

HEBBARD AS GOLD TOWARD COLLINS.

Refuses to Consider Any Release Bond Until Record Is Made Up

HOFF COOK WARY

Superior Judge Hebbard has lost that feeling of haste which caused him last week to sign the writ of error and admit George D. Collins to bail without giving notice of his intentions to the District Attorney.

Upon the suggestion of Assistant District Attorney Hoff Cook Judge Hebbard refused to sign any further orders or admit Collins to bail until the transcript of his case were prepared to be forwarded to the Supreme Court of the United States.

If Collins felt any disappointment at the balking of his attempt to gain liberty, he skillfully concealed it. In fact, there is grave doubt as to whether he was prepared to furnish bonds. He said that his bondsmen were just outside the courtroom, ready to be called upon, but no one saw them. Mr. Cook pointed out that Collins wished to go before the Supreme Court with absolutely no mention of the fact that the defendant was convicted of perjury committed prior to the extradition.

"This," said the Assistant District Attorney, "would give Collins just the opportunity for which he is looking. There would be nothing else before the Supreme Court other than the writ and the petition of habeas corpus and he might easily secure his liberty. The entire record, showing all of the testimony given before you at the time the petition for habeas corpus was denied, should be transcribed and sent to Washington, together with the writ of error."

"The record be made up and submitted," said Judge Hebbard, "I will do nothing until then. I will not accept a bond until this record is made up. The District Attorney's office will be given notice when the case is taken up."

WHELTON AND FLYNN BOOKED FOR THE MURDER OF O'HEA

Defendants Appear Before Police Judge Mogan and Are Instructed As to Their Rights.

Eugene Whelton, saloon-keeper, Twenty-second street and Potrero avenue; Mrs. Della Whelton, his wife; John Whelton, his nephew, and Morris Flynn, his bartender, were booked at the Mission-street police station yesterday morning on a charge of murder in connection with the death of John O'Hea on Saturday night. They appeared before Police Judge Mogan yesterday and after being instructed as to their rights the case was continued till Thursday after the coroner's inquest has been held.

Acting Captain Harper came to the conclusion that in view of the fact that none of the defendants will throw any light on the details of the murder, the only way was to charge them all. Detectives Graham and Fitzgerald, who are working on the case, believe that O'Hea was beaten to death with the "blackjack" found in Eugene Whelton's possession. At the time of his arrest he was in bed, fully dressed, and pretended to be asleep. His hands were bloody and there were prints of bloody fingers on the pillows.

PROTESTS AGAINST BREAD RAISE.

Bakers' Union Secretary Says Bosses Are Making Money Enough

PROFIT STILL BIG

The announced intention of the Master Bakers' Association of this city to double the price of bread because it has granted its union bakers an increase in wages of about \$3 a week has brought forth a vehement protest from Bakers' Union No. 24. This union declares that the Bakers' Association intends nearly to double its profits on bread and is trying to throw the responsibility upon the union.

The secretary of the union in a written communication points out that the men asked for an increase of wages of approximately 15 per cent, to pay which the master bakers declare they must increase the price of bread 10 per cent. The 55 per cent will go toward swelling the already large profits of the master bakers, says Secretary Schwartz.

The bakers' union has a remedy which will protect the public from the necessity of paying two prices for bread. The union is quietly maturing plans which will enable it to start a big co-operative bakery, bread from which will be sold for five cents as at the present time. Secretary Schwartz points out two important facts; first, that the Master Bakers' Association only includes twenty-four of the ninety bakeries in the city, and therefore is in no position to dictate the price of bread, and also that the profits of the baking concerns have increased since the earthquake, as they have put out more "home-made" and less milk bread, the former being a more economical product for the boss baker to sell.

In his protest against the raise by the master bakers the secretary asks for more "home-made" and less milk bread, the former being a more economical product for the boss baker to sell. He claims that the raise of wages of the less skilled bakers does not prevent the bosses from increasing the pay of the able union men. Altogether the secretary claims that the raise in rents and commodities is the legitimate explanation of the demand of the bakers.

Must Answer for Murder.

Joseph Hubbard and George L. Hamner were held to answer before the Superior Court yesterday afternoon on a charge of murder. On motion of Attorney Ach the Judge agreed to fix Hubbard's bonds in \$15,000 and Hamner's in \$10,000. They are charged with shooting and killing Andrew Kellner, a union sailor, on board the launch "Escort" on Sunday night, June 17, while the launch was approaching the steam schooner National City. Daniel T. Cahill, Frank Martin and Clarence McConnell, arrested at the same time, were dismissed by the Judge at the conclusion of the testimony for the prosecution.

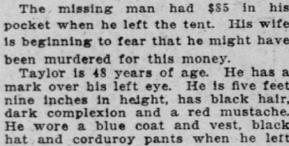
Fears Spouse Is Murdered

Mrs. Taylor Searches for Husband.

FRED N. TAYLOR, otherwise known as "Buck" Taylor, has been missing for three weeks from his tenement at Eleventh and Bryant streets, where he lived with his wife.

Taylor is a teamster and was in the employ of Emmons the drayman. On July 14 he had a tiff with his wife while they were eating lunch. He walked out and has not been seen by her or any of his friends here since.

The missing man had \$35 in his pocket when he left the tent. His wife is beginning to fear that he might have been murdered for this money. Taylor is 48 years of age. He has a mark over his left eye. He is five feet nine inches in height, has black hair, brown complexion and a red mustache. He wore a blue coat and vest, black hat and corduroy pants when he left the tent.



OWNERS OF REALTY PLAN DEFENSE.

Will Unite to Oppose the Efforts of Potrero Company to Grab Land

The schemes of A. Everett Ball and his colleagues in the Potrero Nuevo Land Company are to be met by concerted defense on the part of property owners whose titles have been attacked by the predatory corporation. These property owners will soon hold a conference for the purpose and will place all their cases in the hands of attorneys for united action. There is also talk of proceedings in the criminal courts against Ball and his associates for perjury in their affidavits of ownership and actual possession of the land.

J. C. Everding of 223 Spruce street, whose place of business is at 48 Clay street, has proposed a conference with other property owners whose holdings are involved in the suit of Ball and his associates and declares his willingness to start the defense fund with a contribution of \$50. Everding is defending his father's title to two parcels of land at North Beach, which the elder Everding has owned since 1854.

There is a division of opinion among lawyers regarding the wisdom as well as the constitutionality of the McEnerney act, under which the suits of the Potrero Land Company have been brought, as there are also many suits by people whose titles are not questioned, but who find it necessary to re-establish them in the absence of public records. A majority of the legal profession, however, commend the law and many are found who predict that the Supreme Court will sustain it. Garret McEnerney, who drew the bill, strenuously defends both its constitutionality and its expediency.

In this connection may be noted the suggestion of a well-known attorney that as these suits to "re-establish title" may be brought against the holders of a majority of the lots which appear on the block books as owners of any realty when the title to such realty is at issue in any suit to restore the record.

ATTENDANCE AT THE RESORTS SHOWS STATE'S PROSPERITY

Railroads Base Year's Financial Status On the Business Done by Recreation Places.

For several years the railroads have used the busy season at the California summer resorts as a basis for estimating the prosperity of the State. The figures given out by the Southern Pacific show that at the resorts the attendance this year has been greater than in any year since the war. The number of passengers on the Southern Pacific from Sacramento to San Francisco has doubled and the number of passengers on the incoming trains far exceeded that of the trains leaving San Francisco.

At Santa Cruz last week the record attendance was broken at the recreation pier with 6740 at one admission. At the public ball another record was broken with an attendance of 1632 in one evening. The Lakes and Catalinas hold record breaking throngs, and never has there been more people at Pacific Grove. It is a railroad maxim that when the resorts are well patronized the prosperity of the year is assured.

Released On Bail.

Joseph E. Hubbard and George R. Hamner, held on charges of murder for the killing of Edward Kellner, a union picket, were released on bail yesterday evening. Hubbard's bail, \$15,000, and Hamner's, \$10,000, were furnished by C. R. Johnson and James Tyson, two lumber magnates. There were three charges of assault to commit murder against the prisoners, but Judge Cabanis, who signed their release, allowed them to go on their own recognizance on these charges.

Pfuger Sues Southern Pacific.

William Pfuger brought suit yesterday against the Southern Pacific Company for \$10,000 for damages alleged to have been sustained in a collision on July 7 between one of the Southern Pacific freight engines and the plaintiff's wood wagon. Pfuger says he was severely injured and crippled for life, so that he can no longer follow his occupation of teamster.

Captain Brown Appends.

Captain George W. Brown, master of the steamship City of Para, has appealed to Supervising Inspector Bermingham from the sentence of ninety days' suspension imposed upon him by the United States local inspectors for negligence in allowing his vessel to strike bottom near Point Ano Nuevo July 10.

Steal Plumbing Supplies.

Henry Kahn, owner of the Henry Kahn building at Van Ness and Golden Gate avenues, reported to the police last night that he had been robbed of \$250 worth of plumbing supplies. A man in an express wagon was driven up to the building and haul away the goods.

RE. NUNN OFFERED \$18,000 FOR HIS CHURCH ON CONDITION THAT HE PROVE CHARGE OFFICER'S STORY

Chief of Police Dinan makes emphatic denial of the Rev. Rufus E. Nunn's allegations that the Chief owns an \$18,000 interest in the Terminal saloon, near Golden Gate Park, and that this resort has been favored by the police to the extent of allowing liquor to be sold there while other saloons were compelled to close. The Chief says he owns no interest in that saloon or in any other, in this city or elsewhere. He further offers \$18,000 to Rev. Nunn if he can prove that Nunn says he has invested in the Terminal and any other sum that Nunn can prove he has invested in any questionable resort. Chief Dinan directs attention to the fact that the clergyman himself admits that he made the assertion not from his own knowledge, but upon authority of a letter received by him, the name of the author being kept secret.

The clergyman called the Chief the financial backer of Donovan, ostensible owner of the Terminal. Chief Dinan says he never met or knew Donovan until after the big fire. Then, being homeless, he rented a room in the building where the saloon had occupied one month. That, he says, was the extent of his dealings with Donovan.

In this connection Chief Dinan is proud to exhibit a letter received yesterday from one of San Francisco's most prominent and highly respected men, Herbert E. Law, owner of the Fairmont Hotel, the Monadnock building and other valuable property.

For some time a policeman had been detailed at the Fairmont Hotel and on August 3 the Chief wrote to Law that owing to the fact that so many of his men were away on their vacations he could no longer spare a man, but suggested that a successful officer and a man, who could be sworn in as a special officer.

Yesterday morning the Chief received the following letter in reply from Law: "I will select a good man, as suggested by you, and I will be glad to understand your difficulties and appreciate your efforts not only on our behalf but on the behalf of the city which you are making a splendid record. I am going to apply for the appointment of a policeman as chief of the Fairmont Hotel and one for the Monadnock. I take this opportunity of expressing my appreciation of your good results. You are making a splendid record, Chief, and I believe the people generally appreciate it."

"THE BLACK FLAG" WAVES IN TRIUMPH AT CENTRAL

Thirty-Year-Old Melodrama Reveals the Causes of Its Long Retention of Life.

BY JAMES CRAWFORD.

A fine old melodrama is "The Black Flag." Since it was first flung to the breeze about thirty years ago, hundreds of plays of its ilk have fluttered through a season or two and been shelved forever, and after witnessing it wave at the Central Theater last evening one could not reasonably wonder at its undiminished popularity, for it contains nearly all of the winning melodramatic elements. Its story is clean and interesting though profitable, and its characterization is natural, its situations are intense and its dialogue is not too extravagant. There are several thrilling-compelling scenes in each of its five acts.

Howell & Dodge's players handled their respective tasks acceptably, the honors being fairly divided between Mr. Humphreys as the hero, Mr. Brewer as the villain, Mr. Whipple as the heavy father, Miss Johns as the heroine and Mr. McQuarrie as the "comic relief" and Mr. Stallard as stage director. Elaborate scenery enhanced the effectiveness of the acting, the picture of Grand prison being especially realistic.

A big audience testified to the fact that when a theater offers what the people want a comparatively poor street car service to and from the theater is not much of a handicap after all. "Fiddle-De-Dee" started at 7:30, and Davis Theater again last evening, and there is no telling when truth will demand any report other than that.

Werner Bros.

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Money for School Apparatus.

For furnishing the Polytechnic High School with tools and other mechanical appliances the Board of Education passed a resolution yesterday afternoon asking the Board of Supervisors to appropriate \$7500. Supervisor Gallagher happened to be present at the meeting of the Board of Education at the time the resolution was passed, and he assured the members that the money would be furnished for the purpose. The board granted leaves of absence to the following teachers: Minnie Corzad, Est. Loehr, Belle Smith and M. T. Keller.

McKnight Repeats Threats.

Michael Shea, saloon-keeper, 38 Seventh street, obtained a warrant from Police Judge Mogan yesterday for the arrest of Charles McKnight on a charge of threats against his life. Shea purchased the saloon from McKnight's uncle about four months ago, and McKnight, who had been in the habit of holding a gun on Shea, had demanded the same privilege from Shea, who refused. Thereupon McKnight threatened to kill him. Shea had McKnight arrested and Judge Mogan released him on probation. On Sunday night McKnight repeated his threats.

Redfern, Warner and R. G. Corsets; Full Stock; Corsets Fitted; at 807 Ellis St., near Van Ness ave. Dora Cantowitch and George Heady.

Sailors Cut in Fight.

Richard Clifton and Walter Muller, sailors living at the Sailors' Home, were attacked by James Brannum and Roy Barber, colored, at East and Market streets on Sunday night. Brannum, it is alleged, used a knife and barbe a razor. Clifton was cut on the left breast and Muller on the right leg. Brannum and Barber are aboard the steamer Corona. They appeared before Police Judge Shortall yesterday morning and were instructed and arraigned on a charge of assault to murder. The case was continued till Thursday.

Your Druggist Will Tell You

Murine Eye Remedy Cures Eyes, Makes Weak Eyes Strong—Soothes Eye Pain—Doesn't Smart.

KIDNAPED BABY TURNED OVER TO MOTHER FOR ONE WEEK.

Alfonso de Luca, the father, over whose head hangs a charge of felony, wants the divorce decree so amended that the 6-year-old girl may be placed in the custody of some person other than the mother. Lola de Luca, whose mother love calls out for her baby, says this should not be.

There is bitterness between the mother on the one hand and the grandparents on the other. Judge Kerrigan declined yesterday to go into the divorce case, which was decided by Judge Graham, and postponed matters one week. In the meantime he let Mrs. de Luca have her baby, after receiving assurance that she wanted to make up her mind in ten days. The final decree was brought into court next week.

Lola de Luca secured an interlocutory decree of divorce April 14, 1905. At that time she was granted the custody of the child, with the understanding that she was not to leave the State. This injunction, it appears, was disobeyed, but, according to Eastin, Sooy & Dorn, representing the woman, she was obliged to take a trip to Mexico to settle up her mother's estate and returned within sixty days. The final decree was approved July 31 of the present year, but the husband seeks to have this judgment set aside, in order that the child may be cared for by some one else.

According to the story the mother told yesterday, the child was taken away by the father. She said: "Mr. de Luca came to see me in Los Angeles about the middle of July. He pretended that he wanted to make up with me and suggested that we go to a restaurant. When I went in the house to get ready, the child was taken away and some one told me that he had taken her."

Mrs. de Luca, half crazed over the loss of her baby girl, applied to the police for assistance. On their advice she swore to a complaint charging De Luca, an itinerant barber, with kidnaping. Knowing that his parents lived in Alameda County, the warrant was placed in the hands of Sheriff Barnett for service and to him was also assigned the task of finding Marie. He shadowed the grandmother and through that means was able to locate the girl in the possession of three strange women back of Lorin, in Alameda County.

UNLOADING OF FREIGHT WILL TAKE MANY MONTHS

Railroads Rush Distribution, but Great Number of Cars Tied Up Makes Problem Great.

Slowly the work of unloading the cars of freight on both the Southern Pacific and the Santa Fe roads is going on. For the last month the congestion of freight on the lines has used up all the surplus cars, but the raise in the tariff on storing freight has caused many consignees to unload their goods, making more cars available. These cars are being rapidly rushed to places of shipment to relieve the crowded warehouses.

On the Southern Pacific the freight reaches as far east as Sparks, and new loads are constantly arriving. The unloading at San Francisco is proceeding a trifle faster than the arrival of shipments, but it is estimated that it will take several months before the roads will have warehouses for the reception of goods. On the Santa Fe the shipments are choking the Richmond warehouses and the road has raised the rates of storage on lumber and hay.

CABINET AID IN OHIO.

President Promises to Help in the Congressional Fight. AKRON, Ohio, Aug. 6.—President Roosevelt has promised Senator Dick Cabinet aid in the coming Congressional campaign in Ohio. The promise was given Dick during his visit last week to Cuyler Bay. Senator Dick said no today and added that it had not been settled who the Cabinet orators would be.

Dick has asked Chairman Sherman of the Republican Congressional campaign committee to assign whatever heavy artillery he can spare to Ohio for the campaign. He hopes to get Speaker Cannon and a few other prominent members to stand by him in his candidacy.

Berkeley Woman Swells Fund.

NEW YORK, Aug. 6.—More than 200 letters inclosing \$1 subscriptions were received today at the headquarters of the Republican congressional committee in the St. James building. One \$50 subscription was received from a woman of Berkeley, Cal.

SEEKING LINEMEN IN THE EAST.

United Railroads Said to Be Hiring Men at \$4 for Eight Hours Work UNION TO PROTEST

JERSEY CITY, Aug. 4.

M. J. Sullivan, President Electrical Workers of Pacific Coast District, San Francisco; Ford, Bacon & Davis of New York City, contractors, are hiring International Brotherhood of Electrical Workers as trolley linemen for San Francisco. Price \$4 for eight hours and expenses to Pacific Coast. Please state labor conditions there. Telegraph immediately O. K. or not.

Local No. 15 of Jersey City. Thornwell Mullally, assistant to the president of the United Railroads, when interviewed in regard to the foregoing telegram said: "I do not know whether the firm of Ford, Bacon & Davis is hiring any men for the company. I have never authorized them to do so. As to the Eastern firm has been retained by the Eastern office to collect men to take the places of the striking linemen, I cannot say. There is absolutely no truth in the statement that the men we are hiring are to receive \$4 for eight hours' work. We are getting plenty of men at the same hours and wage schedule paid the members of the Electrical Workers' Union who have accepted positions with the United Railroads. I do not want to enter into a discussion as to whether we would employ such men. I believe the strikers are anxious to return to work. The few agitators who have precipitated the trouble are on their last legs. We are getting along splendidly."

The telegram received at the headquarters of the striking linemen in this city yesterday is according to the statement of President Worthington, evidence that the United Railroads is willing to concede the demands of the strikers as to wages and hours, but is seeking to induce other union men to replace the strikers. President Worthington said: "Ford, Bacon & Davis is a big contracting firm of New York City, and is doing considerable street railroad work throughout the United States. The firm has a contract with the United Railroads as consulting engineers, and the charge of the building of overhead lines and trolley work in this city for that company."

An important meeting of the delegates of the seven unions employed on the United Railroads will be held at Sheet Metal Workers' Hall tomorrow afternoon. The purpose of the meeting is to form an amalgamation or working agreement, so that hereafter the grievance of one union will be the grievance of all. Organizer Zant of the Railway Construction Workers' Union says he has 1300 men who are ready to go to work when the union secures recognition. A committee of linemen employed by the San Francisco Gas and Electric Company waited upon President Britton of that corporation yesterday and notified him that in the event of his company supplying more power for the United Railroads than the amount contracted for the linemen would go on strike out of sympathy for the United Railroad employees. Britton agreed to the proposition.

CALHOUN TALKS OF STRIKE.

Hopes to Have Situation Well in Hand in Short Time. NEW YORK, Aug. 6.—Patrick Calhoun, president of the United Railroad of San Francisco, said today with regard to the labor troubles on the lines of that company that there was great unrest among laborers generally in San Francisco and that the United Railroads was merely confronted with one of the most similarly affected other corporations there.

"There appears, as I have already said in 'The Call,' said Calhoun, 'to be no danger whatever of a strike by motormen and conductors. So far strikers have been confined to linemen and station and track workers on the streets. This has had the effect of retarding the conversion of the cable lines into the new overhead trolley systems recently authorized by the city. In our opinion the effort to organize such unskilled labor as that engaged in track construction cannot succeed. Men have already taken the places of most of the strikers, and we hope to have matters well in hand in a short time. The running of our cars has not been delayed at all by the small strike now under way.'"

HER CHILD NOT STOLEN.

Mrs. Frank W. Page, living in a tent at Ashbury and Page streets, rushed into the Stanyan-street police station yesterday morning and in an excited manner told the station-keeper that her husband had stolen her child, a former husband. Police headquarters were notified, but half an hour later Mrs. Page informed the officials that the child had only strayed into another tent.

Street Cars in Collision.

Several persons narrowly escaped severe injuries last night when a Geary-street car ran into a Fillmore-street car. The collision threw the Geary-street car off the track, but no person was hurt. It was about 9:30 o'clock when the accident occurred.

MISS LISSAE DEPARTS.

Miss Madeline Lissae, stenographer for the United States Immigration Bureau, has been assigned to duty at Los Angeles for six weeks.

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