

THE DEMURRERS SUSTAINED.

Judge Hunt on the Old Grand Jury Cases.

Some of the Complaints Are Allowed to be Amended, But the End is Apparent.

Judge Hunt of San Francisco, who presided in the Superior Court here when the actions brought in the name of the county against the Southern Pacific Company and California Pacific Railroad Company—as also that of E. J. Croly against the Supervisors, and the county against H. S. Crocker & Co. and certain deputies—were called, yesterday filed his decision on the demurrers submitted to the several complaints. All but one were sustained.

CROLY VS. SUPERVISORS. E. J. Croly petitioned the Superior Court for an order restraining the Supervisors from paying the balance of \$15,000 due the Southern Pacific Company and the California Pacific Railroad Company on the overhead wagon way over the new Yolo bridge.

Judge Hunt sustains the demurrer of the defendants, but allows the plaintiff ten days in which to file an amended complaint. The complaint alleged that there were no bids called for for the construction of the bridge, and that no contract was made by the county with the railroad companies for its construction.

Judge Hunt says there was no avowment in the complaint that there existed no extreme necessity for the bridge, and as the law dispenses with the necessity for contracts, bids or bonds where a great public emergency requires the erection of a bridge, and as the presumption is in favor of the regular performance of official duty, the demurrer is sustained.

The plaintiff is given a chance to amend his complaint if he so desires. THE "SOUVENIR" CASE. In the case of the county against H. S. Crocker Co. for the recovery of moneys paid from the immigration fund for the printing and publication of the souvenir entitled "Where California Fruits Grow," the demurrer is also sustained, with ten days in which to amend the complaint.

The court holds in this case that the complaint does not aver the unconstitutionality of the County Government Act, under which the Supervisors made the appropriation, and that the Act is, for the purposes of the case, held to be constitutional. On this point the county may, if it so elects, amend its complaint.

DEPUTIES' CASE. In the case of the county against E. S. Wachhorst, G. H. Cutter, G. D. Irvine, R. T. Cohn, J. H. Stephenson, W. E. Everson and P. H. McGrath, to recover moneys paid them for services as deputies in various departments of the county, Judge Hunt overrules the demurrer and denies the motion to strike out parts of the complaint. Ten days are given the defendants to answer.

The court says it may be that, on trial of the case, facts may be presented legally justifying the payment of the demands, but the averments of the complaint must in the present proceeding be taken to be true.

THE BRIDGE MONEY. In the case of the county against the Southern Pacific Company and the California Pacific Railroad Company, the California State Bank and the Anglo-California Bank to recover the \$15,000 appropriated by the Supervisors for the first half of the cost of the wagon way over the new railroad bridge across the Sacramento River, the court sustains the demurrers of the two banks without leave to amend.

The demurrer of the Southern Pacific Company and the California Pacific Company are also sustained, but the plaintiff is allowed ten days to amend its complaint. The ground given by the court is the same as in the Croly case.

Weather Report. The Weather Bureau report show the highest and lowest temperatures yesterday to have been 94 and 72 degrees, with brisk northerly winds up to shortly after noon. Since then brisk southwesterly winds have prevailed, with clear weather.

The barometrical readings at 5 a. m. and 5 p. m. yesterday were 29.65 and 29.67 inches, respectively. The highest and lowest temperatures one year ago yesterday were 90 and 73 degrees, and one year ago to-day 88 and 59 degrees.

The dry thermometer at 5 a. m. yesterday was 72 and the wet (sensible temperature) was 61 degrees; wind north, six miles per hour, and weather clear. The dry thermometer at 5 p. m. was 86 and the wet (sensible temperature) was 70 degrees; wind southwest, twelve miles per hour, and weather clear.

The highest wind velocity during the day was 12 miles per hour.

Even blacksmiths, who are supposed to represent great strength and perfect health, are likely to die of consumption. Mere muscularity isn't always health. Disease will develop rapidly once let the system get into a man's system, and it will kill him certainly and surely if he doesn't take the proper measures to get rid of it. Exercise and work and dieting and all that sort of thing are good enough in their way, but consumption is a living organism. It is infinitesimal, but it is alive. The only way to get rid of it is to kill it. If it isn't killed, it will develop and multiply. Germs are wonderfully prolific. In the quickest imaginable time, one becomes a thousand, and a thousand a million. Dr. Pierce's Golden Medical Discovery is a germ hunter and a germ killer. Wherever a disease germ lurks in the body, the "Discovery" will find it—and render it harmless. It doesn't make any difference what you call your disease, or what kind of a germ it is. All germs circulate in the blood. The "Golden Medical Discovery" purifies the blood—purges it of germs—enriches it with life-giving properties. It not only kills disease, but it builds up health. It is a tonic, a nerve, or nerve-food, or invigorator and blood-purifier, all in one bottle.

If you want to know all of the facts about this wonderful remedy—if you want to know all about the human body, and human health, and sickness and how to cure it, get a copy of Dr. Pierce's Common Sense Medical Adviser, a standard medical work of 1008 pages, profusely illustrated, which will be sent free on receipt of 21 one-cent stamps to cover cost of mailing only. This work is a complete family doctor and should be read by both young and old. The profits on the sale of 680,000 copies at \$1.50 has rendered possible this free edition. Address, Dr. J. C. Wells, Buffalo, N. Y. Dispensary Medical Association, Buffalo, N. Y.

past twenty-four hours was eighteen miles per hour, from the northwest. The average temperature was 83 and normal was 70 degrees, showing yesterday to have been 13 degrees warmer than usual for the 24th day of June.

CALIFORNIA GIRLS. Some Who Had Graduated From Mills College.

Mrs. C. T. Mills, President of the Mills College, near Oakland, writes to the "Record-Union" as follows: Eds. "Record-Union": In a recent number of your valuable paper there was an article in reference to Miss Mabelle Gilman, who, with her mother, lately left for Europe, having accepted an engagement with Augustin Daly, the theatrical manager.

In this article you say that "Miss Gilman graduated a couple of weeks ago from Mills College." The fact is, she had been with us less than two years. When she came to us she brought her standing from the Sacramento schools. She was here what we call an "unclassified student," not taking the regular course, but giving much time to music under Madame Rosewald, and elocution under Mrs. Lella Ellis. In both of these studies she made fine progress, and has remarkable talent.

To have graduated from our college course, she would have had to remain six years; or, if from academic, three years of study was necessary. It is unfortunate that she should not have completed some good course of study before taking up a musical career.

Emma Nevada completed a thorough course of study and graduated in 1876. She then left for further musical study in Europe. She has sung before every crowned head in Europe, and is a name now greatly respected, as well as honored.

Marie Barnard, who graduated in '84, is another of our pupils who completed our full course. She left us well educated, but continued to study, and is now receiving her reward. Madame Rosewald did much for her, as she does for all of her pupils. Through her she became the prima donna of the Boston Mendelssohn Quintette.

For the last year she has been studying with Mme. Ziska in Paris, and has lately made an engagement with Vert, through Mr. Mapleson, for five years. She is to make her appearance in London at the opening of the season in the Royal Opera at Covent Gardens. She was accepted on a first hearing.

SUMMIT SODA SPRINGS. Opening of This Popular Resort for the Season.

Announcement is made in our advertising columns that the Summit Soda Springs Hotel is now open for the summer. It is situated near the headwaters of the American River, in the high Sierras, only thirteen miles from Summit Station on the Central Pacific Railroad, in one of the most delightful spots on the whole Pacific Slope. Numerous improvements have been made this year, which will make the place even more attractive than in the past.

There is no more popular resort for families in the State, it being specially attractive for ladies and children. Many families return year after year, as it seems to have a wonderful fascination for those who have once visited it. As a result the season is one of continual reunions of those who have met there before.

T. M. LINDLEY'S ESTATE. Valued at Upward of One Hundred and Fifty Thousand Dollars.

Douglas A. Lindley and Wallace A. Briggs have filed a petition in the Superior Court for the probate of the will of the late Thomas M. Lindley. The petitioners are named in the will as executors.

The real property of the estate is valued at \$55,000, and the personal property—household effects and stock of goods—at upward of \$100,000. The devisees named in the will are Leila J. Witherbee, Douglas A. Lindley, Morton Lindley, Helen Lindley, Mary L. Hunt and Alice L. Reith, sons and daughters of the deceased, and Hannah Lindley of Crawford County, Ill. The will was executed on the 15th of January, 1895.

ARTICLES OF INCORPORATION. The following articles of incorporation have been filed in the office of the Secretary of State:

The Marysville Fruit Packing Company; principal place of business, San Francisco; capital stock, \$100,000, with \$5,000 subscribed, and Herman Bendel of Oakland, F. J. Carolan of San Francisco, W. H. Wright of San Jose and A. C. Baumgartner and H. Bendel, Jr., of Marysville as directors.

The Christian Alliance of California; principal place of business, Oakland, with Rev. A. Coplin, Rev. J. H. Allen, Mrs. A. B. Gove and Mrs. H. R. Cogswell of Oakland, Rev. H. C. Waddell, George S. Montgomery and Mrs. Carrie Judd of Mills College, Rev. J. F. Arnold of Santa Rosa, A. E. Kellogg and Mrs. S. H. Kelley of San Francisco, and John Reagan of Alameda as directors.

The Union Square Market Company; principal place of business, San Francisco; capital stock, \$24,000, all subscribed, with Bernhard Miller, Jean L. Verneil, Edward L. Catton, Joseph Marshall, Michael J. Kelley and Adam Earl of San Francisco and Samuel Stephens of Oakland as directors.

The Dividend Gold Mining Company. Principal place of business, San Francisco. Capital stock, \$300,000, with \$25 subscribed, and C. F. Bunker, Herman Nott and Arthur Walsh of San Francisco, S. P. Mesick of Alameda and G. M. Foote of Hollister as directors.

The Household Publishing Company. Principal place of business, Los Angeles. Capital stock, \$10,000, with \$44,000 subscribed, and J. M. Dyer, Anna J. Davies, Thomas Jones, Caroline M. S. Severance, L. H. Mott and George Rice of Los Angeles and Marguerite M. Fette of Long Beach as directors.

The Mackay Gold and Silver Mining Company. Principal place of business, San Francisco. Capital stock, \$15,000, 000, all subscribed, with P. J. Keyes of Virginia City, John M. Dorman, W. T. O'Neale, R. M. Daggett and Thomas Lager of San Francisco as directors.

Apricots 35c box. Beesley & Son, 518 J.

SEEING THE COUNTRY. Visit of the United States Land Commissioner.

William H. Mills, General Land Agent of the Central Pacific Railroad, passed through the city yesterday in a special car en route from Portland, Or., to San Francisco. He had gone to Portland to meet General S. W. Lamaroux, Commissioner of the General Land Office of the United States at Washington, D. C., who comes to the coast on business connected with his office.

The party consisted of the following persons: General S. W. Lamaroux and wife, Vivian Lamaroux and Harland Lamaroux, Colonel A. T. Brittan, wife and two children; Charles Hathaway Webb of the firm of Dunham, Buckley & Co., the largest dry goods firm in the city of New York; Frank B. Lamaroux, wife and daughter of Stevens Point, Wis.; William H. Mills, wife and daughter Ardella; W. F. Perkins, Mr. Mills' Private Secretary, and General Will S. Green, United States Surveyor-General at San Francisco, who accompanied Mr. Mills to Portland.

HELD TO ANSWER. James Hicks Charged With Striking J. Sanner With a Rasp.

James Hicks had a preliminary examination on Tuesday at Galt before Justice Simons on a charge of assault with a deadly weapon on J. Sanner, and was held to answer in the Superior Court, bail being fixed at \$500.

The two men had a dispute over an old business matter in a blacksmith shop in Galt, and Sanner claimed that Hicks picked up a heavy rasp and beat him over the head with it, hurting him dangerously. Hicks, in his testimony, was not sure whether Sanner attempted to strike him or not, but other parties say he did not. Assistant District Attorney Jones conducted the prosecution.

Petition for Discharge. George G. Vallean, by his attorney, C. A. Ellis, has petitioned the Superior Court for final discharge from his debts.

Hypermetropic (Far-sighted). F. de Wolfe Hennah examines the eye scientifically at The Normandie, Tenth and K streets, free. Office hours, 9 to 12, 1:30 to 5.

Speaking of Pianos! Here's a choice. We have the Jacob Doll, Kranich & Bach, Behr Bros., Sterling, Conover, Mathushek and the upright Steinway all on sale at our new warerooms, 716 J street. Neale, Eilers Co. (Cooper Music Co.).

Galvanized wash boilers, \$1 each; tub, 50c; washboards, 15c each; cotton clothlines, 40 feet, 8c; wire clotheslines, 75 feet, 15c each; 3 dozen clothespins for 5c; Mrs. Pott's irons, set of 5 pieces, \$1 each. American Cash Store, Eighth and K.

Try one of those high-grade Clevelands at Gillis & Wiman's. They've just moved to the New Pavilion.

Removed for good, your dandruff and itching with one bottle of Smith's Dandruff Pomade. Guaranteed by Washburne & Co., druggists.

Babies' and children's photos from Cuthbert's give satisfaction. Thirtieth and K.

Pasteur germ-proof filter. Egan Bros., 821 K street.

Best garden hose, 10 cents a foot; hose repaired. Tom Scott, 303 J.

Best board and best rooms at the Pleasanton, 908 L street.

Upright "Steinway," "Emerson," "Gaber," "Pease" and Ludwig & Co. pianos on easy terms. Pommer's Music Store, 829 and 831 J street.

Alex Holmes, Photo Studio, 1308 10th.

IF YOU RIDE A CYCLE YOU MUST USE POND'S EXTRACT.

CURES Wounds, Bruises, Sunburn, Sprains. RELIEVES Lameness, Strains, Soreness, Fatigue.

Always rub with it after EXERCISING, so AVOID LAMENESS and be in good condition for the next day's work. REFUSE SUBSTITUTES -Weak, Watery, Worthless.

POND'S EXTRACT OINTMENT CURES PILES. Sent by mail for 50c. POND'S EXTRACT CO., 76 Fifth Ave., New York.

BORN. BREUNER—In this city, June 13th, to the wife of Louis F. Breuner, a son.

DIED. SOUNEY—In this city, June 23d, Mrs. Mary Sooney, mother of Thomas and Edward Sooney of this city, Mrs. E. A. Roddy of San Francisco, John Sooney of Philadelphia, Penn., and grandmother of Miss Mary Roddy, Mrs. Lena Hoffman and Charles and Thomas Roddy of San Francisco, a native of Ireland, aged 80 years. (Philadelphia and San Francisco papers please copy.)

Friends and acquaintances are respectfully invited to attend the funeral today, at 3 p. m., from her late residence, 2109 P street; thence to St. Francis' Church, Twenty-sixth and K streets, where services will be held at 3:30 o'clock. HAVLAN—In this city, June 24th, Thomas Havlan, a native of Ireland, aged 67 years. Funeral notice hereafter.

When Baby was sick, we gave her Castoria. When she became a Child, she cried for Castoria. When she became Miss, she clung to Castoria. When she had Children, she gave them Castoria.

WEINSTOCK, LUBIN & CO. FRIDAY, 9:30 A. M. SPECIAL SALE. Organdies, Lawns, Gingham, Table Linens. LOT 1—Figured Dress Lawns, about ten patterns, 33 1/2 yards for \$1, or Sale Price, 3c. All our Trimmed and Un-trimmed Hats have been reduced in price with a view to selling promptly. There are many hundreds of hats for women, misses and children in the assortment, and if price is an object, now is the time to buy. LOT 2—We have on hand several odd lots of Fancy Figured Cotton Dress Goods. They vary in price, quality and designs, and sell in a regular way from 9 to 15c yard. The lot will include Dress Gingham, Figured Sateens, Lawns and other Light Cotton Suitings. To make this sale interesting our price will be for the choice of any of them: Sale Price, 5c. LOT 3—Table Linens. We have withdrawn from stock all our short lengths of Bleached and Unbleached Table Damasks and reduced them far below regular prices. The lengths vary from 2 yards to 10 yards, and the present selling prices of the Unbleached Linens are 50c, 75c and \$1. Reduced for this sale to 36c, 48c and 69c. The Unbleached Table Linens will be reduced from 40c and 50c to 29c and 36c per Yard. There will be a large variety of patterns to select from. LOT 4—About 20 to 30 suits of Organdie and Dimity Lawns, all good patterns and light sheer fabrics. Sale prices, \$1 to \$1 50 Suit. Reception or Parlor Chairs in curly birch or mahogany finish, spring seat, silk tapestry covering. Price, \$2 98. Rattan and Upholstered Rockers. Handsome line of Fancy Curly Birch Rockers, richly upholstered in a variety of beautiful colors. Reduced to \$4 39. Durable Rattan Rockers, cane seat, white maple finish. Reduced to \$2 87. Rich Mahogany - finished Rockers, with arms, spring seat, upholstered in fine silk tapestry. Price, \$6 75. Weinstock, Lubin & Co., 400-412 K St.

OUR STOCK OF Baseball Goods is complete. If you are starting up a club see us before buying elsewhere. We carry a full and complete line of FOOT-BALLS, LAWN TENNIS SETS and everything pertaining to outdoor sport. Write for one of our NEW CATALOGUES. Just out. W. H. ECKHARDT, 609-611 K STREET, SACRAMENTO.

REMNANT SALE. THE ACTIVE DEMAND FOR WALL PAPER. During the spring months has left us many small lots, and especially so with reference to the medium and higher priced goods. We now offer all such lots at VERY LOW RATES to close them out quickly. W. P. FULLER & CO., 1010 SECOND STREET.

FRIEND & TERRY LUMBER CO. LUMBER Doors, Sash, Screens. Office and Main Yard, 1310 Second Street. Branch Yard, Twelfth and J.

SPECIAL SALE TO-DAY! CLOTHING!

We are overstocked with Summer Goods and have determined to close same out at prices cut in two. Goods must go. MEN'S CHEVIOT SUITS, medium dark patterns; former price, \$6 50; cut to \$3 50. MEN'S FINE CHEVIOT SUITS, former price \$7 50 and over; cut to \$4 15. MEN'S FINE CHEVIOT and TWEED SUITS; elegantly tailored; latest styles; former price, \$12 50; cut to \$7 45. MEN'S FINE DRESS SUITS; black or blue clay worsteds or in fancy worsteds; former price, \$15; cut to \$8 50. SEERSUCKER COATS AND VESTS, former price \$1; cut to 45c. FINE ALPACA COATS AND VESTS, former price \$2 50; cut to 90c. A large line of WORKING PANTS, slightly soiled; former price \$1; cut to 35c. Do not purchase anywhere before inspecting our stock; we will give you better goods and fine make at much lower prices than so-called special sales elsewhere.

H. MARKS, 414 and 416 K Street. RICHARDS & KNOX, LUMBER. Office, Second and M. Yards, Second and M and Front and Q, Sacramento.

CREAMERY HEADQUARTERS. Agency Knights Landing and Woodland Creameries, California; Longs Co. and Reno Creameries, Nevada. Strictly Modern. Highest Quality Maintained Always. WOOD, CURTIS & CO., WHOLESALE DEALERS IN California, Oregon and Nevada Products. Butter, Eggs, Potatoes, Beans, Vegetables, Fruits, etc. Agents Santa Paula Seedless Lemons.

The Edison Mimeograph. The "great" process of duplicating letters and circulars—either autograph or type-writer. We have a line of the machines and supplies—Stencil Paper, Perforating Silk, Ink and Varnish. Prices are right. Our line of Type-writer Paper is "far and away" the best. Sample Book for the asking. W. F. PURNELL, Bookseller and Stationer, 609 J STREET.

Something New, EUREKA COMPOUND. It beats all the Eastern Compound. It is fresh and sweet and, the most important part, it is a home product. Ask your grocer for it. MOHR & YOERK PACKING COMPANY, 1024 and 1026 J Street.

NOW, IF EVER, ICE CREAM. In season. We have a large assortment of flavors and sizes. We deliver promptly at residences in response to telephone or mail orders. BARTON, 420 K. \* 810 J.

"Everybody Read This." SPECIAL INSURANCE POLICIES issued to bankers, merchants and on personal property of all kinds at your home RESIDENCE. A perfect indemnity against loss of your property by "FIRE" or "THEFT". I have been appointed agent for the New England Burglary Insurance Company of Boston, Incorporated. Cash capital, \$200,000. Popular rates within the reach of all. For full information call at office. JAMES E. MILLS, General Insurance and Real Estate Agency, 301 J STREET.

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