THURSDAY ..

AMUSEMENTS. BALDWIN THEATER.—"The Lion's Mouth."
CALIFORNIA THEATER—"The Bicycle Girl,"
COLUMBIA THEATER—"The Old Limekiin." Moresco's Opera-House - "Pulse of New

TIVOLI OPERA-HOUSE .- "Del Freischutz" ORPHEUM.—High-Class Vaudeville.

6 Nover's Alcafar.—"Lily of Killarney."

AUDITORIUM—Corner Eddy and Jones streets—
Sousa's Peerless Band, Friday evening, Feb. 28.

Macdonough Theater (Oakland)—Opera—
"Carmen."

SHOOT THE CHUTES-Daily at Haight street, one block east of the Park. PAY DISTRICT TRACK .- Races.

BY VON BHEIN Co. - Thursday, March 5, Real Estate, at Salesroom, 513 California street, at 12 o'clock.

### CITY NEWS IN BRIEF.

Mrs. Eliza O'Brien was arrested yesterday for ruelty to children. L. Heine, the local 'cellist, will go North with John E. Nash's opera company.

EXPERIMENTS AT BERKELEY. Charles Fair returned home yesterday, after three months in Spain and Italy. Fred Albrecht is on trial on a charge of obtaining money by faise pretenses. Andre and Max Lazard, sons of the great Paris banker, arrived here yesterday.

Prince Luigi dined officers of the Colombo and other friends at the Palace last night.

John Nash's suit against Mrs. Kreling of the Tivoli was decided yesterday in Mrs. Kreling's favor. The trial of the suit of Mrs. Virginia McMullin for maintenance was before Judge Seawell yesterday.

The Southern Pacific Company of Kentucky has filed its annual report with the Railroad Commissioners.

Marin County dairymen have filed com-plaints with the Board of Health against Milk aspector Dockery.

The big ship Shenandoah made the way from San Francisco to New York in the very fast time of ninety-seven days. Judge Stack rendered a decision on Tuesday holding that Police Courts have no jurisdiction in criminal libel cases.

George C, Greyhurst, Rosebud, J O C, George Miller and Red Pike won races at the Bay District track yesterday.

A successful rehearsal of the mock trial for the Mercantile Library was held yesterday evening at Dr. Gibbons' residence. The Merchants' Association takes issue with John M. Reynolds regarding the inhibition of the constitution with the proposed new char-ter.

Mrs. Marie Reusch is suing her stepfather for possession of her husband's estate, which she says the defendant obtained through fraud.

J. H. Maloney was given judgment against Marceau, the photographer, yesterday for \$225, claimed to have been paid by him under duress.

But few crab-fishers went out to the fishing-grounds yesterday, as they were afraid of being arrested for not paying their State F. Hayward's line of schooners are all being tted with gasoline engines owing to a popu-ar demand from the residents of Bowens

The Police Commissioners and Chief Crowley assured the Grand Jury yesterday that all the dens of shame on Morton street would be closed and kept closed.

Probably fair Thursday; fresh generally ortherly winds," was the prediction issued y Forecast Official W. H. Hammon regarding

Police Property Clerk Cullen handed over to the City Treasurer yesterday the money and property unclaimed by persons arrested for the past six months.

Caroline Jondahl is suing Henry J. Seger for \$25,000 for seduction. He promised to marry her, she says, but he had in the meantime married Lila McMillan. L. N. Griffith, who has streetcar and other concessions in Guatemala, has returned here. He says Guatemala will soon have a railroad from ocean to ocean.

Nicholas Claussen, the baker who fatally shot his wife at 12 Everett street on Tuesday afternoon, was arraigned in Judge Joachim-sen's court yesterday.

The Police Commissioners met last night and immediately adjourned out of respect to the memory of Chief Crowley's son Samuel, who lied yesterday afternoon.

Randolph Riley, an inmate of the City Prison, was taken to the Receiving Hospital sesterday afternoon suffering from delirium remens and died last night.

fit out two new steam schooners. The fine White Star steamship Doric, for the Occidental and Oriental service, arrived last night, forty-one days direct from Liverpool. She will take the place of the Oceanic.

The poolrooms are now being kept open till shortly before the races begin at the track, but the police made two arrests yesterday, as they consider the ordinance is still being violated.

Joseph Shatgen, a painter living at 130 Douglass street, was thrown from his wagon at Grove and Octavia streets last night and had his nose broken and his forehead cut. He was taken to the Receiving Hospital.

The Committee on Rules of the Board of Education reported to the board last evening that there was nothing in the charges preferred by Director Henderson against Principal Joseph O'Connor of the Horace Mann School.

The Grangers' Bank directors expect to declare a second dividend of 25 to 30 per centum on March 1. William Wittland, the absconding cashier, left a statement admitting his guilt and giving details of his stealing.

Paul Buddy, a knife-grinder, was knocked down by a wagon on New Montgomery street yesterday and sustained a compound fracture of the left leg, which may have to be ampu-tated. He was taken to the Receiving Hos-The Southern Pacific Company determined

yesterday to reduce its passenger rates between Portland, Or., and San Francisco to \$5 second class and \$10 first class to-morrow. This is a partial victory for the Oregon steamers which are fighting the railroad.

Haslett & Bailey, the warehousemen who were attached on Tuesday for unpaid rent mounting to \$10,545, yesterday settled their ndebtedness to W. H. Martin & Co. The s agreed upon were part cash and an ex-ion of time on the remainder.

The Spring Valley Water Works informed the from Jury vesterday that the company on and after July 1 next would undertake the direct service of supplying water to ships. This will end the monopoly in the service long controlled by Goodali, Perkins & Co.

A. D. Montague, now in New York, has written a letter to J. A. Flichu stating that the promoters of the Madison-square Garden "California State Exposition" are using the name of the State Board of Trade improperly and warning the general public against the scheme.

The Harbor Commissioners have decided to set apart section 4 of the seawall for a free fruit market. It now remains for the Merchants' Association and the Horticultural Commission and fruit-growers to take action, and the free market will be an accomplished fact.

What Prof. Le Conte Has to Say About Roentgen's Discovery.

### AS APPLIED TO SURGERY

Uses It Would Still Be Invaluable.

An Interview With the Famous Scientist on His Seventy-Third Birthday.

Dr. Wilson, professor of physics at the State University, is busily engaged in experimenting with Roentgen's mysterious ay, but so far he has secured no results to speak of. He says the reason is that the university has not got the proper apparatus for successfully carrying through the experiments, which calls for a larger in-duction coil. However, he intends to keep at it until he does get something. E. R. Drew and W. J. Raymond, instructors in physics and also E. R. Jackson and others of the students are at work with the new ray; all handicapped, however, with insufficient apparatus.

Dr. Lewis is in receipt of a communication from Professor Roentgen explaining his experiments and his theory of the cause of the new ray, and is himself preparing a paper on the subject. All the professors at Berkeley are, of

ourse, very much interested in the sub-Professor Le Conte, speaking of the dis-

overy, said: "This is new. We have only the most meager reports-that is to say there has not been much done; there has not been time for much experimenting as yet. What there is, however, is remarkable and valuable. It is a distinct ex-tension of scientific knowledge, and every such extension presents infinite possibilities of its application. So far as we have seen the one practical application of this discovery is to surgery. The value of it in that application, however, can scarcely be overestimated. If the flesh of the hand is invisible to these rays, and only the bones or other like dense matter absorbs them. or other like dense matter absorbs them or other like dense matter absorbs them, then to a strenger application the flesh of the whole body may reasonably be expected to be so. So that it is reasonable to believe that the shadow of a man's skeleton—a living man of flesh and blood—may be secured. Therefore, as Professor Davidson has said to The Call, if this discovery had been made prior to the shooting of Garfield, the ball, about which there was so much doubt, could have been

there was so much doubt, could have been quickly located and extracted. "If Professor Roentgen's discovery is found finally to have no other application than this to surgery it is a great addition to science. But it will have others; that is almost certain. The whole scientific world of physicists is at work with this new vibration. It has given a new vantage ground from which to work and a new impulse to work with, and results may be looked for every day. looked for every day. It is a great pity that the State University is not equipped as it should be in its department of physics. The equipment in other departments is first class, but in physics we are notably weak.

There is a considerable difference of In an interview yesterday Colonel Irish replies sharply to Governor Budd in regard to the removal of Superintendent Sanders from the Home for the Adult Blind.

The steamer Eastern Oregon has been sold for \$5000 and will be turned into a four-masted schooner. Her twin engines will be used to fit out two new steam schooners. ray of light. There is, as I say, much difference of opinion on that matter. Some think it the ultra red ray—the very

one ray.

"It has long been known that rays of light, as they may be called, of very, very light, as they may be called, of very, very light, as they may be called, of very thing. low temperature pass through everything. Everything is tranparent to it. Raoul Pictet made some very pretty experiments in this direction, upon which I had it in The will of Michael Skelly has been filed for probate. He left his entire estate to his widow, Margaret A. Skelly. The estate is of considerable value, although the actual amount is not stated.

Colonel T. P. Robinson has entered into an agreement with Mayor Sutro to take control of the Cliff House attractions and make the terminus of the Sutro line popular by a series of entertainments.

The residents of Bay View, South San Frantiure red red and the visible light and ture rises the vibrations shorten until the cisco, have petitioned the Supervisors to condemn four hog ranches in their midst. They say the stench from the refuse makes their homes unfit to live in.

The police have for two weeks been vainly trying to find Robert Buchanan, an engineer on the North Pacific Coast Railroad, who came to this City from Sausalito on February 12 and has not been seen since.

The police have for two weeks been vainly trying to find Robert Buchanan, an engineer on the North Pacific Coast Railroad, who came to this City from Sausalito on February 12 and has not been seen since.

It is not at all improbable that some substance may be discovered that will reflect and focalize it, and new applications develop infinitely."

"But, by the way," said the professor in conclusion, "it may be well to call attention again to the fact that it is not a cathode ray. Cathode rays are not new, and Roentgen's recent communication on the subject was employed in explaining that this was not a cathode ray, but something entirely different, which it certainly is."

Professor Le Conte was shown The Call of yesterday, containing the report, taken from the New York Herald, of Professor Simon's experiment of photographing his

from the New York Herald, of Professor Simon's experiment of photographing his own brain. He read the account and studied the reproduction of the photograph very seriously, and then said:
"If Professor Simon or anybody else has done this thing it is, of course, of great moment. But I shall wait until I get it from some authoritative scientific source

from some authoritative scientific source before I shall credit it. To be sure, we cannot afford to ignore a thing simply because we cannot understand it. The things that look most impossible are often so because of our ignorance of their cause. When we come to know about them they are very simple. On the other hand, the things which science knows to be impossible—such as perpetual motion—many peo-ple deem to be quite possible, and so waste their lives in fruitless endeavors to

### QUESTION OF AUTHORITY

solve it.'

Judge Slack Holds the Police Courts Have No Jurisdiction in Criminal Libel Cases.

A decision of considerable importance was rendered by Judge Slack on Tuesday,

as it involves the jurisdiction of the police courts in cases of criminal libel. Recently J. B. Fleming, ex-poundnaster, was arrested on the complaint of Fred Osborn, superintendent of the Pound, on the charge of criminal libel.

examination of a defendant. He admitted examination of a defendant. He sumitted that for years back these cases had been taken into the Police Courts, but no one had raised the point of jurisdiction, and he contended that he was right in his in-

he contended that he was right in his interpretation of the statute.

Judge Slack in his decision, which is a lengthy one, councides with the argument of Attorney Cabaniss and grants the writ. Therefore in future all libel cases will have to be taken at once before the Superior Court, thereby saving the delay of being heard in the Police Courts.

Attorney Cabaniss, while prosecuting attorney of Judge Joachimsen's court, made himself thoroughly familiar with the statute and was therefore in a position to raise the question of jurisdiction when the opportunity offered in the Fleming case.

### A BRUTAL MOTHER.

Mrs. Eliza O'Brien Arrested for Cruelty to Her Little Daughter.

Mrs. Eliza O'Brien of 292 Union street was arrested yesterday by the officers of the Society for the Prevention of Cruelty to Children, and booked in the City Prison on the charge of cruelty to children.

When the officers visited the house they found the mother in a state of intoxication, and the children hungry. There was no food in the house, and everything was in a filthy condition. Complaints had been made to the society that while drunk the mother had placed Tessie, aged 8, on the stove. The child, when questioned, admitted that this was so, her right hand was badly burned and her left hand bore the marks of scars. Tessie was sent to the Children's Hospital, where her wounds were cared for, and Maggie and Katie, aged respectively 9 and 2, were sent to St. Francis Orphan Asylum.

The father of the children, John O'Brien, is in the City and County Hospital. When the officers visited the house they

## WITTLAND'S STATEMENT,

The Ex-Cashier of the Grangers' Bank Left One With Friends.

It Told His Story of the Systematic Defalcations-Second Dividend to Be Declared.

The Grangers' Bank, in liquidation, has paid out nearly all the first dividend of 30 per cent declared by its directors re-cently, and it is believed that another dividend of 30 per cent, or at least 25, will be declared on March 1.

It is mainly due to the unselfish and indefatigable endeavors of H. M. La Rue, president of the defunct institution, that such a creditable showing has become possible. Mr. La Rue has devoted nearly all his time and attention to the bank since it closed its doors, and his friends say that he will not desist until every dollar of the bank's assets that can be collected is paid to depositors and stockholders. When this shall have been done the present to depositors and stockholders, when this shall have been done the present creditors of the bank will receive dollar for dollar. The president makes frequent trips into the country, and is now in the San Joaquin Valley attending to the bank's business. Each trip of his results in a large addition to the treasury. On his return there will it is expected be set?

in a large addition to the treasury. On his return there will, it is expected, be sufficient money on hand to warrant the directors declaring a dividend of 25 or 30 per cent on the first of next month.

Only once since William Wittland, the absconding cashier, disappeared has he been heard from, and that was about a week ago in an indirect way through the surety company which lost \$10,000 over his bonds. It has transpired that Wittland left a carefully prepared statement of his bonds. It has transpired that Witt-land left a carefully prepared statement of his defalcations, which he claimed aggre-gated \$12,500. The bank directors en-deavored to get hold of the document, which had passed into the hands of Witt-land's family, but it was kept from them. It is now in the safe keeping of his coun-sel Attorney Hewston.

sei, Attorney Hewston.
Wittland, according to a friend who saw
the statement, gave the amounts of his into the dishonest practices by certain peo-ple outside the bank, who influenced him to take money under the representation that he could not lose, but on the contrary would make a handsome profit and then be able to put the stolen money back privately. In this way he was led deeper and deeper into the difficulty, and when the bank was about to suspend he had to

## LOW'S POSITION

The Ruling Against the Poker Ordinance Based on the Ah You Decision.

An Examiner Editorial That Calls Forth the Criticism of the Police Judge.

Through an editorial which appeared in yesterday's issue of the Examiner, the decision rendered last week by Judge Low overthrowing the poker ordinance was severely and unfairly criticized. Insinuations as to the Judge's honesty were also indulged in, the editorial stating that "it was not expected that he could be made the tool of sharpers and sleight-of-hand swindlers who object to the poker ordi-

nance."

"It is evident," said Judge Low last evening, "that the person who wrote that gulling editorial is either unlearned in the laws of the State in which he resides, or else he has neglected to read my decision on the case in full. It has been decided by the Supreme Court of this State," he continued, "that it is not in the power of the Board of Supervisors to impose a greater punishment for an offense than the Legislature has seen fit to impose for a like or similar offense. By section 330 of the Penal Code the punishment prescribed by the State the punishment prescribed by the State law for playing prohibited gambling games is a fine not to exceed \$500, or by

games is a fine not to exceed \$500, or by imprisonment not to exceed six months, or by both such fine and imprisonment.

"In the case of ex parte Ah You reported in 88 California, page 99, and in the case of Soloman in 91 California, page 440, both parties being prosecuted under municipal ordinances similar to the poker ordinance, the Supreme Court decided in favor of the defendants, declaring all similar ordinances to be absolutely null and void. The ground upon which these ordinances were declared void being that they imposed a greater punishment for the offense committed than did the State law. It is a very easy thing to frame an ordioffense committed than did the State law. It is a very easy thing to frame an ordinance which will cover the entire matter by simply prohibiting the playing of poker, or allowing it to be played, for money in any saloon or other public place and by fixing the penalty by a fine of not more than \$500 or imprisonment in the County Jail not to exceed six months, or by both such fine and imprisonment.

"Such an ordinance would not infringe

A Seattle Man Building Electric Lines in Central American Cities.

HUNTINGTON'S GOOD BARGAIN.

Big |Pacific Port at Estrapa-Danger of the Coffee and Mahogany Going East.

L. H. Griffith, formerly proprietor of the Griffith bank at Seattle and for a year past residing in Guatemala, where he has important Government concessions, is at the Grand. Among his concessions is the privelege of putting electric street cars in Guatemala City and Antigua, and connecting the two places also by electric cars. The towns are seventy-two miles apart. Mr. Griffith has also been instrumental in starting the steamship freight line between Seattle and the port of San Jose de Guatemala, and furnishing Puget Sound timber and lumber to Guatemala.

He says the country down there is in a prosperous state. The hotels are all crowded and there are many a dozen resi-

### FOUGHT TO MUSIC.

Sousa's Experince With Two Youngsters Who Were Influenced by Sweet Sounds.

A good many years ago John Dryden celebrated in his delightful "Ode on St. Cecilia's Day" the power of music upon the human passions. Human nature has not greatly changed since. Alexander and Thais, inspired by the minstel's song, set fire to the palaces of Babylon, a fact which is illustrated by the story which Bandmaster Sousa has brought back with him from his latest tour of the country. "It happened in Exeter, N. H.," says

"It happened in Exeter, N. H.," says Mr. Sousa, "where we gave a concert one afternoon. When we reached the hall I found two juvenile residents of Exeter, who by distributing handbills, had earned the privilege of hearing the concerts from behind the scenes. The youngsters had some sort of a quarrel, and when I came across them were making threatening demonstrations at each other. I separated them and repeated the verse beginning, 'Let dogs delight to bark and bite'—you may have heard of it. I sat them down in two chairs, and gave them a lecture on the sinfulness of fighting, until it was time to go on the stage.

"From where I stood I could see the boys, each in his chair, out in the wings. We began with one of Liszt's Hungarian rhapsodies movement, and as the music proceeded the little fellows got out of their chairs, and sidling along toward one another, took up the quarrel where they had left off.

"A collision was imminent, when the

"A collision was imminent, when the



peculations in chronological order, and added them up to make a grand total of \$12,500. He said that he had been drawn nounced that C. P. Huntington had sold other. did not like the idea of British capitalists getting such a grip on the country.

"I think now, however, the matter has "I think now, however, the matter has been straightened out," said Mr. Griffith. "The agent of the syndicate, H. E. Baggerly, was a passenger down with me the agerly, was here. He completed his cidle demonstration of the influence of gerly, was a passenger down with me the bad last time I was here. He completed his report, and, as I understood it, it had been accented and the sale made

'There is a northern road to reach Port Barrios, on the Atlantic side, from Guate-mala City, now being built, and there is danger that when it is finished, or even before, the trade that now comes here will be diverted to New York. San Francisco ought to look out for this and do all it can to hold it. The northern road is being built by the Government. The entire distance between the two places is 180 miles. Sixty-five miles of this, from the Atlantic side, is now in operation. Besides this, fifty miles more there are under contract.

"There is also a 45-mile section from the Guatemala City end to be let right away. When these two contracts are completed freight can be transferred between the ter-minals. The coffee shipments then, inminals. The coffee shipments then, instead of coming here, may go that way.

"The route of the road is very rough, being largely over mountains. The cost of building it is \$200,000 a mile. There are many gorges and canyons, requiring in all thirty-five miles of bridging in the 180

"Besides this important work the San Luci branch road, from San Luci south to a connection with the Occidental road at Retaluhne, is being pushed forward rapidly. This runs along the base of the mountains on the Pacific Coast side through a rich coffee belt. The road will

through a rich coffee belt. The road will be an important feeder.

"Another important project by the Guatemalan Government is the spending of \$7,000,000 at the new port of Estrapa, nine miles below San Jose. It is at the mouth of a river and dockage is there furnished for large ships. Over 7,000,000 feet of lumber have been sent down there from San Francisco during the last few months. The harbor is to become the important one for the Pacific coast in Guatemala. All our steamers will eventually change from San Jose to that point."

Mr. Griffith is here on a business trip. He will be here about three weeks. He says the completion of the San Luci road will cause the shipment of large quantities of mahogany as well as coffee. Mr. Griffith says he expects to build his streetcar line

of mahogany as well as coffee. Mr. Griffith says he expects to build his streetcar line within the present year.

## CRAB-FISHERS ALARMED.

They Lose a Day's Work in Order to Pay Their Licenses.

The story published in THE CALL yesterday of how Deputy Fish Commissioners Wilson and Davis caught four crab-fishermen who had failed to pay the State license and caused the offenders to be fined by a Justice of the Peace in Sausalito proved a sensation among those who follow this line of business. Dozens of the crab-fishers flocked to the commission headquarters in the Flood building to pay for their licenses. for their licenses.

In consequence of the rush for licenses but few boats went out yesterday, their

March." Before we had played a dozen bars the little rascals were having it hot and heavy all over the side of the stage. The last I saw of them was the spectacle music upon the human passions which I favor of the plaintiff, giving him judgremember having seen.'

## FOR A NEW CONEY ISLAND

Colonel T. P. Robinson in Partnership With Mr. Sutro at the Beach.

Together They Will Inaugurate a Bewildering Series of Perpetually Changing Attractions There.

There is to be an injection of life and en ergy into the Cliff House, Sutro Heights and beach attractions from now on.

The ever popular ex-baseball manager and Midwinter Fair amusement committeeman, Colonel Thomas Poniatowski Robinson, has signed articles with Mayor Sutro as arbiter elegantiarum, otherwise amusement impresario at the Cliff.

The colonel will have sole control to make contracts and bewilder the visitors' minds with a kaleidoscope of wonders. Already his sanguine soul sees a new Coney Island or Manhattan Beach at the Coney Island or Manhattan Beach at the terminus of the Sutro line. He has prophetically arranged a trolley-wire to the seal rocks, built an amphitheater for entertainments, a bicycle-track, a drillingground, target range and "venetian canal," besides establishing a Cairo midway, with real camels, mirror-maze haunted swing and other favorite mar-

The giant Sutro baths will be the colonel's piece de resistance, however. Here he will give great water vaudevilles, Here he will give great water vaudevilles, acrobatic and gymnastic tournaments, while every day the band will play. The Sutro museum is not overlooked by the colonel's keen eye as a solid attractiod.

"We don't intend to have any common Punch and Judy shows," said General Robinson yesterday, "but we will look out for specialties, and, if necessary, engage them to come here from the East. The people will have a place where they can be

people will have a place where they can be sure of entertainment, at a moderate cost, in the daytime." These vast projects will take time, but it is the colonel's secret ambition—the colonel is nothing if not dramatic—to have

all the wheels commence to turn at once— probably on March 14, two weeks from next Saturday. Burglars Arrested. Three burgiars were booked at the City

NEW TO-DAY.

"Pure and Sure."

"I have used Cleveland's Baking Powder with entire satisfaction in the preparation of breads, biscuits and cakes." JULIET CORSON, Founder of New York Cooking School.

## SWINE SPOIL BAY VIEW.

Residents Ask the Supervisors to Condemn Four Hog Ranches.

THE STENCH IS UNBEARABLE

Forty-Five People Say That Foul Refuse Makes Their Homes Unfit to Live in.

The many residents of Bay View, that pretty little valley of South San Francisco, have petitioned the Supervisors to remove from their midst four hog ranches.

"There used to be a time," said S. L. Piper, who lives there and owns several lots in that section, "when we would not have exchanged our locality for any in the City. The air was balmy and pure, and we all enjoyed the best of health, but about two years ago a hog rancher moved in down near the beach. Since then three more have followed, and now we have over 1000 hogs grunting under our very windows.

"The wind to-day, as it rarely does, comes strong from the southeast. You can smell the fiith, though, even now. But as summer comes on and the weather becomes warmer, the stench is something horrible. Several times last year we were compelled to leave our home and spend

compelled to leave our home and spend the day somewhere else.

"The refuse from the ranches is piled around on the beach and on the marshy ground adjacent to the pens. When hogs die their carcasses are thrown over the fence, and these, with the refuse, send around this basin into the windows of the houses, three-quarters of a mile distant, a stench that is almost overpowering.

ering.

"These foul sinks have kept hundreds of families from building here, while if they were removed there could scarcely be found a pleasanter place to live.

"Down close by them sickness is very frequent. The beach was once as white as the property of the countries of the countries." that out near the Cliff House; now it lies several feet beneath the most nauseating

He Gets a Judgment for \$225 Against Theodore C. Marceau, the Photographer.

Justice of the Peace Carroll decided the case of J. H. Maloney, the turfman, against Theodore C. Marceau yesterday in ment for the entire amount asked, \$225. In 1895 Maloney ordered a lot of photo-

graphs from Marceau, but refused to ac cept them on the ground that the likeness and workmanship were poor. Shortly and workmanship were poor. Shortly thereafter he prepared to depart for the East and as he was leaving the Palace Hotel was arrested on a warrant sworn out by Marceau charging him with intent to defraud his creditors by leaving the

In order to prevent being detained Maloney paid the \$225 demanded by Marceau for the pictures and went on his way. Recently he returned and brought suit for the amount on the ground that it was paid under duress and by reason of threats.

An Officer's Contempt.

G. J. Ely, a police officer from Oakland, nar-rowly escaped being fined for contempt of court by Judge Conlan yesterday. C. L. Fountain was a witness in the case of Clarence Fountain was a witness in the case of Clarence Turner, charged with attempt to rob, and as soon as he had given his testimony Ely stepped up to him and arrested him. The attention of the Judge was drawn to the matter, and it looked serious for Ely. He explained that Fountain was wanted for an attempt to rob in Oakland, and he meant no disrespect to the court by arresting him. The Judge purged him of contempt.

NEW TO-DAY.

## THE GREATEST LIVING PIANIST, PLAYS THE

Which is pre-eminently

the best Piano manufac-

# SHERMAN, CLAY & CO.,

tured.

SAN FRANCISCO, CAL., Kearny and Sutter Streets. OAKLAND, Cal., Broadway and Thirteenth PORTLAND, or., Fifth and Yambill Streets. SEATTLE. Wash., 715 Second Street.

MACDONOUGH THEATER
(OAKLAND).
Oday at 2—To-night at 8—Farewell Performances
Marie Tavary Grand Opera Company.
Matinee To-day (popir prices) Bohemian Girl
To-night—Bizet's romantic Carmen.

NEW TO-DAY-AMUSEMENTS.

NEW TO-DAY-AMUSEMENTS.

FREDERICK WARDE And His Celebrated Company.

TO-NIGHT——"THE LION'S MOUTH"

Friday Night and Saturday Matinee, "THE MOUNTEBANK."

A WEEK WITH SHAKESPEARE!

Monday, Thursday, Mr. Warde's Latest Success Friday Evgs. and Saturday Matinee

Pronounced a Triumph by the Press.

Tuesday (only time), DAMON and PYTHIAS

Mr. Warde as Damon, Mr. Herman as Pythias.

Wednesday and Saturday Nights,

Every Play Superbly Mounted!

Every Scene a Picture!
The Foremost Company of America!
Seats for Next Week Ready To-day. EXTRA-Sunday Night, March 1, GRAND POPULAR CONCERT!

ALIFORNIA AL HAYMAN IN CORPD IN CORPD PROPS.

JOLLY NELLIE-MCHENRY

ONLY "THE OLD LIME KILN"

THE CARLETON OPERA COMPANY ! "LILY OF KILLARNEY!" PRICES-15c, 25c, 35c, 50c and 75c.

PRICES-15c, 25c, 35c and 50c. Monday-"FRA DIAVOLO." Three nights only.

-LAST TIMES!-Splendid Electric Production of DER FREISCHUTZ"

-CAST INCLUDES Ida Valerga,
Anna Schnabel,
Martin Pache,
Reappearance of the Favorite Soprano,
MISS CARRIE ROMA.

MORQSCO'S

GRAND OPERA-HOUSE. The Handsomest Family Theater in America. WALTER MOROSCO, Sole Lessee and Manager THIS EVENING AT EIGHT.

In Which Will Be Introduced New and Astounding Mechanical Effects. SEE The Pile-Driver Scene! The Elevated Rail-road! The Sensational Fire Scene! EVENING PRICES—25c and 50c. Family Circle and Gallery, 10c. Usual Matinees Saturday and Sunday.

ORPHEUM. O'Farrell Street, Between Stockton and Powell. TO-NIGHT AND DURING THE WEEK 7 NEW PEOPLE! 4 NEW ACTS! A Brilliant List of Celebrities!

FOREMAN and FANNAN, THE ROSSLEYS, ELLA ELLIS, THE PANTZERS,

THE AUDITORIUM.

Corner of Eddy and Jones sts. FRIEDLANDER, GOTTLOB & Co., Lessees & Managers FRIDAY, SATURDAY, SUN DAY, Feb. 28. 29 and March 1.
2-MATINEES-2
SATURDAY and SUNDAY. Sousa's PEERLESS BAND.

Miss CURRIE DUKE, Violinist, Miss MYRTA FRENCH, Soprano. Mr. ARTHUR PRYOR, Trombone SEATS-25c. 50c, 75c and \$1. MARCH 3-ANNA EVA FAY.

2

—WINTER MEETING—Beginning Thursday, February 20, BAY DISTRICT TRACK.
Racing Monday, Tuesday, Wednesday, Thursday, Friday and Saturday. Rain or Shine.
FIVE OR MORE RACES EACH DAY.
Races start at 2:00 P. M. sharp.
McAllister and Geary street cars pass the gate.
R. B. MILROY. THOS. H. WILLIAMS JR., Secretary.

CALIFORNIA JOCKEY CLUB. -WINTER MEETING-

The barkentine Discovery, which left Port Gamble for San Francisco thirty-seven days ago, is supposed to have gone down with all hands. Vessels that left days after her have now been weeks in port. Captain Christiansen's betrothed still hopes on, however, and refuses to return to her home in Tacoma.

League of the Cross Rally.

The parish rally of the league for St. Mary's Cathedral branch will be held this evening (Thursday) in Saratoga Hall. The most interesting events on the programme are an address by Rev. P. C. Yorke and an essay contest

Pound, on the charge of criminal libel.

When the case was called in Judge Conlanis, which all hand in Judge Conlanis, asked for a dismissal on the ground that the court had no jurisdiction. Judge Conlaning made the tool of so-called sharpers and sieight-of-hand swin-hand jurisdiction, which had never before been questioned.

Attorney Cabaniss thereupon applied for a writ of prohibition before Judge Slack. He argued that the statute which retained the present Police Courts and defined their jurisdiction omitted to give sen's betrothed still hopes on, however, and refuses to return to her home in Tacoma.

League of the Cross Rally.

The parish rally of the league for St. Mary's (Cathadral branch will be held this evening contention and the resting events on the programme are an address by Rev. P. C. Yorke and an essay-contest to decide the parish representative at the next district raily. Company A of the Cadets will attend. The public are invited to be present.

As to may being made the tool of solated to dismiss the case, believing that had no jurisdiction. Judge Conlan refused to dismiss the case, believing that had no jurisdiction. Judge Conlan refused to dismiss the case, believing that had no invision of the case, believing that had no jurisdiction. Judge Conlan refused to dismiss the case, believing that had no provided to dismiss the case, believing that had no provided to dismiss the case, believing that had no jurisdiction. Judge Conlan refused to dismiss the case, believing that had no jurisdiction. Judge Conlan refused to deless in the tool of solated to dismiss the case, believing that had no jurisdiction. Judge Conlan refused to dismiss the case, believing that had no jurisdiction. Judge Conlan refused to dismiss the case, believing that had no jurisdiction. Judge Conlan refused to dismiss the case, believing that had no jurisdiction. Judge Conlan refused to dismiss the case, believing that had no jurisdiction of the rush for licenses.

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In consequence of the rush for licenses, of the full that the prison statement could have come for the laws applicable to them without regard to the moral assumption of the laws applicable to them without regard to the moral assumption of the laws applicable to them without regard to the moral assumption of the laws applicable to them without regard to the bouse of Mrs. J. R. The book of the rush for licenses.

In consequence of the rush for the loo AN APPROVED LENTEN DIVER-

JULIUS CÆSAR, Mr. Warde as Brutus, Mr. Herman as Cassius, Charles Sutton as Antony.

First appearance of the Parisian violinist, MAR-SICK, in conjunction with PADEREWSKI (farewell appearance). SEATS NOW SELLING.

EVERY NIGHT—This Week Only!

MATINEE SATURDAY!

The idol of the Fun-making World,

'THE BICYCLE GIRL!"

SENSATION

AND CHARMING KATIE PUTNAM And Little GERTIE CARLISLE. Next Monday-"A Railroad Ticket"

Matinees Saturday and Sunday,

TIVOLI OPERA-HOUSE

THE SEVEN CHARMED BULLETS"

Grand Chorus !----Superb Orchestra! Next Week-"RIP VAN WINKLE." SIG. G. NAPOLEONI as Caspar. Popular Prices-25c and 50c.

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THE WILTONS And Last Week of the Favorites, CARROLL JOHNSON & BILLY CARTER Reserved seats, 25c; Balcony, 10c; Cand Box seats, 50c.

RACING! RACING! RACING!