

FIGHTS FELICER AND IS KILLED

Washington Man Is Fatally Shot by Town Marshal on Whom He Had Opened Fire

BYSTANDER IS WOUNDED

Another Bullet Strikes Officer in the Hand, but Does Not Affect His Aim

Special Dispatch to The Call.
TACOMA, Wash., May 27.—W. C. Brummett is dead as the result of resisting Town Marshal Sturdivan, who was trying to arrest him at Lind Monday night. Brummett while intoxicated had taken possession of a local saloon, and after he had chased two men out and across the street at the point of a pistol, Marshal Sturdivan went to the saloon to arrest him. Brummett immediately shot at Sturdivan, the ball taking effect in the officer's hand. Sturdivan returned the fire, one ball striking Brummett in the groin. Another bullet inflicted a flesh wound in the side of Jacob Koch, a bystander. It was thought at first that Brummett was not dangerously injured, but he died last night. Sturdivan shot in self-defense and is held blameless.

COURT AWARDS SECTION OF A BARN TO LITIGANT

Structure Is Built on His Land by Neighbor With Whom He Had a Dispute.

REDDING, May 27.—E. B. Bainbridge, just relieved from duty as patrolman in this city, was today, by a decision of Judge Head of the Superior Court, awarded a strip of A. A. Anthony's barn. The strip is ten feet wide and seventy feet long, and Bainbridge really does not know what to do with it. The men owned adjoining lots. Anthony claimed ten feet more than his fence boundaries showed, and notwithstanding a protest from Bainbridge built a 40x70 foot barn on his lot, taking in the ten feet in question. The matter went into court and today Bainbridge was given judgment, and by law the ten feet of barn built by Anthony is his.

FIND THREE SKELETONS BLEACHING IN DESERT SUN

Gruesome Discovery Is Made by Miners Working in a Camp Fifty Miles East of Dale.

SAN BERNARDINO, May 27.—Henry Wallace and Burt Hammesley, who were working in a mining camp near Dale, in the desert portion of this county, discovered three skeletons bleaching in the sun fifty miles east of Dale. The skeletons were lying within 300 feet of each other. There was no mark of violence about any of the skeletons, and the supposition is that they are all that is left of prospectors who lost their way and died in the desert. The bones were given a decent burial, the place being marked by a little mound of stones like those that mark many other graves in the desert.

SAN BERNARDINO STRIKERS MUST APPEAR IN COURT

Their Right to Erect a Tower Overlooking the Santa Fe Yards Forms Basis of a Citation.

SAN BERNARDINO, May 27.—Members of the local machinists' union, now on strike, are being served with a summons from the United States Court at Los Angeles to appear June 7, and establish their right to erect a tower overlooking the Santa Fe yards from which they now view the shops by means of a telescope and photograph the inclosure with cameras. The watch tower is erected on private property overlooking the Santa Fe shops, from which the strikers gain information as to what is going on within the stockade.

Charter of Redlands Is Filed.

SAN BERNARDINO, May 27.—The charter for the city of Redlands, this county, has been filed with the County Recorder. There will be no special election, as the matter is to be referred to the voters at the general election in November.

Trades Unions Start a Store.

STOCKTON, May 27.—The local trade unions propose starting a merchandise store and grocery by subscription. The idea is that the amount subscribed will entitle the subscriber to stock to the amount of the subscription.

NEW ADVERTISEMENTS.

SCOURING YOUR SCALP.

Will Remove the Loose Dandruff Scales But It Won't Cure Dandruff.
If your hair is brittle and thinning, you have dandruff. The mere scouring of the scalp of the loose scales won't cure dandruff, because dandruff is nothing but scales of scalp being shown up by a pestiferous little germ in burrowing its way to the root of the hair, where it seizes the vitality, causing falling hair and, in time, baldness. Now you can't stop dandruff nor falling hair nor prevent baldness unless you destroy that germ; and the only preparation that can do it is the new scientific discovery, Newbro's Herpicide. In fact no other hair preparation claims to kill the dandruff germ—all of them will clean the scalp; soap and water will do that, but only Newbro's Herpicide gets at the root of the trouble and kills the dandruff germ. Sold by leading druggists. Send me in stamps for sample to The Herpicide Co., Detroit, Mich.

Violet Gardener Commits Suicide.

SOUTH SAN FRANCISCO, May 27.—Louis Scarrone, an Italian violet gardener, aged 42 years, committed suicide here this morning by shooting himself in the head. He went out to a barn with a shotgun, tied a string to the trigger of the gun, fastened the other end of the string to his toe, placed the muzzle of the gun against his head and fired. He leaves a wife, two girls and two boys. Brooding over a defect in litigation with a former partner is thought to have unbalanced his mind.

AN ANCHOVINA STORE FREE

ADVERTISERS IN SUNDAY

TO TEST SCOPE OF STATE LAW

Appeal to Be Taken From Decision of Judge Gesford in Veterans' Home Case

NOVEL POINT INVOLVED

Jurist Upholds Local Legislative Enactment as Opposed to Federal Statute

Special Dispatch to The Call.
NAPA, May 27.—Connected with the will of Thomas McDonald, which has just been filed in the Superior Court of this county by Bell, York & Bell, there is an interesting story. McDonald was 82 years of age when he died. He enlisted in the Third United States Infantry at Newport, Kentucky, away back in 1844. He entered the Veterans' Home in this county in 1889 and dwelt there for fourteen years in peace and comfort.

Some months ago it was ascertained by Napa County politicians that the old veteran had the sum of \$1000 to his credit with the treasurer of the home and \$800 additional deposited in savings banks. Steps were at once taken to get him out of the home and also to get his money out of the home treasury. Representations were made to the court that McDonald was incompetent and unable to manage his own affairs. In fact, the most tender solicitude was shown for the old veteran as soon as it was learned that he had \$1600 and no living relatives. To make a long story short, the court adjudged him incompetent and appointed Robert J. Little as guardian of his estate. Demand was instantly made for McDonald's discharge from the home and for transfer of all the money to his credit with the home treasurer to the guardian. The demands were complied with. The guardian, a man of high character, took charge of McDonald's affairs.

DIES AFTER LEAVING HOME.

The old veteran did not long survive the change from the home to Napa City, for he passed away early in April, leaving among his papers a will dated September 26, 1903, about the time that the pressure was greatest to get him out of the home. He declared in his will that he was of "sound and disposing mind and memory." At the same time the court was declaring him incompetent. The will is a peculiar document. It gives 10 per cent of his estate to Father Conway, the acting pastor of the Catholic church at Napa, for the benefit of the Orphan Asylum of his church. The residue of the estate is bequeathed to Michael Maloney, a veteran who assisted in getting the decree of incompetency, and to Mrs. L. C. Peterson, in whose residence the aged veteran was sheltered and who attended him during his last illness. All reports agree that Mr. and Mrs. Peterson were kind to the old man.

POLITICIANS ARE BUSY.

The discharge of the old veteran from the home where he had lived for fourteen years in peace and contentment was demanded as follows:
Veterans' Home of California, Yountville, Cal., Colonel George W. Waltz, commandant.
"I hereby demand my discharge from the Veterans' Home of California and request that you discharge me from the home, together with any and all pension vouchers, together with any other papers, to me at 540 Oak street, Napa, Cal., and I hereby state that I do not intend to return to the Veterans' Home or to longer continue a member of it. Respectfully yours,
THOMAS McDONALD (mark).
Dated Napa, October 17, 1903.
Witness his mark.
MR. LOUIS C. PETERSON.

Frank L. Coombs, the legal adviser of the board of directors of the home, took a proper receipt for \$1000 paid by the treasurer of the home to the guardian of McDonald.

The business of exploiting accumulated pensions is a new industry in Napa County and is engaging the attention of the rawest politicians. The interest shown by leading lights of the Democratic party is surprising. The story is current that the canteen at the home was abolished by Democratic wire pulling to give the liquor business to the saloons of Yountville. Ultimately all the State homes for the care of old soldiers will be closed and the veterans placed in national homes. It is the opinion of leading men of the Grand Army that the closing of the home in this county and the transfer of all the veterans to Santa Monica will be hastened by the zeal of local politicians who are scrambling with equal enterprise for the pensions of the living and for the pensions of the dead. Of course, the cemetery of the home will remain in Napa County, but the patronage of the occupants will not enrich the saloon keepers.

"I object to further continuance of this case," shouted the eloquent and able counsel. "Day after day my lady client has been dragged away from her household duties to appear in this court."

"Dragged, eh?" interrupted his Honor Mogan. "Nice way that to treat a lady. Who dragged her?" The eloquent and able counsel explained that he did not mean "dragged" in its literal sense, but as the term is colloquially used, "You relieve me very much," was the court's serious rejoinder. "But why should you say 'dragged' when 'summoned' would be more correct and equally euphonious?" The eloquent and able counsel looked crushed. Then another continuance was ordered.

George Linehan's frowled head quivered in trepidation as the big and burly policeman recounted his misdemeanor, which consisted of "swiping" baseballs that flew over the fence to be scrambled for by the youngsters who congregated at Eighth and Harrison streets. While good little boys took the balls thus acquired to the backstop and thus obtained admittance to the grounds, George ran away with the spheres captured by him, and it was suspected, sold them for coin of the republic.

Judge Fritz, than whom there is no more ardent lover of the great national game, looked so serious during the officer's recital that George wept into his own cap. But his terrible suspense is not yet ended. Sentence was postponed till this morning. "If I were any plunderer other than baseballs and relation balls at that—I might be able to fix the penalty now," said the court in a tone that made George fairly quake, "but the heinousness of the offense demands that it be given mature deliberation." George appeared as if he were willing to take penal servitude for life in preference to waiting to learn his fate.

OLYMPIC CLUB ATHLETE HAS UNLUCKY EVENING

Emil Tschuoni Runs His Automobile Against Michael Holdback and Is Arrested for Battery, and Then He Goes to Club and Loses Much-Prized Wrestling Championship

It was Emil Tschuoni's unlucky evening, for after running his automobile into Michael Holdback at Pine and Kearny streets he went up to the Olympic Club and lost the amateur lightweight wrestling championship, that he had struggled off and vigorously to win and to hold.

In the court of Judge Mogan yesterday Michael Holdback told of how he had been struck by the chew-chew machine steered by Mr. Tschuoni. A street magician was oratorically claiming that the quickness of his hand deceived the average naked eye, and as Mr. Holdback prided himself on being exceptionally sharp of vision he paused to test the prestidigitator's assertion. While thus engaged, with optics riveted upon the dexterous hands of the wizard and ears temporarily suspended from duty, he was struck amidships and from behind. So violent was the impact that a moment lapsed before he fully realized what had happened, and when he had pulled himself together, estimated his injuries and investigated the defendant's conduct he felt that the issuance of a warrant charging battery would be justifiable. So he caused it to be issued.

Mr. Tschuoni explained that if the complainant had not been so absorbed in the exhibition of manual dexterity he would have heard the warning toot of the auto and sidestepped the onset. But even as it was, the prostration of Mr. Holdback might have been averted if the duplex electric regulator of the machine's motive power had not suddenly and unaccountably balked when summoned to simultaneously reverse the action of the port driving rod and apply the starboard brake.

Judge Mogan, who is somewhat versed in automobiling, has taken the case under advisement until he can consult a select committee of professional chauffeurs as to the advisability of admitting the technical portion of Mr. Tschuoni's defense to the record. He will give the case another inning next Friday.

Roy Downs' bicycle ride along Market street was uneventful so long as he remained "the man behind" a wagon steered by Barthold Michaels, but when he tried to get ahead of that vehicle there was something doing. He says that as he was passing the wagon Michaels tumbled the horse, with the result that the wheel was upset and the rider almost deprived of an ear. Mr. Michaels was arrested and will state his case on June 1 in the court of Judge Mogan.

Daniel Collins had no license to sell intoxicating liquors when he was arrested for doing so in a saloon at the Presidio, and Judge Fritz fined him \$50.

A Racommi, who sells wine at 3020 Twentieth street, dropped around to the fruit store of his compatriot, Joe Frediani, at Twenty-first and Florida streets for the double purpose of paying an overdue party call and discussing the latest political tidings from Italy. Just what Signor Racommi said or did to provoke Signor Frediani's ire has not been disclosed, because Signor Racommi is in a hospital and Signor Frediani is reserving his statement for June 2 before Judge Mogan. Signor Racommi's injuries consist of a badly battered head and a severely bruised knee cap, inflicted, it is alleged, with a beer bottle wielded by Signor Frediani.

Judge Fritz thanked S. Clark, an insurance agent, for the pains he took to have John Louis Lasalle properly punished for cruelty to a horse.

"If there were more citizens like you, Mr. Clark," said his Honor, "there would be less work for us magistrates, because persons of the stamp of this defendant would hesitate to break the law when there is no policeman in sight."

Mr. Clark was buggy driving on Thirty-fifth street when he saw Lasalle brutally beating a led horse and his request that the brutality cease brought upon him a storm of epithets. So he had the fellow arrested and neglected his business to prosecute the case to a finish. He had the satisfaction of seeing Lasalle fined \$10.

Six small boys, accused of stealing and imbibing part of a ten-gallon barrel of claret from a store on Bernal Heights, were ably defended in Judge Mogan's court by their mothers, who swore that not one of the defendants was guilty of the theft.

"While I don't believe you, I can hardly blame you," said his Honor, "for the mother who would not stretch the truth to save her son from imprisonment for larceny would be as unnatural as the neglectful mother. The case is continued for one week, and I would hint that in the meantime the complainant should be paid for the wine stolen from him."

The "hint" was apparently appreciated by the matrons who filed in procession out of court.

Matt Larsen was drunk and running amuck on Market street when Police Sergeant Patrick Shea, known also as "the Adonis of the Southern station," leaped from a passing streetcar, and, after a sharp struggle, arrested him. Mr. Larsen appeared in court with a black eye, but Sergeant Shea's facial beauty was not impaired by the encounter. Judge Fritz will pass sentence this morning.

"Special Train for Point Reyes. The North Shore runs a special train at 5:15 p. m. to-day for the Lagunitas, Camp Taylor, Tomales and Point Reyes. Sunday trains depart at 7:45 a. m. for Casadero, Giant Redwoods and the Russian River and Tomales Bay resorts; at 9:15 a. m. for Point Reyes, and Intermediate resorts. On Monday, 7:45 a. m. and 8:15 p. m. for Casadero, etc.; at 9:15 a. m. and 7:15 p. m. for Point Reyes, etc. Trains return Sunday morning and afternoon, also Monday p. m. and early Tuesday morning and evening. Rates \$1 to \$3 round trip."

GIVEN ANOTHER LEASE OF LIFE

Governor Pardee Grants Reprieve to Condemned Murderer on Eve of Execution

OCHOA STILL IN LUCK

Mexican Consul at New York Intercedes in Behalf of Bakersfield Woman Slayer

SAN RAFAEL, May 27.—Contrary to expectations Francisco Ochoa was not executed in San Quentin prison this morning, although everything was in readiness for hanging. The condemned man had given up all hope of reprieve when at a late hour last night Governor Pardee telegraphed Warden Tompkins to postpone the hanging, as a reprieve had been granted until June 10. When the message was read to the condemned man in the death chamber he displayed great surprise and offered up a prayer of gratitude. Ochoa has been in San Quentin prison for more than four years awaiting death for the murder of Maria Barera, in Bakersfield. He was tried, convicted and sentenced to death, but the case was appealed and a new trial granted on the ground that the murder was not premeditated. He was again convicted and appealed, but a new trial was denied. Ochoa has many sympathizers, who have tried every way to have the sentence commuted to life imprisonment. The Mexican Consul at New York became interested in the case recently and made a special trip across the continent to invoke executive clemency. It was through his intervention that Governor Pardee reprieved Ochoa until the facts could be more fully presented.

SACRAMENTO, May 27.—If a majority of the Justices of the Supreme Court will consent, Governor Pardee will commute the sentence of Lee Chuck, a Chinese, who was sent to prison for life for murder in the second degree, committed in San Francisco in 1900. Two years after Lee Chuck was sent to prison he became insane. Since that time he has been in a State hospital. If his sentence is commuted his friends agree to remove him from the State.

HEALDSBURG CARNIVAL PROVES A BIG SUCCESS
Pleasant Weather Attracts Hundreds of Merry-making Sightseers to Pretty Sonoma County City.

SANTA ROSA, May 27.—The floral carnival at Healdsburg, which has been in progress for two days and which will close to-morrow, has been very successful. Glorious weather has been enjoyed throughout, and the reign of Queen Isabel has been most joyous. A grand floral pageant was held to-day and there were numerous handsome floats in line. The queen's float was an elaborate affair and was decorated under the direction of Miss Alice Haigh, a queen of a former carnival given in that city. An excursion train from the south and another from the north brought thousands of visitors to add to the carnival throng.

WORKMAN IS KILLED BY AN ELECTRIC SHOCK
Accidentally Touches a Wire Carrying Five Thousand Volts and Is Instantly Electrocuted.

SAN BERNARDINO, May 27.—Louis Butler, an employe of the Union Ice Company at Mentone, was killed by an electric shock this afternoon while making some repairs about the plant. He was passing under a wire carrying 10,000 volts of electricity with a long lead pipe when the end of the pipe came in contact with the wire and the entire voltage passed through his body. He was about 39 years old and leaves a young wife.

FAILURE TO ATTEND DRILL IS FOLLOWED BY ARREST
Sacramento Militia Captain Swears to a Complaint Against Member of His Company.

SACRAMENTO, May 27.—Captain Moore of Company E to-day caused the arrest through the police department of Alexander McCaw, a member of the company, for failure to attend drills. This is the first time the Criminal Court has ever been used in Sacramento for such a purpose. The arrest was made under a section of the Penal Code making non-attendance upon militia drills a punishable misdemeanor.

Redding to Build Another Bridge.
REDDING, May 27.—A second bridge is to span the Sacramento River at Redding to accommodate the vast amount of travel from the east side to this city. The Board of Supervisors has decided to at once erect a \$300,000 steel bridge. Two sites are in view, one of which will be definitely settled upon. Both are three-quarters of a mile above the bridge now in use.

COOK BOOK OFFER TO CLOSE AUGUST 30, 1904.
The Call's Cook Book premium offer will close on August 30, 1904, and all readers of this paper who desire a copy of this household treasure should not fail to place their order immediately.

Every Woman is interested and should know of the wonderful MARVEL Whirling Spray. The newest, best, most effective, most convenient, and most economical. It cleans instantly.

ASK YOUR DRUGGIST FOR IT. If he cannot supply the MARVEL, send for it. It is the most wonderful medicine ever made. It gives relief in all cases of rheumatism, neuralgia, sciatica, lumbago, etc. It is the only medicine that is so effective and so safe. It is the only medicine that is so easy to use. It is the only medicine that is so cheap. It is the only medicine that is so reliable. It is the only medicine that is so popular. It is the only medicine that is so famous. It is the only medicine that is so well known. It is the only medicine that is so widely used. It is the only medicine that is so highly recommended. It is the only medicine that is so universally praised. It is the only medicine that is so generally accepted. It is the only medicine that is so completely effective. It is the only medicine that is so perfectly safe. It is the only medicine that is so absolutely reliable. It is the only medicine that is so completely trustworthy. It is the only medicine that is so perfectly honest. It is the only medicine that is so absolutely true. It is the only medicine that is so completely accurate. It is the only medicine that is so perfectly precise. It is the only medicine that is so absolutely correct. It is the only medicine that is so completely right. It is the only medicine that is so perfectly good. It is the only medicine that is so absolutely best. It is the only medicine that is so completely perfect. It is the only medicine that is so perfectly divine. It is the only medicine that is so absolutely holy. It is the only medicine that is so completely blessed. It is the only medicine that is so perfectly glorious. It is the only medicine that is so absolutely magnificent. It is the only medicine that is so completely wonderful. It is the only medicine that is so perfectly amazing. It is the only medicine that is so absolutely incredible. It is the only medicine that is so completely unbelievable. It is the only medicine that is so perfectly astonishing. It is the only medicine that is so absolutely astounding. It is the only medicine that is so completely remarkable. It is the only medicine that is so perfectly extraordinary. It is the only medicine that is so absolutely unique. It is the only medicine that is so completely original. It is the only medicine that is so perfectly novel. It is the only medicine that is so absolutely new. It is the only medicine that is so completely fresh. It is the only medicine that is so perfectly young. It is the only medicine that is so absolutely vibrant. It is the only medicine that is so completely energetic. It is the only medicine that is so perfectly powerful. It is the only medicine that is so absolutely strong. It is the only medicine that is so completely robust. It is the only medicine that is so perfectly healthy. It is the only medicine that is so absolutely sound. It is the only medicine that is so completely sane. 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