

SAN QUENTIN AWAITS RUMBLE

Eighteen Months and a Fine of \$500 Is Imposed on a Fake Mining Operator

LUNACY HELPS MINTER

Robert Harmon Pleads That He Was Not Aware He Had a Spielmark on Him

After hearing arguments that consumed much of the day yesterday on a motion for a new trial in the case of the United States versus George W. Rumble, convicted of using the mails in furtherance of a scheme to defraud the public by means of a wildcat mining proposition, United States District Judge de Haven yesterday denied the motion.

The Postmaster General at Washington, D. C., has issued a fraud order against the Sunset Mining Company, its officers and George W. Rumble. All mail directed to them will be held up at the various postoffices throughout the country, and the business of paying 2 per cent per month dividends out of the stockholders' pockets will come to a speedy end.

United States District Attorney Woodworth yesterday entered a nolle prosequi in the case of the United States against Robert Minter, alias Robert John, indicted for having used the postoffice in furtherance of a scheme to defraud the public. Minter was until recently a patient in an insane asylum and was confined in the County Jail since March 15 of this year awaiting trial. Under the circumstances the prosecution did not believe that a conviction would be possible.

United States Commissioner Heacock yesterday dismissed the charge against Robert Harmon, accused of attempting to pass a spielmark upon a Southern Pacific ticket agent as a twenty dollar piece, there being no evidence to show that Harmon knew that the coin was not United States legal tender.

COMMERCIAL BANKS ARE UNUSUALLY PROSPEROUS

State Board Reports on Financial Status of These Institutions and Twenty Private Concerns.

The Board of Bank Commissioners through Secretary J. Cal Ewing reports that the thirty-two commercial banks of this city are enjoying much prosperity. Since January 23 there has been a gain of \$742,668.98 in assets. The statement of resources and liabilities based on the returns of May 2 is as follows:

Resources—Bank premises, \$2,815,609.63; other real estate, \$1,875,702.14; invested in stocks, bonds and warrants, \$12,025,069.47; loans on real estate, \$4,915,484.50; loans on stocks, bonds and warrants, \$2,625,099.96; money on other securities, \$8,629,922.22; loans on personal security, \$2,985,014.96; money on hand, \$11,972,137.87; other assets, \$1,496,871.18; total resources, \$31,218,761.23.

Liabilities—Capital paid up, \$17,352,346.22; reserve fund and profit and loss, \$2,815,349.07; due depositors, \$6,754,389.76; due to banks and bankers, \$11,969,228.97; total liabilities, \$31,218,761.23.

The financial status of the twenty private banks of California is reported to be as follows:

Resources—Bank premises, \$76,328.29; other real estate, \$148,702.14; invested in stocks, bonds and warrants, \$2,625,069.47; loans on real estate, \$4,915,484.50; loans on stocks, bonds and warrants, \$2,625,099.96; money on other securities, \$8,629,922.22; loans on personal security, \$2,985,014.96; money on hand, \$11,972,137.87; other assets, \$1,496,871.18; total resources, \$31,218,761.23.

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"KID" EGAN IS SENTENCED TO SIXTY DAYS IN PRISON

Convicted of Brutally Assaulting a Non-Union Stableman, He Is Severely Punished by Judge Cabanis, but Obtains Release on \$500 Bonds by Appealing to Supreme Court

For assaulting Lincoln J. McGowan, a non-union stableman, Joseph ("Kid") Egan was sentenced to sixty days imprisonment, without alternative of fine, by Police Judge Cabanis. A motion for a new trial was denied, but an appeal to the Superior Court was taken and the defendant released on \$500 bonds.

"The evidence which led me to conclude this defendant guilty," said the Judge, "showed an offense which was at once cowardly and brutal in the extreme—cowardly because it was shown here that the complaining witness while upon a public street, moving along quietly in the exercise of his constitutional right to do so, was set upon by two men, one of whom was this defendant, who struck him from behind, felling him to the ground, and that after having fallen to the sidewalk he was kicked by the defendant. That presents a grave case, and being a grave case deserves severe punishment. The defendant deserves to be punished by reason of his wrongful conduct, and it is to be hoped that the punishment which I impose in this case will have a tendency to deter others from committing like offenses. It must be distinctly understood that wherever it is established by the evidence that a man who is himself blameless in the eye of the law, and particularly where the assault in addition to being merely an assault upon another man's person is in the nature of an assault upon the constitutional rights of every citizen, those offenses when proved by the evidence must be punished, and will be adequately punished by me."

Egan is now under bonds of \$3000 to answer for another battery case, which was heard in Judge Mogan's court. Both cases were prosecuted by the Citizens' Alliance and defended by the Stablemen's Union.

Judge Fritz held Dr. Thomas F. Brennan to answer in the Superior Court the charge of embezzling \$38,000 cash from the Rev. Father P. F. Gray, former rector of St. Patrick's Church, while serving as his physician. The defendant's attorney, W. H. Cannon, immediately applied to Superior Judge Cook for a writ of habeas corpus for his client's release, and the writ was issued and made returnable on Friday morning. Dr. Brennan was then released on \$5000 bail.

Nineteen-year-old Sidney Hester was found guilty of disturbing the peace of a lady who was awaiting her husband in Golden Gate Park and Judge Mogan will sentence him next Saturday. His Honor took occasion to roundly censure the defendant, whose defiant and impudent demeanor in court did not serve to help his case. The complainant, who is a cripple, testified that she was seated on the grass when the defendant insisted upon talking to her, and went so far as to grasp her shoulder and restrain her when she attempted to leave him. Her testimony was corroborated by a disinterested witness, a young man from the country, who went to her aid when she called for assistance. The defendant's gray-haired father and mother were in court and the old man wept when his son was pronounced guilty. "If it were not for the sake of your respected parents, with whom I deeply sympathize," said the Judge to the defendant, "I would send you to the County Jail without alternative of fine. Women and girls who visit the public parks must be protected from such individuals as you—fellows who consider themselves 'mashers' and thrust their attentions where they are neither invited nor encouraged—and if it were not for the punishment that it would convey to your father and mother I would make an example of you."

The young fellow seemed less affected by the Judge's words than were his parents. Leon de Bernardi, locally famed as "King of the Newsboys," will probably experience no trouble next Saturday in convincing Judge Fritz that his arrest for pursuing his calling at the ferry depot was simply a blunder on the part of Policeman P. K. Keefe, who was new to that beat. Leon holds the exclusive privilege, awarded him by the Harbor Commissioners, to do the very thing which the officer arrested him for doing—selling papers in the gangway leading to the Oakland boats. He is charged with peace disturbance, and he claims that it was the policeman, and not he, who started the disturbance.

Kittie Lewis, petite and blonde, leaned her elbows upon the bench in Judge Fritz's court and in a confidential whisper said that her arrest for vagrancy was a "put-up job."

"For I'm no vag," said Kittie, "but a professional actress, I sing and dance in the North End Varieties, and the police ought to know that."

Judge Cabanis dismissed the charge of renting premises for immoral purposes, which had been hanging over the head of P. Marsicano for many months. He was alleged to be the owner of the notorious 1129 Dupont street, but the best the prosecution could do was to prove that the house had been leased to him and that he had paid the taxes on it. The Judge assumed that the place was Marsicano's property when the taxes were paid, last March, but as the offense charged was committed in May, and there was nothing to show that he had not disposed of it during the interim, the motion to dismiss was granted.

Rose Decker's fecklessness was at the bottom of "Kid" Nash's trouble. After consorting with and supporting the "Kid" for many months, Rose transferred her affection and pecuniary protection to some other ambitious male habitue of the tenderloin district, and it was for this bitter chiding her unfaithfulness, and incidentally threatening to blow out her brains and cut

out her heart, that the jilted youth was arrested by Patrolman D. Murphy and charged with disturbance of the peace and vagrancy. The offense was committed at 230 Mason street, where Rose resides, and ere he was captured the "Kid" had thoughtfully separated himself from the pistol and knife with which he had menaced the life of Rose. Judge Mogan will hear more about the case to-day.

Mrs. Hicks, who dwells at 368 Geary street, saw John Foley, teamster, force a horse to "back up" until the animal fell down, and when she reproved the teamster he told her to attend to her own business. She had him arrested and Judge Fritz fined him \$10.

Mrs. Jacob Thomwell wore a brand new white waist when she appeared before Judge Mogan and stated that since having her husband arrested for battery she had undergone a change of mind and would like to see him released. "I know that his temper ain't of the sweetest," said Mrs. Thomwell, "but I'm ready to forgive him for the fact that his teeth trouble him. Time and time again I've advised him to get 'em filled, but he wouldn't do it. And now see what it has brought him to."

Israel Berg, who was followed all the way from England by the woman whom he had honored as his wife, and two children which she swears are his, was found guilty of failing to provide for the little ones, and Judge Fritz will sentence him to-day. When the woman arrived here she found Berg at the head of another household, and it was one of her sympathizing friends, Mrs. May Goldberg, who had him taken into custody. The woman and her children are kept from starvation by the charity of philanthropists who have heard her story, and an effort is afoot to have her returned to her parents, who are well-to-do folk near Manchester, England.

For drunkenness and disturbing the peace Mary Fahey was sentenced to six months' imprisonment by Judge Mogan. She disturbed the service last Sunday in St. Patrick's Church and the united strength of three policemen was required to remove her, so desperately did she resist arrest.

The Insanity Commissioners will investigate the mental condition of Ernest Dewey, who has been annoying the night staff at the City and County Hospital by appearing at unreasonable hours and demanding treatment for imagined ills. If he is pronounced sane he will be tried before Judge Mogan for disturbing the peace.

William Hughes disputed occupancy of bench No. 17, Portsmouth square, with every one who attempted to sit upon it, although he held no right to its exclusive use. It was for refusal to allow another son of rest to perch upon the bench that William was arrested and charged with vagrancy. "I'll give you twenty-four hours," Mr. Hughes, said his Honor Mogan, "and the chances are that you'll get a cell all to yourself. The jailers upstairs are more considerate of a gentleman's desire for seclusion than the policemen across the street appear to be."

Luigi Ciceroni's journey from Naples to Los Angeles, via San Francisco, was rather uneventful until he arrived at the foot of Market street and there he dropped into an experience that will make interesting and instructive reading for the friends he expects to follow him from Italy. He had been told to inquire for one Jack Holliday when he reached this stage of his trip, but instead of meeting Jack Holliday he fell into the hands of A. E. Blume, driver of an express wagon, who forcibly took possession of him, and his baggage and drove them to various hotels before he deposited them at an Italian hostelry and insisted upon being paid \$150 for his care of the stranger in the strange land.

It was for assaulting Luigi Chicci, who endeavored to rescue his newly arrived compatriot, that Mr. Blume was arrested and charged with battery, and it was Judge Mogan who took the case under advisement after he had heard the story hereinbefore summarized.

It is likely that the charge of grand larceny registered against Thomas Beattie, erstwhile champion uncolored cakewalker of the Pacific slope, will be reduced to petty larceny, as Judge Mogan yesterday intimated a doubt of his ability to convict on the graver charge. After dropping that hint his Honor continued the case till next Saturday.

Mr. Beattie was acting as "sidewalk spieler" for an East-street jewelry establishment when he was arrested for compelling one M. Sparovich to purchase for \$125.00 a watch and chain which were not worth the money. In court yesterday Mr. Sparovich dealt ruthlessly with the English language as he told how he was grabbed by the defendant, rushed into the store, decorated with the watch and chain, deprived of \$125.00 and rushed out again ere he could expostulate.

Business of Recorder's Office. The statement of business of the Recorder's office for the month of May, 1904, shows there were 3441 documents filed during the month, as against 3054 filed in May, 1903, of which the most important were: Acceptances of buildings, 86; agreements, 35; assignments of mortgages, 22; bills of sale, 102; building contracts, 206; deeds, 1082; deeds of trust, 128; leases and assignments of leases, 42; mechanics' liens, 44; marriage licenses, 324; mortgages (personal), 201; mortgages (real), 408; releases of mortgages (personal), 84; releases of mortgages (real), 250; reconveyances, 82; miscellaneous, 325. The cash receipts in May, 1903, were \$4684.55, and in May, 1904, \$5428.95, a gain of \$784.70.

SEEK TO GAIN MORE TIME

Attorneys for Jacob Eppinger Raise Another Issue by Challenging the Panel

ARGUMENTS ARE HEARD

Ninety Talesmen Summoned Are Instructed to Be in Attendance This Morning

The prediction that the attorneys for Jacob Eppinger, senior member of the defunct grain firm of Eppinger & Co., charged with obtaining money by false pretenses, would raise obstacles to delay the trial has been verified. They have now challenged the panel and the arguments were not concluded when court adjourned yesterday. When the case was called before Judge Lawlor both sides answered ready. The Judge thereupon instructed the defendant as to his right to peremptory challenges. Attorney Henry Ach announced that Attorney Samuel M. Shortridge had been associated with himself and Peter F. Dunne to look after the interests of the defendant.

The roll of talesmen was about to be called when Ach rose and challenged the panel. He read sections of the penal and civil codes regarding the manner of drawing the trial jurors in January of each year to serve for that year and pointed to the fact that several of those on the panel had been on the list since July, November and December of last year and one since April of this year.

At Ach's request the Judge was sworn by Clerk Martin and interrogated by Ach as to jurors who had been on the regular list prior to January of this year and were on the panel. The Judge in each case made an explanation. Several of those referred to, he said, had been summoned by the Sheriff by order of the court from the body of the county to supplement the regular list in accordance with the code. After arguments by Ach and Dunne for the challenge and Campbell against it the Judge said he had some business to look after during the afternoon and he would continue the further argument till this morning at 9:30 o'clock. The names of the ninety talesmen were called and they were ordered to appear in court at 10 o'clock this morning. One of them, Joseph Baumgarten, was excused.

CASHIER FILES MAY FINANCIAL REPORT Shows Large Receipts in Department of Works From Various Kinds of Permits

Cashier Donahue of the Board of Works filed his financial report for May yesterday, showing that the receipts of the office were \$15,232.90, subdivided as follows: Street space permits, \$4750; street space (asphalt kettle) permits, \$120; sidewalk permits, \$470; sub-sidewalk permits, \$60; house building permits, \$208; house moving permits, \$700; side sewer deposits (150 sewers), \$4000; balances due city and county on side sewer underestimates, \$44,900; advertising charges, \$115.80; fees from Bureau of Engineering, \$1645.50; from contractors, \$4. The disbursements aggregated \$9482.62.

Sentenced for Burglary.

Anthony Ziska, who was convicted on a charge of burglary and pleaded guilty to another charge, appeared for sentence yesterday before Judge Lawlor. There was a prior conviction against him and the Judge sentenced him to serve ten years in San Quentin on each charge, the sentences to run concurrently. He entered the residence of Peter Lewin on Ivy avenue near Octavia street on November 23, and while out on bonds entered the store of J. J. Sullivan, 33 Fifth street, on April 9.

Ladies are cordially invited to visit the new gas range and heating department of San Francisco Gas and Electric Co., 415 Post st., now open for inspection.

Voting Machine on Exhibition.

The Election Commission has secured a voting machine for use in educating citizens how to vote automatically. The machine will be on exhibition at the Registrar's office. Forty of the machines will be purchased for the next election.

ADVERTISEMENTS.

THEY ALL BUY AT OLSON BROS. 915 MARKET ST. 3-DAY SPECIALS. GROCERIES. LIQUORS. JEFFERSON COUNTY WHISKY... BARKER'S OLD TOM... HAZEL BRANDY... AA FORT WINE... MAREL BRANDY... O. P. S. WHISKY... BUREK'S OLD TOM... HAZEL BRANDY... HAMMOND'S PURE APPLE... OLD KENTUCKY WHISKY... TABLE CLARET... HAGLE'S TONIC PORT...

HEIRS OF FAIR

Deeds Recorded Show Mutual Conveyances of Property Bequeathed to Sisters

TRANSFER OF INTERESTS

Under Agreement Mrs. Oelrichs Became the Possessor of the Lick House Site

Two deeds were placed on record yesterday whereby Mrs. Theresa Oelrichs and Mrs. Virginia Vanderbilt conveyed to each other certain property bequeathed to them by the late Senator Fair. The deeds are part of the arrangement entered into last April by the two sisters for the division of their respective interests in the estate, which became enhanced in value owing to the death of their brother, Charles L. Fair. Under the agreement the Lick House became the separate property of Mrs. Oelrichs.

The property bequeathed to Mrs. Vanderbilt includes an undivided half in seventeen pieces, as follows: Southwest corner of Pine and Sansome streets, 247'x327'6" feet. Lot on Mission street, between Eleventh and Twelfth, being half of Mission block No. 12. Fifty-vara lot on Turk street, near Taylor. Lot on Post street, near Kearny, 60x122 feet. Lot on north line of Montgomery street, near Pine, 45x77'6" feet. Lot on Stevenson street, near Fourth, 133x70 feet. Southwest corner of Golden Gate avenue and Jones street, 137'x137'6" feet. Fifty-vara lot on Turk street, near Taylor. Lot on Octavia street, near Sutter, 137'x68'4" feet. Southwest corner of Battery and Pacific streets. Northwest corner of Pacific and Front streets. Southeast corner of Washington and Drumm streets. Northwest corner of Commercial and Davis streets. Northeast corner of Montgomery avenue and Jackson street. Northeast corner of Jones and North Point streets. Northwest corner of Pine and Jones streets.

The property bequeathed to Mrs. Oelrichs includes an undivided half share in fifteen pieces, as follows: Northeast corner of A street and Twenty-seventh street, 125x75 feet. Southwest corner of Sutter and Montgomery streets, 300x100 feet. Southwest corner of Sutter street and Lick place. Undivided half lot on Post street, near Montgomery, 75x60 feet. Lot on north line of Golden Gate avenue, near Taylor street, 55x137'6" feet. Northeast corner of Taylor and Ellis streets. Lot on Sutter street, near Powell, 136x137'6" feet. Southeast corner of Fulton and Franklin streets. Southeast corner of Oregon and Front streets, 60x90 feet. Northwest corner of Pacific and Davis streets, 137'x168' feet. Southwest corner of Davis and Vallejo streets, being a 50-vara lot. Southwest corner of Davis and Jackson streets, 120x50 feet. Lot on Sacramento street, near Front, 100x112 feet. Lot on western line of Davis street, near Sacramento, 45x55 feet. Southeast corner of Pine and Taylor streets, a 50-vara lot.

The carders, drivers, sports and general attractions of Del Monte have made it one of the show places of the world. First-class tickets between San Francisco and Los Angeles, either way, with two days' entertainment at this famous hotel, only \$22; children's rate, \$14.50. Privilege of thirty days' stop-over. Ask Southern Pacific agents.

Two Damage Suits Filed.

Suit was filed yesterday in the Justice's Court by Catherine McGee against John and Catherine Nagle to recover \$298 damages. The complaint alleges that the defendants unlawfully entered the plaintiff's premises at 1176 Harrison street and threw the household furniture valued at \$500 into the yard, where it was damaged by the rain. G. Campi has sued V. Raffa to recover \$299 damages for an alleged assault committed by the latter on the plaintiff.

"As a man thinketh, so is he." As a man drinketh, so is he. Del Monte O. H. E. whiskey and food is good. Wichman, Lutgen & Co., San Francisco.

Watchman Well Armed.

J. E. Miller, a watchman at the Nevada Stables on Market street, who had three striking stablemen arrested for disturbing the peace, appeared at the Hall of Justice yesterday morning with the butt end of a big revolver sticking out of his hip pocket. Police-ward Edwards promptly placed him under arrest on a charge of carrying a concealed weapon and he was later released on \$100 bonds.

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TIVOLI OPERA HOUSE. LAST FOUR NIGHTS—TOY MAT. SAT. THE EVER-POPULAR PAINTY COMIC OPERA. Splendid Cast, Scenery and Costumes. NEXT MONDAY NIGHT First Production in This City of The Military Comic Opera TRIUMPH. SERGEANT KITTY. San Francisco Debut of LILLIAN SEFTON, Prima Donna Soprano, USUAL TIVOLI PRICES—25c, 50c, 75c.

ALCAZAR. TO-NIGHT—MATS. TO-DAY & SATS. The Delightful Romantic Drama. TOLL GATE INN. "A winner"—Post. "A strange production."—Call. Evgs. 25c to 75c; Mats. Thurs. & Sat., 25c to 50c. NEXT MONDAY, GRAND SCENIC PRODUCTION. UNDER TWO FLAGS. Ouida's Popular Drama of Romance. In Preparation—"LOVER'S LANE." Next Month—WHITE WHITELSEY.

GRAND OPERA HOUSE. LAST THREE NIGHTS—MAT. SATURDAY. MELBOURNE MacDOWELL. In a Superb Production of Sardou's GISMONDA. Next Sunday Mat. A CAPTAIN OF NAVARRE. POPULAR PRICES—15c, 25c, 50c, 75c. JUNE 13—MRS. LESLIE CARTER IN DU BARRY.

CENTRAL. TO-NIGHT—ALL THIS WEEK. MATINEES SATURDAY AND SUNDAY. The Famous Historical Drama. A CELEBRATED CASE. The Powerful Romance of a Hero of Fantasy. Magnificently Staged. Brilliantly Cast. Gorgeous Costumes! PRICES: Evenings—10c to 50c. Matinees—10c to 25c. NEXT—"THE PEDDLER."

CALIFORNIA. ANOTHER TRIUMPH! The Incomparable—The Greatest Stock Company in Existence. The Oliver Morosco Company. Presenting Paul Leicester Ford's Charming Comedy of the Revolution. JANICE MEREDITH. BARGAIN MATINEE TO-DAY. SUNDAY—Julia Marlowe's Most Recent Success, THE CAVALIER. A Stirring Story of the South in War Time. Reappearance of AMELIA GARDNER.

BASEBALL. AT RECREATION PARK, Eighth and Harrison streets. OAKLAND vs. PORTLAND. TO-DAY and FRIDAY, 3:30 p. m. SATURDAY, 2 p. m. SUNDAY, 2:30 p. m. LADIES FREE TO-DAY and TO-MORROW. Advance sale of seats at 3 Stockton street.

COLUMBIA. SAN FRANCISCO'S LEADING THEATRE. Seats Ready for All Performances. This and Next Week. MATINEE SATURDAYS ONLY. CHARLES FROHMANN PRESENTS MAUDE ADAMS. In J. M. Barrie's comedy, THE LITTLE MINISTER. Next Monday—Second and Last Week of Maude Adams in "The Little Minister." Coming—E. H. Sothern in "The Proud Prince."

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