

BOARD MEETS WITH SETBACK

Supervisors' Committee Refuses to Print Rules and Regulations for Dairies

MUST PASS ORDINANCE Health Officials Fear the Adoption of Laws Will Be Successfully Combated

The Supervisors' Printing Committee yesterday expressed itself as not in favor of the request of the Board of Health that provision be made for the printing of the rules and regulations for the conduct of dairies in order that they be kept in a perfectly sanitary condition.

The rules were adopted by the Health Board and it was desired to have them printed in pamphlet form in order to acquaint the proprietors of dairies with the sanitary requirements to insure their privilege to continue business.

Supervisors Bent and Sanderson of the committee raised the point that the rules could not be enforced unless they were incorporated in an ordinance formally passed by the Board of Supervisors.

This action is not satisfactory to the health officials, as they fear that the dairymen will successfully oppose the adoption of laws as covered by the rules with the claim that they are too drastic and would work a hardship on their business.

Continue Dairy Inspection. Health Officer Ragan yesterday detailed District Health Officers Tillman and Dillon to continue the inspection of dairies which was temporarily suspended owing to the suspension of Dairy Inspectors Smith and O'Connor.

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JUDGE MOGAN SUGGESTS PEACE PLAN TO LADIES

Two Matrons, Residing Next Door to Each Other on Vermont Street, Are Given a Fortnight in Which to Bury the Hatchet

Mrs. Anne Skala, with a two-year-old toddler clutching her skirt for support, affirmed that she had not disturbed the peace of Mrs. Annie Caesar, as alleged in that lady's formal complaint, but had exchanged some acerbic language with another female neighbor, name not disclosed, at the time and place designated in the aforementioned document.

Mrs. Caesar, on the other hand, declared that she and she alone was the person to whom Mrs. Skala addressed certain uncomplimentary remarks on the occasion in question, and that she (Mrs. C.) would never feel secure from oral, maybe physical, abuse until Mrs. Skala feels the law's restraining hand.

Police Judge Mogan listened patiently to both pleadings and then continued the case two weeks for the avowed purpose of giving the ladies time and opportunity to settle their trouble out of court. They dwell next door to each other on the 700 block of Vermont street, and their struggles with the English language indicated that they arrived from the Finland simultaneously and not very long ago.

"She fight to me, bud I don't fight to me," said Mrs. Skala, with accusatory finger aimed at Mrs. Caesar. "I fight to odder lady, and she den fight to me."

"Nein! nein!" shouted Mrs. Caesar, with tone and gesture that would enhance Edna Aug's scrubwoman act 50 per cent; "mid she set it right und she fight to me, bud I don't fight to me. Mid me set oes der quietness."

Each lady was represented by able counsel, but it couldn't get in half a dozen consecutive words to save its life. Promptly at high noon began the wedding of Senor Carmelo de Cenaruzabeta and Senorita Eloisa Armenta, but unavoidable clerical and other difficulties which had delayed the ceremony until after 1 o'clock and all concerned were much fatigued.

In the first place, the blank space on the marriage license was not enough to hold all the letters contained in the full cognomen of the male contracting party, unless they were written so small as to be undecipherable by the naked eye, and the clerk who filled the document left several of them out.

This defect had to be remedied to make the permit legally operative and considerable time and chirographic skill were invested in the revision. Then came the pronouncement of the name by Judge Mogan, the officiating magistrate, and that, too, used up quite a lot of minutes that might have been saved if the name had been more reasonable as to length and euphony.

His Honor had studiously studied his progressive part, but somehow his tongue could not be attuned to rolling off with ease the name of Carmelo de Cenaruzabeta. The best he could do was to utter it in sections, and even at such intervals syllables were dropped. But they weren't missed. As the formula necessitated introduction of the groom's name twenty-eight times, it was not wondered at that his Honor was both wild-eyed and haggard long ere the last strands of the knot were tied. He omitted his custom of saluting the bride.

Senor de C. and his better half are receiving congratulations at 1325 Dupont street. George Beyer was fined \$20 by Judge Cabanis for operating at the ocean beach last Sunday a nickel-in-the-slot machine and offering money for sale of merchandise for prizes. Two policemen in citizens' clothing clinched the charge against the enterprising Mr. Beyer.

Catherine Wall, accused of drunkenness in a public place, told Judge Fritz that she resided at the home of her brother on Bryant street and was eager to return there, but when his Honor assigned to her a policeman instead of finding out whether she spoke the truth she confessed that she had no brother and no settled home. Sentence to-day.

Bertie Alexander, a well-dressed young man from Chicago, was loitering on Dupont street at 1:30 o'clock yesterday morning and spoke rudely to the policeman who asked for explanation of his being there. His demeanor in Judge Mogan's court, however, was a night's confinement among the chronic vagrants having apparently enhanced his respect for the law's majesty. He said he was a civil engineer by profession and a tourist for recreation, and that he was half an hour after she had been sentenced by Judge Fritz to thirty days' imprisonment, and his Honor Mogan considerably dismissed the charge upon which she had been brought before him.

Margaret Galvin, "the aristocratic soak," confessed to Judge Mogan that she is a dipper and that she was sentenced by Judge Fritz to thirty days' imprisonment, and his Honor Mogan considerably dismissed the charge upon which she had been brought before him.

It developed that the woman is the mother of two young children, who are in their father's custody, and that she has a comfortable income from property owned by her. Arrested many times for drunkenness, she was allowed to forfeit her bail money until the magistrates decided to attempt her reformation by consigning her to prison. She has a handsome home in this city and employed a maid to care for it during her sojourn.

Dr. George Herbelin was fined \$100 by Judge Mogan for practicing medicine without a license. He was arrested and convicted in December, 1902, but appealed to the Superior court, and that tribunal had just decided that the statute under which he was prosecuted is perfectly constitutional.

For selling lottery tickets at 927 Market street Charles Hanen was fined \$100 by Judge Mogan, and for having lottery tickets in his possession H. Jackson (colored) will be sentenced to-day.

"De tickets wuz in my pocket all right," said Mr. Jackson to the Judge, "but what fettes me is how dat yah copah know der wuz dah. He must be a phenolomungus."

C. A. Rush of 4 Berry street had his wife Kittle arrested for stealing from him one bicycle and pawning it for \$1, but when the case came up before Judge Cabanis he declared he was willing to withdraw the charge if the wheel were returned to him. The pawnbroker, however, insisted on being paid \$2 he would release the machine, and after much bickering the money was paid and the case dismissed.

Tiburon, was sentenced to three months in the County Jail by Judge Mogan.

"For since your appearance here yesterday, Miss Lind," said Judge Mogan, "I have ascertained that your father's yacht is as much of a myth as the shadowy ship in which the chimerical Vanderdecken is vainly trying to weather Cape Good Hope. Indeed, the police have informed me that you are old in vagrancy, though young in years."

Harry Hirschfeld, arrested for assaulting Special Officer Harvey, at Ellis and Buchanan streets, averred that (Mrs. C.) would have been nothing doing on that occasion if the policeman had not started it. Like a nemesis, he averred, Harvey has pursued him for years, although he had never done anything to merit such tenacious attention. It was true that he had been drinking, in fact, was drunk, on the afternoon of Monday, but he had slumbered in a saloon chair and was sober in the evening, when the arrest occurred.

"He's got it aginst me," said Mr. Hirschfeld, addressing Judge Mogan and alluding to Officer Harvey, "an' he's de only policeman wot ain't me fen."

In his argument with the officer Mr. Hirschfeld received a blow on the head from his opponent's club and his aged mother swore that she was struck on the arm with the same implement while she was endeavoring to restrain him from battering her son.

In the court of Judge Cabanis a jury acquitted T. W. Andrew, charged with selling liquor without a license at Greenwich and Lyon streets. The arrest was made by Policeman Field, in plain clothes, who purchased a glass of beer from the defendant.

Frank G. Stone, with flowing and unkempt whiskers, could not tell exactly where he was arrested for drunkenness, but had a hazy idea that he was picked up in the Hall of Justice. "I lost track of everything two days ago, when I began drinking," he explained to Judge Mogan, "and when I awoke in that cell this morning I didn't know how I got there."

Patrolman Hutchins, who made the arrest, was not present to cast light on the mystery and the case was continued to-day.

For assaulting Patrolman M. Barry, on the water front, John McCormick was sent up for twenty days by Judge Cabanis.

NO MEDICAL EXAMINATION FOR POLICE PROMOTIONS. Civil Service Commission Adopts New Policy and Will Hold Tests for Several Positions.

The Civil Service Commission decided yesterday to abolish the medical examinations for promotions in the Police Department. The commission assigns as a reason that the re-examination of employees of the department is superfluous because if they are rejected by the medical board they are retained in the department in the positions they occupied when applying for promotions.

SAILORS TRIED FOR INCITING A STRIKE. Trouble on the Steamer Coquille River Being Investigated by United States Commissioner Manley.

United States Commissioner Manley began yesterday afternoon the preliminary examination of W. Nelson, A. Larsen, Jacob Swel and John Johnson, charged with having solicited Eric Gustafson, another member of the crew of the steamer Coquille River, to join them on a strike in the harbor of San Pedro.

H. W. Hutton of counsel for the defense insisted that the crew had a right to quit work in port and that from that moment they became passengers and ceased to be members of the crew and were not bound by the statute.

Whelan Denies Charges. John F. Whelan, who is being sued for \$7000 by Margaret McLaughlin, answered the woman's suit yesterday with a general denial of her charge that he is attempting to defraud her out of the money. He claims that what money he has was earned by him and that the plaintiff is without interest in it. He also denies the plaintiff's charge that she supported him, and in connection with this says that he really supported her for two years and that during that time he expended large sums in purchasing costly raiment and jewelry for her.

WARDEN ELBERT TO BE REMOVED

Head of City and County Hospital Stated for Dismissal by Health Board

ADMINISTRATION BAD Frequent Clashes With His Subordinates May Result in Enforced Resignation

John N. Elbert, warden of the City and County Hospital, has been slated for removal by the Board of Health and his dismissal from the position will be formally acted upon in a day or two. In all likelihood Elbert will be given an opportunity to resign, as one or two members of the board are disposed to favor him to that extent.

Elbert's dismissal is to be brought about in the interest of harmony, and has been under consideration almost from the time he assumed the office on January 9 last. Elbert has not been on the best of terms with his subordinates, and the clashes have been frequent and more or less of a violent character.

For the last three months complaints regarding Elbert's administration of the City and County Hospital affairs have been filed by the employees of the institution that happened to come under his displeasure.

These complaints have come not only from minor employees, but also from the nurses, apothecaries and internes, and even from orderlies. The complainants have accused Elbert of being of a domineering disposition and of possessing a manner that is dictatorial in the extreme. In fact it is charged that it has been found impossible to get along with him.

After a complete investigation of the accusations made against Elbert the committee of the Health Board on City and County Hospital, composed of Dr. Pohlman, Stinson and Harvey, has reported that the accusations are well founded. The committee further recommends that, to prevent what may result in the absolute demoralization of the conduct of the hospital, it is imperative that the services of Elbert be forthwith dispensed with and that he be relegated to some other sphere.

REMOVAL A SECRET. As the Health Board is disinclined to burden the existing administration of the Health Department with any further scandal, it has been keeping the proposed removal of Warden Elbert a secret. The investigation has been quietly conducted and the matter has had all the earmarks of star chamber proceedings. Elbert himself knows that he will be compelled to give up office, and is said to have remarked recently to one of his intimates that he would be in the institution but a few days more as its administrative head.

With the knowledge that he will not be in charge of the hospital very much longer, it is said that Elbert has vented his spite on several subordinates by suspending them for a temporary period. These suspended employees have carried their tales of woe regarding Elbert's course to the Health Board committee, and his case has not been helped in any way thereby.

This is the second time that Elbert has held the office of warden of the City and County Hospital. He was appointed superintendent of the hospital by the Board of Health, and was then called, for a period of one year by the Board of Health. It was then thought that a layman would conduct the institution more successfully than a medical man. The experiment did not prove a success, and Elbert was removed, to be succeeded by Dr. R. S. McElroy. At that time Elbert charged that he had been removed because, as he put it, "I would not do the dirty work of the Philan Board of Health."

Several sensational charges at the time, but they came to naught. SUCCESSION NOT CHOSEN. No hint is being given by any official with authority to speak as to the name of Elbert's probable successor as warden of the hospital. Strong pressure is being brought to bear to bring about the appointment of James McQuaide, at present assistant warden of the institution, to the wardenship. Owing to a protest by the Civil Service Commission, McQuaide is not receiving any salary, and would be delighted to secure the promotion.

Dr. William M. Lawlor, formerly Health Officer and at present receiving clerk at the hospital, is also an aspirant for the position, but it is not believed that either McQuaide or Lawlor will be selected. A third candidate, whose name is not revealed, will likely secure the wardenship, which carries with it a salary of \$200 per month.

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