

MRS. MARY ADDS SUIT FOR RENT TO TANGLE OVER "TROUBLE" RUGS

Sues Mining Man, Who Had House Six Months, for Damages

TILTS WITH TENANT

He Alleges Beds Were in an Awful Condition, Not Fit for Family

Once more were the famous oriental rugs of Mrs. Florence Land May in evidence in Judge Seawell's court yesterday afternoon. So was the fair owner or lessee of the soft Armenian weaves from which has sprung so much gossip. She is the last one to appeal to for information regarding the case, being most hazy as to its status, and even her attorney, Leslie E. Burks, can but follow after the many ramifications as they develop in each day's proceedings.

"Rugs of too much trouble" these bits of oriental elegance have been called and they certainly justified their name yesterday, for the afternoon session of the case broke up in what came near being a riot. Southern America, in the person of the fair defendant, and southern Europe, in the person of Tom Kullujian, the rug expert who wants to testify and can't because the court won't let him, broke loose. The quit of Temple Israel was broken with shoutings and threatenings when Kullujian was told that he was not to be allowed to tell of the famous secret process by which the merest tyro in things oriental could tell at a glance what is and what is not the real thing in Armenian and Persian weaves.

While Mrs. May in her liquid southern drawl was demanding that her lawyer bring suit immediately for the recovery of the things which under a court order had been removed from storage in the Stringer warehouse earlier in the day, the flood of Armenians called to testify as to the value of the rugs poured out from Judge Seawell's court into the hall of the temple. Kullujian was at their head, declaiming at the top of his voice:

"They are afraid of us! That Mirhan is afraid to let me tell, for I would blast his reputation to finders. Never mind, if I do not tell on the stand I will tell here. I am a free lecture man. That is what I am, and the world shall know my priceless secret. Then there will be no more Mirhans nor any other rug salesman, for the poor dupes know that there is not a real oriental rug in this country—only acid washed."

Then above the din of expostulation from his confederes sounded the tinkling laugh of Mrs. May.

The whole trouble arose when Judge Seawell declared that the plaintiff should have 10 days in which to answer a supplementary complaint filed yesterday by the Mirhan interests. Court was adjourned until the expiration of that time, and the furious witnesses turned out into the hallway. From the time the case was called the lawyers had been arguing excitedly over the priority of the mortgages of the rugs. Was it Raymond who had the first mortgage, or was it Mirhan who had the second mortgage, but who, having sold the rugs and received nothing for them, claimed to have the first lien upon them?

No one seemed to know, no one seemed to care very much, certainly not the defendant, who sat nonchalantly as the trial proceeded, injecting remarks from time to time. Just before the time of adjournment she heard that the rugs and a lot of her personal property had been removed from the storage warehouse, where they had been placed when she gave up her home. Then she rose in her wrath and declared that she "would not stand such infamy."

"I demand that you bring a suit immediately," she said, seizing the arm of her badgered attorney, Burks. "Instantly, you understand. That so-called receiver has deceived the court, swindled it and should be punished."

Burks pacified her with the statement that the matter would be righted as soon as possible.

Not content with the trouble which the rugs have brought upon her, Mrs. May became involved yesterday in another suit, entirely outside of the former. She charges that William J. Robinson of New York, to whom she leased her home, 219 Broadway, had swindled her out of six months' rent. Robinson, according to the story she told Judge Trout yesterday morning, had gone into her old home in January, 1906. He had agreed to pay \$150 a month rent for the house and was to take it for six months.

She alleged that he had paid for one month only, that after he left she found that the glassware, furniture and linen which had been left in the place were broken and that Robinson had swindled her out of \$230. This brought the amount of her claim against Robinson to \$850.

With the originality which marks all her actions Mrs. May, who was the first witness to testify, stood in the hall "just deluged that Robinson with letters regarding the unpaid rent," and when interrupted by counsel for the plaintiff she interrupted him and said: "Please, don't interrupt me, gentlemen. I prefer to tell this thing in my own way. I don't like these legal frascades, but if I have to get into them—" She did not finish her sentence.

She stated that china, wine glasses, cut glass bowls, "in fact, all of my everyday china which I left with the Robinsons," was damaged beyond repair. When she was questioned by Attorney Sims, counsel for Robinson, she began to argue with him. Admonished by the court, she said:

"I'm not arguing with him, your honor—he's arguing with me."

Robinson testified that he had been living in New York for several years previous to coming to this city, and that he was in the mining business. He admitted having agreed to pay the sum named as rent by Mrs. May, but stated that the house was filthy.

"Filthy," ejaculated Mrs. May, in a stage aside. "What a fib!"

"We were accustomed to nice things and I knew how to take care for them," Robinson was continuing, when Mrs. May again broke in again with the stage whisper:

"Nice things? He? Why, he was an itinerant preacher back in Ireland and was reared among pigs."

"The sheets were full of holes," went on Robinson, paying no attention to her, "and my little daughter Bessie and my wife became literally covered with vermin."

"Did you ever hear such lying in your life?" ejaculated the plaintiff.

The case was taken under advisement by Judge Trout.

No More \$300 Lots in Los Altos

After Sunday next. Cement walk and cement curb, improved streets, water, sewer, alley go with every 30 foot lot free; but if you want a lot in the new university town at lowest price you must buy a Saturday or Sunday excursion ticket. Mountain View; free auto ride through and free luncheon.

Mrs. Florence Land May, who adds to troubles over rugs a suit to compel payment of rent and damages for broken crockery from tenant who says her house was filthy.



MAYOR TAYLOR SIGNS PARKSIDE ORDINANCE

Company Meets Requirements Imposed by Board of Supervisors

Mayor Taylor affixed his signature yesterday to the ordinance passed by the board of supervisors last Monday granting a franchise to the Parkside transit company for an electric street railway in the Parkside and Sunset districts.

The board of directors of the company adopted a resolution empowering its president, J. E. Green, to sign the stipulations whereby the company agreed to build a portion of the system in Twentieth avenue instead of Ninth avenue, as required by the original terms of the franchise, and also to permit the city to acquire the system by purchase during the last 10 years of the 25 year franchise.

The mayor was satisfied that Green had acted with proper authority in signing the stipulation, but he insisted on the formal authority of the board of directors being secured in writing in order that the stipulation would be legally binding.

The mayor is of the opinion that the interests of the city were safeguarded in the grant of the franchise and also that a single protest filed against the franchise was not of sufficient merit to warrant a veto of the ordinance granting the same.

Gas Bills Reduced and your gas service taken care of for a small monthly charge. Gas Consumers' Association, Phone Park 846. 245 Haight st.

MRS. BUTTERS' TRUNKS ARE EMPTIED AT LAST

Collector Stratton Will Notify Appraiser Mattos as to the Duty to Be Paid

Two customs inspectors have been rummaging among the contents of the 18 trunks of Mrs. Henry Butters and her daughter Marie for the last two days at Alta Vista, the Alameda county house of the railroad millionaire, and completed their task last night. They will file their report this morning with Customs Collector Stratton, who will communicate the report to his subordinate, Appraiser Mattos, and the duties will be collected. As most of the duties will be upon the basis of 50 per cent of the value of the wardrobe of Mrs. Butters and her daughter, the bill to be footed by Butters will be very large.

The Bank of San Francisco

The man who gets ahead is the man who is prepared when opportunities offer. What better preparations can you make than to start a bank account? In every community there is enough money in hiding to start several respectable banks. Deposit this money with us and get it into circulation and have it become of use to yourself and the community. Open a savings account with us and we will pay you 4 per cent interest. Our business is to find solid investments to guarantee you the interest and also absolute security for your deposits. 1221 Polk St. near Sutter

COLONEL HEIZMANN RETIRES FROM ARMY TO ESCAPE RIDING TEST

Assistant Surgeon General Balks at Stunt Prescribed by the President

OTHERS TAKE SADDLE

Contingent Headed by Colonel Lundeen in Fifteen Mile Gallop

Colonel Charles L. Heizmann, assistant surgeon general, United States army, is in full retreat before the recent order of President Roosevelt requiring that "rough riding" tests be undergone by army officers. Yesterday was the time set for the first of these contests, and at the last moment Colonel Heizmann "reneged." He was the only officer designated for the trial who failed to qualify.

"I am a medical man, not a horse-man," said the indignant assistant surgeon general. "Rather than travel 15 miles on the quarter-deck of one of these beasts I'll retire from the army. Why, I haven't been on a horse in 39 years. Imagine my beginning at this late day. I'd look fine bobbing up and down in the saddle and nearly breaking in two at each joint. No, it is simply out of the question for me to attempt a dash with the rest of these rough riders. It's not my game."

Colonel Heizmann fled immediately an application to be sent before the retiring board and it was granted.

Colonel Heizmann's decision to forego the 15 mile jaunt on horseback was not reached with undue haste. Ever since the order for the "rough rider" test was issued he has been an earnest seeker of information, advice and encouragement from his fellow officers. He has looked at the situation from every angle and obtained expert opinions as to his ability to withstand the long ride.

Up to the last minute the colonel was undecided. At first he said he would take a chance. He looked over all the horses in the several corrals at the post with a view to finding one that would bear his weight with a graceful rhythm of movement akin to the rocking chair. None seemed to fill the bill. As the hour for the start approached the doughty old colonel became nervous and fidgety. Finally, when the other officers were preparing for the start he declared himself and the United States army lost a surgeon whose gallant record extends over 40 years of service. He had entered as assistant surgeon in 1867.

The ride yesterday fulfilled all the requirements, and in fact, as Colonel Lundeen said, "we rode a little over time, just to give full measure."

Those in the contest for this special trial met under the oak flag that floats in the post proper. Promptly at 10 o'clock they started forth. The route lay along the northern bluffs of the post, around through the golf links, back down by the main one that would be the point of commencement. This made a complete circuit of the post, and to cover the prescribed 15 miles this course was gone over three times.

General Funston was in charge of the trial, assisted by Colonel Duncan. The general was in his automobile and followed the riders from point to point, timing them as they appeared at the different points. It took a little under two and a half hours to complete the work. The test of those who took part in the exercise was entirely satisfactory to General Funston.

Those who underwent the trial ride were:

- Colonel John A. Lundeen, coast artillery, Presidio.
Lieutenant Colonel Edward T. Brown, First field artillery, Presidio of San Francisco, Cal.
Lieutenant Colonel Adam Saker, coast artillery corps, Fort Baker, Cal.
Lieutenant Colonel Frederick Marsh, coast artillery corps, Presidio of San Francisco, Cal.
Major Harry C. Benson, Fourteenth cavalry, Camp Yosemite, Yosemite national park, Cal.
Major John W. Buckman, coast artillery corps, Presidio of San Francisco, Cal.
Major Eliza S. Beaton, coast artillery corps, Fort Miley, Cal.
Major Gustave W. S. Stevens, coast artillery corps, Presidio of San Francisco, Cal.
Lieutenant Colonel George L. Anderson, inspector general.

Visitors, see Harbor View. Hot salt water baths. Transfer Fillmore st. car.

HERBERT CHOYNSKI HAS FIGHTS WITH TWO MEN IN AUTOMOBILE ROW

Battles With His Former Associates in Motor Car Company

BLOOD RUNS FREELY

Hot Encounter With "Billy" Harrington Is Marked by Much Gore

The dogs of war were unleashed in automobile row yesterday, when Colonel Herbert Choynski proceeded to settle a few differences with his former associates in the General motor car company. Some time ago "Billy" Harrington severed his connection with the General motor car company, being accompanied by Chief Mechanic Miller, both of whom were in the employ of the Locomobile people.

The colonel, while driving down Golden Gate avenue yesterday, with Bernard Shorb as his chauffeur, seemed to be incensed at something, and seeing Miller on the street, immediately alighted from his car and, according to the latter, asked him what he had done with some tools he had stolen from the General motor car company. For a moment the men gazed at each other and then clinched. In the scuffle they fell to the ground, and Miller, breaking loose, escaped by running around a pile of debris, with the colonel in hot pursuit.

Farther down the avenue the colonel met Harrington and pounced upon him, asking him about a voucher for \$35 for an expense account of a year ago. Harrington replied sharply. Words flew, curses followed and Harrington started the fun by lashing out a straight left, which fell plumb on the colonel's forehead, drawing the claret. The colonel, still game, let fly a right that landed on Harrington's left ear, giving it the appearance of a cauliflower. Harrington came back with a straight jab, missing the nose, but hitting the colonel's left eyebrow, cutting the flesh. The colonel reached Harrington's lip lightly, just breaking the skin. Harrington, still looking for fight, landed on the colonel's nose, when friends and spectators parted the combatants. After a few extra words the colonel jumped into his automobile with his chauffeur, Shorb, drove up Golden Gate avenue, and turned into Van Ness, looking for some place where he could wash the blood from his face and clothing.

In the meantime Harrington had reptiled to headquarters, trying to find some means whereby to reduce the size of his enlarged ear. The parting of the two was merely a truce declared for the time being. From the rumors on automobile row, this was the first skirmish of battles to follow, legal and otherwise.

TRUCKEE RIVER WATER CONDEMNED BY O'NEILL

Judge Van Fleet Hears Expert Testimony as to Pollution by Floriston Paper Mill

Judge Van Fleet in the United States circuit court yesterday took up the case of the state of Nevada to restrain the Floriston pulp and paper company from polluting the waters of the Truckee river. Professor Edmond O'Neill of the University of California was the only witness examined. He testified that he had analyzed samples of the river water in 1905 and water taken from the river a week ago below the site of the mill. Both tests showed that the water was contaminated with sulphites and other deleterious by-products of the Floriston mill. This is the water that the people of Reno are obliged to drink and that the students of the state university in that city are supplied with. Further testimony will be taken today.

ALMA CUTTER BECOMES A BRIDE

Miss Alma Cutter, a granddaughter of General Vallejo, and E. S. Martin, a San Francisco businessman, were married at noon yesterday in the Dale hotel. Rev. William Rader officiated. Only a few relatives of the young couple witnessed the ceremony.

Herbert Choynski, who waged two fights yesterday with his former associates in motor car company.



NIGHT PROWLER ROUTED BY SCREAMS OF WOMAN

Mrs. H. N. Cook, 2965 Jackson street, reported to the police yesterday that about 5 o'clock she was awakened by hearing a noise in a front bedroom. She screamed for help and heard some one running out of the house. When she made an investigation she found the front bedroom in disorder. The bedclothes had been thrown off the bed and the contents of the bureau drawers emptied on the floor in a search for coin or jewelry, but nothing was secured by the early morning raider in any of the houses entered.

EX-POLICE SERGEANT DIES

Chief Birgy was notified that ex-Police Sergeant Edward F. Ward had died yesterday morning at Sea View, Sonoma county, where he had gone about three weeks ago for his health. Ward joined the force December 4, 1895; was made a corporal July 21, 1903, and sergeant October 1, 1904. He was retired on a pension July 5, 1906. He was born in this city January 14, 1869. He was one of the most genial of men and was loved by his comrades and all who knew him for his sterling qualities. During all of the time he was in the department he was assigned to the southern district. Consumption was the cause of death.

CHOIR WILL HOLD RECITAL

The choir of Centenary church, Bush street, is to hold a recital Sunday evening. Among the soloists will be Mrs. J. C. Faulkner of Australia. Rev. J. E. Squires, the new pastor of Centenary church, will be welcomed by the congregation Sunday evening.

Dr. Siegel's Angostura Bitters, delicious with grape fruit, wine jellies, lemon loz.

CLIFF HOUSE SITE TO BE ATTACHED BY FIRM OF DECORATORS

John Tait, the Sutro Estate and Corporation Named by Creditors

FIRE SPOILS PLANS

Old Resort in Process of Redecoration When Flames Came

An attachment will be served today upon the Cliff House corporation on a claim for \$3,857.44 of Schastey & Volmer, 1339 Van Ness avenue, contractors and decorators. Joined in the attachment is the estate of Adolph Sutro, of which Emma L. Merritt is executrix. The estate leased the Cliff House property to the Cliff House company some weeks before the recent fire which destroyed the famous building that overlooked the seal rocks. The attachment covers the land upon which the Cliff house stood and also money in bank belonging to the Cliff House corporation.

John Tait, the restaurateur, is the principal figure in the Cliff House corporation. Tait leased the property several months ago and was proceeding with plans to remodel and redecorate the resort and conduct it as an eating place for the well to do. This work had progressed to the point where the mat opening was expected when fire reduced the building to ashes.

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J. Magnin & Co. Announce... New Arrivals of Misses' and Children's Wearing Apparel At Moderate Prices Van Ness Av. at Bush St.

REMOVAL SALE WILL GO ON! Men's and Boys' CLOTHING At Wholesale Prices. The contractor has disappointed us. It will be at least a week more before the new store is ready. This gives us an opportunity to dispose of the balance of our stock. Quite a good assortment of men's, youths' and boys' clothing, furnishing goods and hats still remains and the savings to be realized on them; while the sale lasts, make this event the most important sale ever held on Van Ness avenue.

Chamberlain's Cough Remedy. During the past 35 years no remedy has proven more prompt or more effectual in its cures of Coughs, Colds and Croup than Chamberlain's Cough Remedy. In many homes it is relied upon as implicitly as the family physician. It contains no opium or other narcotic, and may be given as confidently to a baby as to an adult. Price 25c; large size 50c.

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