

LAWYER HART'S LATE STUDENT

William P. Harlow's First Case in Court.

The General Gets Excited Under Harlow's Fire, and is Thrice Fined for Contempt of Court.

The trial of W. R. Rains, charged with burglary in entering the house of A. L. Hart in October last, was resumed in Department Two of the Superior Court yesterday afternoon.

District Attorney Ryan made the opening statement on behalf of the prosecution. He related the circumstances leading to the arrest of Rains, and the subsequent finding of evidence to show that General Hart's house was entered by a rear window, and that the blinds on the window were broken in effecting an entrance to the house.

Miss Lottie Sahlman, the domestic in the employ of General Hart, and under whose head Rains crawled after having entered the house, Mrs. A. L. Hart, who fired two shots from a pistol at Rains; A. L. Hart, Jr.; ex-police officer George K. Nagel, and Police Officer D. W. Higgins testified on behalf of the prosecution.

Lawyer Harlow, Rains' counsel, in his opening statement claimed that Rains did not enter the house for the purpose of stealing anything, but that he was intoxicated and did not know where he was going.

For the defense, H. S. Warren, Bert Warren and Frank Riley, residents of Perkins, testified that Rains had been drinking at that place.

Jack Hurley testified to having seen Rains in an intoxicated condition previous to the entry of General Hart's house. A number of witnesses from Petaluma testified to Rains' previous good character and reputation.

At 5 o'clock a recess was taken until 7 o'clock, Judge Johnson having decided to hold a night session.

In the evening the first witness called was A. L. Hart. The first question asked by Attorney Harlow was: "Do you live in Sacramento, Mr. Hart?"

"I think I do," was the answer. "You think so. You do not know?" was asked.

"I think I do," was the answer. "I have been in Woodland for several weeks," was the answer.

"You won your case there to-day, and ought to be in a good humor and answer the question properly," said Harlow.

The court reminded the attorney that the Woodland case had nothing to do with the present one, and cautioned him to confine himself to the case.

After several other questions and answers Mr. Harlow again took exception to Hart's answers and the court again admonished him. Mr. Harlow said there might be between him and the witness he must proceed with his examination in the proper manner.

Hart disclaimed any intention to do otherwise, and Hart disclaimed any feeling on his part.

"I am not talking to you, Mr. Hart," said the court. "I am directing Mr. Harlow with reference to his mode of examination."

The examination then proceeded. Harlow read from the testimony of Hart at the preliminary examination, asking at each pause, "Is that part of your evidence?" The answer was generally to the effect that it was.

At one point Harlow asked the court to instruct the witness with regard to his answer, and the court said that the question had been answered properly, but that counsel had misunderstood the answer.

Harlow asked the witness if he had said that the witness was not entitled to a defense, and the witness (Harlow) must leave his (Hart's) office if he defended him.

District Attorney Ryan objected to the question, and Harlow stated that he wished to show that Hart made the prosecution a bitter and malicious one.

Hart interposed several objections, and the court finally told him that if he did not cease he would be punished, as he was there not as a lawyer but as a witness.

The District Attorney again objected, and Mr. Harlow was told to refer his objections and proceed with his questions. He was persistent in questioning the witness about the difficulty of climbing the post of the porch, till the court told him to direct his questions to some other point.

"I would like to explain, your honor," said the witness. "I am aware of all you wish," said the court, "but have heard enough on that point."

"When you are not an unwilling witness, Mr. Hart?" resumed Harlow. "No, I am not," was the answer.

The question as to whether or not the wood of the blinds was the same as the next bone of contention. The District Attorney protested, and the court finally stated that, unless counsel and witness better observed the amenities of the court, he should fine them.

Finally Hart, in an undertone, said that one of Harlow's questions was entirely contrary to the rules of evidence, and the court directed the Clerk to enter a fine of \$5 against him.

Harlow protested that he would not ask an improper question knowingly, and asked the witness if his wife made him a certain answer in relation to fingerprints.

Hart said the manner of the question was an insult to his wife, and made some more remarks which drew down on his head another fine. This time it was \$5.

He protested, excitedly, that he did not wish to be insulted.

Then he was fined, for the third time, another \$5.

The District Attorney interposed for the witness, pleading his excited condition.

The court stated that he did not wish to punish Mr. Hart, but that the proper decorum must be observed, as Mr. Hart well knew.

Lawyer Harlow persisted in asking a question which the court had decided to be an improper one, and he was told to desist and to confine himself to proper questions.

"I will try to do so, your honor. I will not knowingly ask improperly, but, as your honor knows, I have been trained in General Hart's school," he replied.

Then, addressing the witness, he asked: "Did you not tell me, Mr. Hart, that you would ask the Judge to give my client the highest term in the State Prison that the law allows?"

"Yes, I did," said Hart, "and I will ask him to."

Several witnesses testified to Rains' previous good character, some of whom, from Sonoma County, had known him from his boyhood up to four or five years ago. Harlow wished to prove by the prisoner's sister and other witnesses that Rains had, while drunk on a previous occasion, gone into her house and crawled under the bed and gone to sleep.

Every person who gets intoxicated, he argued, has some peculiar way of acting, and this seemed to be that of the prisoner, and he considered it a relevant fact. The District Attorney objected, but the court, being in doubt, gave the prisoner the benefit, and the desired testimony was allowed, several witnesses testifying to such an occurrence.

The court then adjourned till 10 a. m. to-day.

ALL ABOUT A DOG. H. W. Rivett's Controversy With the Autocrat of the Dog-Pound.

two of his dogs, and one of them was redeemed by the payment of \$2. To go to the other dog out of the pound Rivett says he offered the Poundmaster a license tag and a receipt.

Cookley refused to honor the tag, on the ground that it was for another dog. Justice Henry took the case under advisement.

THE POMOLOGICAL RECEPTION.

The Work of Preparation Begins for the Society Entertainment.

The Citizen's Executive Committee for the reception of the American Pomological Society January 10th, met at 3 p. m. yesterday, Mayor Steinman presiding. A long and animated discussion was had as to ways and means, methods and programme, and finally the committee came to agreement and these things were decided upon.

The sessions of the society will be held in the pavilion at Sixth and M streets; so far as possible, fruit and nut exhibits shall be made, and the central counties asked to assist in making it, the goods to be returned or sold, as may be ordered at the close of the exhibit.

Weather permitting an excursion to Poisson, the water-power dam, Natoma Vineyard and the Mayhew Station orchards and vineyards shall be undertaken at the close of the session; a social reception shall be held at the Art Gallery, badges shall be furnished and attendees and all conveniences supplied to the society at its sessions. A reception committee shall be named to welcome the guests and to have them as much as possible while in the city. No banquet will be given but light refreshments served several times.

It was voted almost unanimously not to relate the Pomological reception to any inaugural exercises, as had been urged—such as a reception instead of an inaugural hall, but to keep the former distinct from the latter. O. Coleman, after urgent solicitation, accepted the position of executive officer for the committee, for which he is to be paid \$100 and expenses.

The committee considered the receipt of an ingenuously and economic in making this arrangement. Mr. Coleman will begin his work to-day and continue it for a month, and by noon he will have made office a number of all sub-committees.

The following committees were named: All persons present and who served on committees for the reception of the recent Fruit-growers' Convention, and all whom the Mayor may add, shall constitute the Executive and Managing Committee, with the Mayor as Chairman, and finance, Messrs. Hall, Katzenstein, Curtis, LaDue, Flint and Mrs. H. S. Jones; these to address the Supervisors and the Trustees also. On the Art Gallery the directors of the Museum Association, Woodson, Weinstein and Flint. On accommodations and hotels, J. O. Coleman. On entertainment, to be named by the Mayor.

On excursion and transportation, Messrs. Weinstein, Schaw, Lawton and Mayor Steinman to meet in San Francisco on Tuesday. On formal matters (ladies to be named by the Chair).

The committee then adjourned to the call of the Mayor.

WANTS TO ADMINISTER.

J. W. Hughes has petitioned the Superior Court for letters of administration on the estate of Priscilla A. Hughes, deceased.

The estate consists of property in Sacramento, Sutter and Placer Counties, and is valued at \$20,000. The heirs are the petitioner, Messrs. J. H. Hughes, Sr., husband of the deceased; and William, Minnie H., Gussie, Morrison and J. R. Hughes, Jr., children of the deceased, with the exception of the petitioner, reside in Howard County, Mo.

Neidlein Wins His Suit.

In Department Two of the Superior Court judgment was yesterday rendered in favor of the plaintiff in the suit of F. Neidlein against Hermann Tribe No. 224, I. O. R. M., of San Francisco, for the recovery of \$20 alleged to be due for sick benefits.

The case was on appeal from Justice Devine's court. Justice Devine rendered judgment in favor of the defendant, and Neidlein applied to the Superior Court, with the result as stated.

Nancy J. Garrett's Estate.

Hiram Garrett has petitioned the Superior Court for letters of administration on the estate of Nancy J. Garrett, deceased.

The estate consists of twenty shares of stock in the Sacramento Building and Loan Association, valued at \$500. The heirs are the petitioner, husband of the deceased, and the following children: Howard, J. H., A. W., Mary, Frank, Mattie, and Nancy M. Garrett.

A Surprise and Delight.

Each succeeding number of Edgar L. Wallace's "Fables of Ten Travels" furnishes a surprise and delight to the appreciative lover of fiction. His latest story, "The Journey of Pierre Floquet," which appears elsewhere in this issue, is an ethnologic revelation of permanent and great value, expensively written and thrilling romance.

State Land Patents.

Governor Markham has signed the following land patents, under the grant of sixteenth and thirty-sixth sections for school purposes: Lyman G. Graves, 40 acres in San Diego County; August Veinor and Carl Hartz, 100 acres in San Luis Obispo County; H. E. Harmitz, 40 acres in Humboldt County; Calvin G. Newton, 320 acres in Colusa County, and 15.20 acres of tide land in San Diego County.

Three Counties Yet to Report.

The election returns for Del Norte and San Luis Obispo were received at the Secretary of State's office yesterday, leaving Mendocino, Colusa and San Francisco Counties to hear from. The returns from San Luis Obispo were sent back for corrections in the constitutional amendments vote.

He Was Mistaken.

Hans Jorgenson reported Thursday night at the police station that his pocket had been picked on K street of a purse containing \$15 in gold and notes and certificates of deposit amounting to \$2,000. He afterward found it lying on his bed, where it had fallen from his pocket.

Victorious from the Lakes to the Coast.

Dr. Price's Cream Baking Powder took highest honors at the Chicago and Midwinter Fairs.

The Beautiful Snow.

The hills around Placerville were white with snow yesterday morning and there was snow also as low down as Colfax. On the hills the locomotives were running with "push" plows and the snow had drifted some.

Party Postponed.

A party was to have been given last night at Pythian Hall by Harmony Lodge, Knights and Ladies of Honor, but was postponed on account of the inclemency of the weather.

For Guardianship Letters.

Joseph Da Rosa De Medeiros has petitioned the Superior Court for letters of guardianship on the estate of Jacinto Da Rosa De Medeiros, an incompetent.

Suit for Divorce.

Charles C. Cude, by her attorneys, Clark & Ross, has commenced suit for divorce from Edward S. Currie.

The Most Comfortable, Convenient, Commanding and Expeditious Route to the Eastern States is by the Sunset Limited; vestibule, splendidly equipped, lighted by gas, hotel, bath house, barber shop and all other appliances of modern elegance.

CHRONADO WATER, McMorry's agent, Groceries and provisions, 531 M street.

THE ANTI-DEBRIS ASSOCIATION.

Attorney Devlin Explains the Position It Occupies.

Not Making Treaties With Hydraulic Miners, and is Opposed to Government Aid To Them.

Replying to a recent article in the Ecaminer on the subject of hydraulic mining and the attitude of the Anti-Debris Association, R. T. Devlin, the association's counsel, in a letter to that paper, says:

"In your issue of November 24th appears an article headed 'Cutech Hydraulic May Run—Attorney Devlin Explains the Position of the Valley Men,' in which you quote me as saying: 'The State Anti-Debris Association no longer opposes the impounding of debris in gulches and similar places. What we object to and what we will fight against is the putting of dams in streams, as do the North Fork of the American River.'"

"As I know you intend to represent the Anti-Debris Association correctly, I desire to say that you have misapprehended my remarks. It is true, as you state, that we shall oppose bitterly and to the last ditch any building of dams in the main streams we will oppose them with all the vigor at our command."

"I do not make, nor was I authorized to make, a declaration of our building of dams in gulches or small creeks. I said we had not opposed some of the mines where small dams had been erected, but laid down no rule of contact to be pursued."

"We are fighting injury from whatever source it comes. The State Anti-Debris Association is organized for the purpose of preventing injury to the navigable rivers of California and the adjacent lands by hydraulic mining. It will prevent that injury whether it comes from hydraulic mines operated from behind dams in small creeks, or elsewhere. Hydraulic mining is treated by the laws of the United States as a public nuisance. It can only be carried on at all where it may affect navigable rivers, by permission of the commission organized by Congress, and it is dangerous business even then."

"We are not engaged in making treaties with hydraulic miners, nor compromising with them in any manner, but are conducting a private business for their private profit. They have conducted it in utter disregard of the decrees of courts and in violation of the rights of the property rights of their fellow citizens. If they can conduct their business without injuring us they have a right to do so. But we are not to bargain with them and telling them what they may do or may not do. We ask and shall see that they do not injure us. We are opposed to the government aiding them, with money, because we have to pay a part of it, and we shall oppose being taxed to aid a private business."

HOMELESS CHILDREN.

A Society that is Laboring in Their Behalf.

Rev. J. W. Daniels, Assistant Superintendent of the Children's Home Society—the national headquarters of which are at Chicago—is now in this city in the interest of that organization.

The object of this society is to find homes in good families for homeless and dependent children. In the past eleven years it has placed over 4,000 children in such homes. The society also maintains orphanages, but helps those in existence to find good homes for their wards. It maintains temporary homes where the children are kept a few days while awaiting transportation or replacement. It is broadly philanthropic, without sectarian bias, asking the cooperation of all classes of people without regard to nationality, creed or color.

The plan of work embraces a national organization with State auxiliaries, national and State directors and Superintendents and local advisory boards in the communities of the State composed of representative men and women who have charge of the interests of the society in their locality. In this way good homes are secured, and there can be no long continued cruelty or neglect without its soon coming to the knowledge of those who have power to interfere in the child's behalf.

Rev. H. W. Brayton is the society's Superintendent for California, with headquarters at San Jose.

WANT A RECEIVER.

Serogus Heirs Make Another Move Against John C. Serogus.

Papers were filed in the Superior Court yesterday by L. T. Hatfield, attorney for Almira J. Reichert, Frank J. Reichert, her husband, Sarah L. Vermuth and Preston G. Wernmouth, her husband, notifying John C. Serogus, Alexander Serogus, Jr., and Mary T. Serogus that on December 12th they would apply for the appointment of a receiver to take charge of much real estate in controversy in said county.

The petitioners, who claim an interest in the estate of Alexander Serogus, deceased, allege that John C. Serogus is not capable of taking charge of the estate, and repeat their allegation that he and his wife exercised undue influence over the deceased in order to get hold of his property. They also allege that the same to John C. and Alexander, Jr., were executed by the deceased under the belief that they were deeds of trust.

Gold or silver or both, what shall our money be? Bimetallists and monometallists alike prefer Dr. Price's Cream Baking Powder to any other.

THE FAMILY ALBUM.

An Interesting Adair at the Westminster Church.

The Young People's Society of Christian Endeavor gave an entertainment last night at the Westminster Presbyterian Church, entitled "Our Family Album," which was a success. One of the numbers was a representation of an album leaf, in which was shown a succession of living pictures of historic scenes, etc., that were well received. Following the programme:

Vocal solo, Miss Andrews; recitation, "Pickett's Men," Mrs. Condit; "The Family Album," vocal solo, "Thinking," Miss Kaerit; recitation, "Tell on His Name," Mrs. Leavitt; guitar duet, Mrs. Wagner and Miss Andrews; "The Fishing Party," Miss Edith Slater; vocal solo, Miss Dennis; vocal duet, "Fairies' Revel," Mrs. Krull and Rogers; recitation, "The Family Album," Mrs. Condit.

DIED.

WALSH—In this city, December 7th, Daniel Walsh, a native of Castle Manger, County Cork, Ireland, aged 82 years. (Cork papers please copy.)

FUNERAL NOTICE HEREAFTER.

WALTER—In this city, December 7th, William F. Walter, a native of Brigsport, Conn., aged 42 years. (Washington, D. C. papers please copy.)

Funeral services at 10 o'clock, Monday, December 10th, at 1 p. m. from his late residence, corner Twelfth and J streets, thence to the Cathedral, where services will be held at 2 P. M.

DAVIS—In Oak Park, December 6th, Alice M., wife of James A. Davis, a native of California, aged 32 years, 3 months and 25 days. (Antioch and Grass Valley, Cal., papers please copy.)

Funeral services at 10 o'clock, Monday, December 10th, at 1:30 P. M., from Oak Park Chapel.

MENGER—In this city, December 7th, Lillian H. Menger, aged 19 years, 5 months and 5 days. (Funeral notice hereafter.)

World-wide, means world-tried.

The high reputation and enormous sale of Beecham's Pills

(With a Guinea a Box.)

reflect the wisdom of two generations.

25 cents a box.

tion, "The Old Log Schoolhouse," Mrs. Condo.

Served Their Ten Days.

The twenty-two men who were sent to jail from Sutterville for ten days for vagrancy were discharged yesterday, and have great stories to tell about their arrest.

They say the officer took them to a saloon, where they were given drink of whisky each and told that if they pleaded guilty they would be allowed to go, but instead they got ten days in jail.

They make other allegations reflecting on the arresting officer, but if there is anything in their charges the proper place to make them is before the Supervisors.

The Skelton-Campbell Case.

Another affidavit was presented in Department Two of the Superior Court yesterday by Hiram W. Johnson, of counsel for John Skelton in the latter's case against W. R. Campbell for damages for slander.

The affidavit alleged grounds on which was based a motion to reopen the case, in which judgment was recently given in favor of the defendant by default. The court allowed Isaac Joseph, attorney for the defendant, a week's time in which to file a counter affidavit.

Lost Her Purse.

Yesterday afternoon about half-past 4 Mrs. L. Perkes, a widow, dropped her purse on the sidewalk on Fifth street, between J and K. A merchant, near whose store the purse was dropped, saw a man pick it up and put it in his pocket, but did not at that moment know the lady had dropped it.

The present possessor of the purse is known to the merchant and is requested to return it to L. L. Lewis, 502 J street.

Assignee in Three Cases.

Superior Judge Cullin has appointed Sheriff O'Neil assignee in the following insolvent matters: Henry N. Keena, Harriet N. Sheets and Davis & Douglas. The Sheriff has filed bonds and oaths in each matter.

"Hiret your chariot to a star" was Emerson's advice. The star of all the baking powders is Dr. Price's.

Preparing His Message.

Governor Markham is now busily engaged in preparing his message to the Legislature, and will not be in his office except from 1 to 3 o'clock on the afternoons of next week except on urgent business.

A Model Music House.

The new music house of King & Gardner, at 721 K street, which has just been remodeled and fitted up with the finest cases and stocked with the largest and finest makes of pianos, organs and musical instruments of every description, as well as the latest sheet music, is the latest sheet music given to the people of this city and surrounding country a perfect idea of what constitutes a real music store. The old adage "Every man to his trade" is fully exemplified in the person of J. W. Gardner, who has not only had years of experience as a musician, but as manufacturer. Among the makes of pianos carried by this house, and which are in full view and gladly shown to purchasers and visitors, are the Ives & Ford, Geibart Bros., Blusius & Son, Fisher and many others. Also, a full line of organs, among which are the Weaver, Chase, and Mason & Hamlin. A visit and inspection will repay all. Purchasers of musical instruments of any kind, as well as sheet music, will find that the stock is complete, and that the prices and terms offered by this house are filling a long-felt want, selling at the lowest margins, on low instalments, and taking second-hand instruments in exchange. Messrs. King & Gardner, the general proprietors, take pleasure in showing their goods and quoting prices and terms. You should not fail to call, and you will be convinced that this house is a true and one deserving of the support of the community.

From Mexico.

The magic lucky stones, linen drawn work, opals and filigree work. We are again located in Sacramento, and offer the above goods at prices that cannot be duplicated in this country; also, a full line of Mexican curios, cut stones, etc. Come and see our goods; 223 K street.

New Goods for the Holidays.

New millinery trimmings per express from Paris in jet goods. Black fur hats, 50c. Large variety of fine trimmed hats for the holidays, 1,000 dozen ladies' articles; two tables of the best Christmas goods, silver and plush trimmed, in dry goods department, Red House.

Notice—Land Syndicates.

And orchard tree planters wanting 1,000 trees and over this season, write to Chas. C. Bond, Geibart Bros., California, for special cash prices. John Bidwell, proprietor.

THEOPHY.—Free lecture Sunday, 7:45 p. m., Pythian Castle (upper hall), by Mr. Albert Hart. Subject: "Theosophy and Modern Problems."

PIANO TUNING.—Paul Schoen will be in town next week at Hammer's, Pommer's or Neidlein's.

THE "Laughing" 401 L street, has been opened by Mrs. Andrews and Wright as a first-class family house. See our rooms. Try our table board.

THE Pioneer jewelry firm of Barrett & Sherwood, San Francisco, has removed to No. 9 Geary street, San Francisco.

SARSAPARILLA AND IRON. Get it from the sole agent, McMorry, 531 M street.

MARRIED ladies try Seguro. Take no substitute. See general notice column.

Impure Blood

Manifests itself in hot weather in hives, pimples, boils and other eruptions which disfigure the face and cause great annoyance. The cure is found in Hood's Sarsaparilla.

Hood's Sarsaparilla Cures

parilla which makes the blood pure and removes all such disfigurements. It also gives strength, creates an appetite and invigorates the whole system. Get Hood's.

Hood's Pills are prompt and efficient.

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CHANGED DAILY FOR WEINSTOCK LUBIN & CO.

MONDAY AT 9:30 A. M. SPECIAL SALE OF

Christmas Towels, Sheetings, Blankets, Comforters and Flannelettes.

LOT 1—We bought recently a lot of Fine Towels from an Eastern linen importer, with a view to offering them at special prices for holiday presents. There are fifteen to twenty styles and patterns, which we have divided into two lots.

Lot A—Bleached Damask Towels, plain openwork borders, Grecian and fancy colored designs, and of a quality that will please all housekeepers. Special Price, 29c Each.

Lot B—Satin Damask Towels, all-linen, knotted fringe, plain white or colored borders and extra large size. Would be considered a good value at 50c and 75c. For holiday gifts. Sale Price, 38c Each.

LOT 2—Medium-weight Unbleached Sheetings; 90 inches wide. Sale Price, 15c a Yard.

LOT 3—Two lots of California White Blankets, extra good quality, with close, fleecy nap. Special prices, \$4 60 and \$5 74 per Pair.

LOT 4—A quantity of Turkish Bath Towels, which we have been selling at 50c and 65c, reduced to 32c each, in order to close. Excellent absorbent and wearing qualities.

LOT 5—A few Sateen Covered Comfortables, slightly faded, reduced to \$1 98, \$2 48 and \$2 88; also a few damaged White Blankets, reduced to \$3 98 a pair.

LOT 6—Fine Figured Anconia Cloths in dark patterns, specially adapted for making house wrappers. Reduced to Sale Price, 14c.

WEINSTOCK, LUBIN & CO.