suke Oke; Midgley and Carlisle; Clara Ballerini; George H. Wood; Ballerini's Dogs and

MME. SLAPOFFSKI,

England's Greatest Prima Donna Soprano

Regular Matinee Every Wednesday, Thursday, Saturday and Sunday. Prices, 10c, 25c and 50c.

TIVOLI OPERA HOUSE.

MATINEE TO-DAY.

Second Week—Enormous Success Of the Sparkling Musical Comedy, Pretty Music

A Delightful Singers

RUNAWAY GIRL

Clever Comedians

HANDSOME GIRL CHORUS. BEAUTIFUL SCENERY AND COSTUMES. USUAL TIVOLI PRICES—25c, 50c, 75c.

ALCAZAR

Belasco & Mayer, Proprietors. E. D. Price, General Manager.

TO-NIGHT—MATINEE TO-DAY.
"Capital for matinee girls."—Chronicle.

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