

JUDGE WALLACE SUSTAINED.

Supreme Court Decision in the Raymond Case.

THE WRIT DISCHARGED AND THE PRISONER REMANDED.

Perry Sears, an Old and Respected Farmer of Sonoma County, Shoots and Instantly Kills One John Riebell—A Prominent Citizen and County Official of San Bernardino Placed Under Arrest on Charges of Incendiarism.

Special to the RECORD-UNION. LOS ANGELES, Oct. 15.—The Supreme Court this afternoon, after adjournment, filed with the clerk the following certificate of opinion in the case of ex-parte Raymond on habeas corpus, deciding the validity of the San Francisco Grand Jury. "The petitioner was subpoenaed as a witness before the Grand Jury of San Francisco. He refused to appear and testify upon the ground that, in his opinion, the Grand Jury was not a lawful body. For this refusal he was convicted of contempt of the Superior Court and sentenced to a fine and imprisonment. Thereupon he sued out this writ, under which he prays to be discharged from custody. "It is not controverted that he must be remanded and the writ discharged, unless he can show that the Superior Court exceeded its jurisdiction in the contempt proceeding. In order to do this the petitioner offers in evidence a record of the proceedings of the Superior Court in ordering, selecting, summoning and imprisoning the alleged Grand Jury, from which he contends that a legal Grand Jury was not organized. The Superior Court was guilty of such grave irregularities and violations of plain statutory provisions that the body of men by it summoned and impaneled is not a de facto Grand Jury. "Without passing upon the question whether the Grand Jury before whom the petitioner was summoned was a legal Grand Jury, it is sufficient for us to say that such body has certainly a legal existence, and this being so, the witness was clearly guilty of contempt in refusing to testify. When a court having legal authority to impanel a Grand Jury has done so, it is not competent for any person to question the competency of the Grand Jury, charges it with the duties of a Grand Jury, or to engage in the performance of such duties. The person summoned to testify before it cannot raise a question of its competency to act. His duty is to testify as required, leaving the question of the legality of the Grand Jury to be tested in the modes provided by law by those who may have interest in the question. The petitioner, on his own showing, has been regularly and properly convicted, and must be remanded. "The writ is discharged and the prisoner remanded."

HOMICIDE NEAR SONOMA.

John Riebell Shot and Killed by Perry Sears. SONOMA, Oct. 15.—Perry Sears, one of the oldest and most respected farmers in this valley, shot and instantly killed a man named John Riebell, formerly of Napa City, between 12 and 1 o'clock to-day. The shooting took place on Sears' ranch. Immediately after the shooting Sears came to town and delivered himself up to the officers. Great sympathy is expressed in this valley for Sears. The killing was done with a building pistol, two shots taking effect in the body. The act was one clearly of self-defense. The attorney for Sears arrived in town today and is looking out for the interest of his client. He kept a strict watch on his man, which resulted in the arrest last evening of George Jessing, a painter, and Deputy County Assessor. He is a promoter of the act, and is generally considered above reproach. The barn of Deputy Sheriff Holcomb was set on fire last evening. At that time, while Jessing was holding a hose that was playing on the fire, he was placed under arrest. The most peculiar and suspicious thing about the case is, it is reported, that Jessing at each of the fires had been the man to give the first alarm. There appears, however, to be no motive for this man to start fires.

REJOICING AT WOODBRIDGE.

Happy Over the Completion of a Dam for Irrigation Purposes. Lodi, Oct. 15.—The last opening in the Woodbridge Canal and Irrigation Company's dam at Woodbridge, was closed this morning at 7:45 amid the general rejoicing of the people throughout this section of the country, many of whom had collected on the river banks at this early hour to witness the work. Few public enterprises of this magnitude have ever been commenced and pushed through to completion that have met with the unanimous support of all classes of the people. It has been a grand system of canals now nearly completed by the Woodbridge Canal and Irrigation Company. This system of canals is among the largest of the coast, and the result will be to change over two hundred square miles of the choicest wheat fields of northern San Joaquin County into what may properly be termed a flower garden. A grand celebration will be held by the people of the surrounding country in the near future over the event.

MORE SERIOUS THAN REPORTED.

Three Deaths from a Boiler Explosion in Washington. PORT TOWNSEND (Wash.), Oct. 15.—The explosion of the boiler on the steamer Nyangal at Whatcom last night proves to have been more serious than it was first considered. Gus Carlson and William Biggs, deck hands, and Julius Hint, fireman, have died from the injuries received. Alfred Biggs, second engineer, was severely scalded. John Terry, fireman; Joseph Burrows, cook; and Charles E. Turner, steward, were burned and Edward Ross, a fireman, had his skull

FRIGHTFUL ACCIDENT.

A Train Wrecked on the Chicago and Eastern Illinois.

THREE NEWSPAPER MEN AND AN ENGINEER KILLED.

Whisky and Jealousy Cause an Awful Tragedy in Denver—A Man Bound, Gagged and Thrown From a Third-Story Window, Causing Almost Instant Death—The Bursting of an Engine Fly-Wheel Causes a Serious Accident at Manchester, N. H.

Special to the RECORD-UNION. INDIANAPOLIS (Ind.), Oct. 15.—A horrible accident, resulting in the death of three members of the Chicago Inter-Ocean staff and the serious injury of several other passengers, occurred on the Chicago and Eastern Illinois Railroad this morning about 11 o'clock, at Crete, Ill. The dead are: Leonard Washburn, sporting reporter for the Inter-Ocean; Fred W. Henry, reporter; J. A. McLaughlin, artist, recently from St. Louis, and James Clark, engineer. At Crete the train ran into an open switch. The men killed were on the engine, Henry and McLaughlin having gone aboard for the purpose of writing up and illustrating a midnight ride on a fast train, and Washburn, who was returning from an Indiana trip, having joined his friends on the engine. The accident came without warning, and as the locomotive ploughed through the track the four men were caught and completely buried beneath the train.

Hotel Burned. MERCED, Oct. 15.—A large two-story frame hotel at Livingston, the property of W. E. Turner, was destroyed by fire early this morning. The loss is about \$3,000; partially insured. The occupants barely escaped, and two small children were rescued when the room in which they were sleeping was on fire. The cause of the fire was not learned.

On Trial for Murder. SALINAS, Oct. 15.—The Hayes murder case was commenced here today. Last July, in Monterey, Hayes shot and killed a young drug clerk named Wagner because the latter refused to sell him ten cents' worth of morphine on credit. The crime aroused great excitement, and an attempt was made to lynch Hayes, but he was removed to Salinas before a mob could get him.

Deaths From Heart Trouble. PETALUMA, Oct. 15.—Mrs. Elizabeth C. Connolly, aged 65, an old and respected resident of Petaluma, died this morning of heart trouble, after a long illness. Dr. M. J. McLaughlin, who was suddenly this afternoon of heart failure, after two days' illness. He was a native of Bridgeport, Conn.

Bad Weather for Raisin-Curing. RIVERSIDE, Oct. 15.—The weather is bad for raisin-curing. Heavy fogs prevail in the mornings and clouds obscure the sun during nearly the whole of the day. No rain has yet in the sweet boxes, and prices are poor, the best yet offered being 34 cents.

Presbyterian Synod. SAN RAFAEL, Oct. 15.—The annual meeting of the Presbyterian Synod of the Pacific convened here this evening at the Presbyterian Church. The meeting will continue for several days. About 200 ministers of the Presbyterian Church are present.

Austin's Case Continued. SAN RAFAEL, Oct. 15.—The case of ex-Treasurer Austin, charged with embezzlement, was resumed this afternoon in the Superior Court before Judge D. J. Murphy. A full jury was secured, and the case was continued to Monday at 10 o'clock.

ADAMS EXPRESS COMPANY.

An Investigation Shows Crookedness on the Part of Hoey. NEW YORK, Oct. 15.—Vice-President Lovejoy of the Adams Express Company said misappropriations had been found since the Sherbourne-Taft deal. He refused to give further details at present, but added that there was no telling what the future would develop, and it would be some time next week before he could tell how much the ex-President has taken from the company. It is a good many suspicious entries and items which have been discovered, which the ex-President and ex-Vice-President will be called upon to explain. "You know," he said, "I am not a crook, and that the officers of this company will spare no effort to recover the large sums of money which have been unlawfully taken from the treasury. "Will suits at law be instituted?" was asked. "Undoubtedly," he replied. "If criminal prosecutions be attempted?" "It may come to that," Henry C. Taft is the fourth man involved in the deal, "No," he said, "I am not a crook, and I think I am in a position to know there is not the slightest truth in it." Both are very emphatic. Thomas E. Stillman of Butler, Stillman & Hubbard, said that the reports were untrue, and that the case would be fought out. Sears will not agree to a compromise under any circumstances. A dispatch from Lawrence, Mass., says that E. T. Burley of counsel for Hopkins emphatically denies that the case has been compromised. He says it will be resumed in Salem on Monday. The facts appear to be that when Mr. Hopkins refused to accept \$300,000 for his share of the estate which his lawyers decided upon the advice of his lawyer, he decided to make no further overtures, but to let Mr. Hopkins fight out his claim.

SEARLES WILL CONTEST.

Consent Deny That a Compromise Has Been Reached. NEW YORK, Oct. 15.—Lawyers concerned in the Hopkins-Searles contest deny that a compromise has been reached or that there will be one. Joseph W. Choate said: "I don't believe the rumor. If it were so I would know it." Mr. Hubbard said: "It cannot possibly be so, and I think I am in a position to know there is not the slightest truth in it." Both are very emphatic. Thomas E. Stillman of Butler, Stillman & Hubbard, said that the reports were untrue, and that the case would be fought out. Sears will not agree to a compromise under any circumstances. A dispatch from Lawrence, Mass., says that E. T. Burley of counsel for Hopkins emphatically denies that the case has been compromised. He says it will be resumed in Salem on Monday. The facts appear to be that when Mr. Hopkins refused to accept \$300,000 for his share of the estate which his lawyers decided upon the advice of his lawyer, he decided to make no further overtures, but to let Mr. Hopkins fight out his claim.

FATAL ACCIDENT.

An Engine Fly-Wheel Bursts, With Serious Results. MANCHESTER (N. H.), Oct. 15.—The fly-wheel on an engine in the Amoskeag mills burst this morning, instantly killing Engineer Banker and wounding a number of other employes of the mill, several fatally. A portion of the mill about the engine-house was badly damaged. Eleven girls were employed in a room over the engine-house. When the fly-wheel burst they were carried to the basement in the debris. Four escaped with slight bruises, three were probably fatally injured, and four others painfully bruised and cut. The body of Engineer Banker was found in a wheel with his head crushed, and Emil Delano, a boy employed in the top story, was fatally injured by a piece of the fly-wheel which came through a window and struck him. Mamie Kane, one of the injured girls, died this afternoon.

ECUMENICAL CONGRESS.

Considerable Warm Feeling Shown at Yesterday's Session. WASHINGTON, Oct. 15.—Rev. Dr. Donnelly of the Irish Methodist Church presided over the Ecumenical Council today. The first business was the further consideration of the report of the Business Committee in response to the memorial on Methodist federation, and Dr. Stephenson, in behalf of the committee, made an explanation of the purpose in

REPORTING THE RESOLUTIONS, and suggested a few amendments, and suggested a few amendments, and suggested a few amendments.

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