

HALE AND NORCROSS MINING PROPERTY.

The Contest Over Its Control Again Brought Before the Courts.

Hayward Restrained From Regaining the Management.

The California Mortgage, Loan and Trust Company, With Headquarters at San Diego, Voluntarily Assigns All Its Property for the Benefit of Creditors.

SAN FRANCISCO, March 10.—The contest for the control of the Hale & Norcross Company has again entered the courts. Alvinza Hayward was today restrained from regaining control of the management of the affairs of the corporation.

For months Hayward on one side and Jeremiah Lynch and M. W. Fox on the other have been seeking stock and proxies for use at the annual election to-day. For several days the defeat of Lynch and Fox has been apparent, and the two men maneuvered to retain their control.

When the annual meeting was called to-day Grayson announced that he had fourteen shares of stock and proxies representing 88,000 shares. The total number of shares was 112,000, and if Grayson had been permitted to vote his proxies he would have controlled the election.

In the meantime, however, Attorney Baggett had secured from Judge Slack an injunction restraining Grayson from voting the proxies, and under the decision in the case stock is held by a trustee, the person for whom he holds the stock must be named in the books of the company and also on the face of the certificates.

This law was not obeyed, and certificates had been issued from the office of the Hale & Norcross Company without regard to it.

The restraining order was served on Grayson, and the President announced that the meeting would therefore be adjourned until further notice.

The opposition to Fox appealed from the decision of the court, and with the vote of Grayson's proxies the chair was overruled. Fox then announced that he would not allow a meeting to be held in the office contrary to an order of court. The Grayson party thereupon left, met in Mr. Grayson's office, called a meeting and adjourned for one week.

The news of the fight for control of the mine leaked out this morning, and on stock boards the price of the stock fell from \$1 15 to 80 cents. Jeremiah Lynch appeared on the board and offered \$1 for 112,000 shares, or any part, and the slump was stopped. A thousand shares were sold to him at that price.

Fox and Lynch say they will win their contest, and will compel mining companies to conduct their business according to law.

FAILURE AT SAN DIEGO.

The California Mortgage, Loan and Trust Company Assigns.

SAN DIEGO, March 10.—The California Mortgage, Loan and Trust Company of this city voluntarily assigned all its

property to the Sheriff to-day for the benefit of its creditors, without preference. At a meeting of the Directors of the company this morning the determination to assign its property was embodied in a resolution, which states that the step is taken on account of a shrinkage in the valuation of its holdings, which makes it impossible to obtain means sufficient to pay the obligations of the corporation.

The company was organized under the laws of this State in 1888 having been incorporated by D. D. Dare, John W. Collins and other local and Eastern subscribers. The present officers are E. F. Pulsifer, President; E. J. Swayne, Vice-President and General Manager, and Charles A. Taft, Secretary.

Manager Swayne said to-night that the books show assets of \$340,000, but owing to shrinkage of values, the assets are probably not really more than \$280,000. The liabilities are \$200,000. He added that the company's unsecured debts do not exceed \$1,500.

JUDGMENT AFFIRMED.

The Supreme Court Renders an Opinion in a Damage Suit.

SAN FRANCISCO, March 10.—The Supreme Court, in an opinion handed down to-day, holds that damages for a breach of contract may be computed on the line of future possibility of the increase in value of an orchard. R. H. Shoemaker, Jr., entered into an agreement with David D. Acker whereby the latter was to purchase a quantity of land and grow citrus fruits. It was further agreed that Shoemaker would superintend the clearing, planting and caring for the land; that certain division of profits from the sale of land or fruit would be made, and that the contract should continue for five years.

It was shown at the trial that the land was purchased, a portion planted, and at the end of two years Acker elected to annul the contract. Shoemaker left the premises and brought action for \$25,000 damages. The jury awarded him \$2,000. The defendant contended that the plaintiff had made a breach of the contract, and was obliged to prove prospective profits and valuation of the land, and no error was committed.

The judgment was affirmed.

TURF TOPICS.

Winners of Yesterday's Races at the Oakland Track.

SAN FRANCISCO, March 10.—Weather fine at Oakland; track slow. Five and a half furlongs, Fortunate won, Defender second, Lena third. Time—1:11.

Half a mile, two-year olds, The Cheat won, Little T. G. second, Thorpe third. Time—0:50 1/2.

One mile, Lobengula won, Applause second, Benamela third. Time—1:44 1/2. Seven furlongs, the Piedmont Handicap, value \$1,000, Lincoln II. won, Caspar second, Instigator third. Time—1:31.

Five and a half furlongs, Mercutio won, Siegried second, Queen Nubia third. Time—1:10. Six furlongs, Hazard won, Miss Ross second, Candor third. Time—1:17 1/2.

THE TRANSFER VALID.

Decision of the Supreme Court in the John A. Little Will Case.

SAN FRANCISCO, March 10.—The Supreme Court, in a decision rendered to-day, affirmed the judgment of the Superior Court of San Diego county in the action of Margaret J. Marry, administratrix of the estate of John A. Little, deceased, against St. Joseph's Hospital and Sanitarium. Little was sick and cared for at the hospital. While there he deeded three lots, valued at

\$2,000, to the hospital, upon condition that he would be taken care of the rest of his life, but providing, if he elected to rescind the making of the deed, that he would be charged at the rate of \$40 per month for care while he remained at the hospital. Little, however, did not elect to attend to his business, but after a few months died.

The administratrix brought an action to set aside the deed, alleging that Little was sick and infirm, and unfit for business. The Supreme Court affirmed the judgment, holding that Little had the opportunity to rescind the making of the deed if he desired, after he had regained his faculties, and as he had not done so, the transfer and agreement were valid.

A Frightful Accident.

SALINAS, March 10.—James Johnson, a San Jose contractor, was yesterday burned and disfigured here this afternoon by the explosion of a keg of blasting powder. Johnson was pouring the powder down the hole he had drilled when the explosion occurred. The powder was ignited by heat in the rock which was caused by friction of the drill.

REBELS APPLY THE TORCH.

Cause a Great Amount of Destruction in the Island of Cuba.

HAVANA (via Key West), March 10.—George Aguirre, an American, has been transferred from Cabanas fortress to the City Jail, upon his own request. The insurgents surprised the garrison of the village of Las Palmas, in the province of Pinar del Rio, sacking the stores, burning thirty-one houses and parading through the town. The commander of the insurgents has been specially active in the Manzanillo districts. The plantations of Esperanza, Sofia, Dos Amigos and Salvador have been burned. The losses are about \$3,000,000.

In Pinar del Rio the rebels detailed a pilot train on the Western road, between Herradura and Paso Real, completely destroying the engine, an iron-clad car. The engineer and a number of soldiers were seriously injured.

Frederick Jova and three others, owners of the plantation Natalia, joined the insurgents in raiding Calabasas village in the Sagua district.

The insurgent force in the district of Santo Espiritu are especially active. This is due to Captain-General Weyler having ordered the Spanish forces to take the field. The city is empty and is guarded by volunteers.

The residents are daily in fear that the insurgents will invade the city and burn the houses.

Communication with the seaport Las Tunas has been cut off. The correspondent of the Associated Press states that he was able to make his way to the camp of the insurgents at Rio Honda, and that he met General Ruiz Rivera. While there the arrival of two Havana gentlemen, accompanied by a guide from the Spanish lines was announced. They bore passes introducing them as Gonzales Jovey, a lawyer, and Mariano Juarez, an independent, and as delegates appointed by the Spanish Government to make propositions of peace on the basis of reforms to be given the island. General Rivera received them cordially, but gave them to understand immediately that he would not hear any proposition of peace not tending to the independence of Cuba, and that therefore he could only consider them as visitors to the camp.

During the conversation, at which the correspondent of the Associated Press was present, General Rivera showed the two delegates the printed order of General Gomez, ordering shot all who proposed peace on any basis other than independence, and declared that Gomez would accept no proposition but the independence for which they were fighting.

The Spanish delegates remained three days in Rivera's camp. When the delegates left the camp, General Rivera gave them a written order bearing his own signature, stating that hereafter all emissaries proposing peace under any scheme of autonomy or local reforms would be shot.

HORSEMEN ORGANIZE.

New Association Formed at a Meeting Held at Chicago.

CHICAGO, March 10.—At a meeting of prominent horsemen at the Palmer House to-day a new trotting horse association to be known as the International Horsemen's Association was organized. The organization is the result of a preliminary meeting some weeks ago, when a committee on organization was appointed.

Following the adoption of the constitution and by-laws came the election of officers. Thos. H. Gill of Milwaukee was elected President, James Golden of Medford, Mass., was elected First Vice-President, J. F. Corrigan of Milwaukee, Secretary and Will J. Davis, Treasurer.

The following were among the State Vice-Presidents elected: Mike Boerman, Lexington, Ky.; Richard Tilden, Denver; Wm. H. Hill, Dallas; Edward Tipton, Helena, Mont.

It is understood the meeting was not altogether harmonious, but that no other association was mentioned in any way. The work of securing reforms, it is said, will be begun at once, with a view to protecting the interests of drivers in the way of fines, etc., and securing a more equitable adjustment in refunding moneys for cancelled entries.

A CLEVELAND MERCHANT SHOT.

Fatally Wounded by Chicago Police While Firing at a Burglar.

CHICAGO, March 10.—Albert Zeimer, a merchant of Cleveland, was shot and probably fatally wounded at midnight to-night as he was leaving the Great Northern Hotel by police officers who were attempting to arrest a burglar. Two bullets took effect in Zeimer's body. In all a dozen shots were fired, but Zeimer was the only person injured.

The shooting caused much excitement, and twenty policemen had difficulty in dispersing the crowd. At 1 o'clock the body of a man was found several blocks from the hotel. He was well dressed, and, like Mr. Zeimer, had been shot through the abdomen. The linen worn by the dead man bears the name "McGovern." The police are satisfied that he was one of the burglars whom they attempted to capture.

When surprised, the burglars were working in a store at Van Buren and State street. They ran up Jackson street, pursued by the police, who attempted to stop them near the Great Northern.

KENTUCKY SENATORSHIP.

The Contest for the Seat Narrowed Down to Three Candidates.

LOUISVILLE, March 10.—The contest for the seat in the United States Senate, which was filed by the special session of the Legislature called by Governor Bradley to meet at Frankfort next week, is narrowing down to a fight between Dr. Hunter, St. John

Boyle, last session caucus nominee of the Republicans, and W. J. Deboe, a party leader in this State.

Dr. Hunter, who came from Washington soon after the inauguration of the President, has since been industriously at work. His workers claim, with confidence, that his election is assured. This claim is borne out by his advisers in their claim that he will receive the nomination on the first ballot, and that in addition to the full strength he will receive in the joint session the votes of at least five gold standard Democrats. The friends of St. John Boyle are vigorously urging his claim as the Republican nominee. The numerous other candidates are by no means idle.

GERMANY'S NAVAL SECRETARY.

Von Hollman Tenders His Resignation to the Emperor.

BERLIN, March 10.—The "Freisinnige Zeitung" says that the Secretary of the Navy, Vice-Admiral Von Hollmann, has tendered his resignation, but that the Emperor has declined to accept it.

LONDON, March 11.—A dispatch to the "Times" from Berlin states that the Vice-Admiral Von Hollmann tendered his resignation as Secretary of the Navy because of a temporary difference of opinion with Prince Hohenlohe, the Chancellor, and Count Pasadowsky, Secretary of the Imperial Treasury, arising out of the fact that neither of them had any knowledge of the naval proposals which Von Hollmann brought from Wilhelmshaven last Friday. Presumably, in order to avoid a crisis, the compromise which found expression in Prince Hohenlohe's speech on Monday was ultimately adopted.

CHICAGO MAYORALTY FIGHT.

Carter H. Harrison Will Probably be the Democratic Nominee.

CHICAGO, March 10.—Carter H. Harrison, son of Chicago's murdered Mayor, will probably be nominated by acclamation in the Democratic city convention to make the race against Judge Sears for Mayor. Primaries were held in all the city wards to-day. The plan was agreed that if free silver, and in all essentials will endorse the last Democratic national pronouncement. It will have a few words to say regarding local issues, but they will be subordinate to the question of free silver and the right of the President of the United States to use his power to preserve laws and order in Chicago.

STRIKE DECLARED OFF.

The Men Who Return to Work Guaranteed Their Former Wages.

CHICAGO, March 10.—The Contracting Plasterers' and Hod Carriers' Association held a meeting this afternoon and declared the strike off, so far as they were concerned. It was agreed that if the men would return they would receive their former wages, but that in the future no individual contracts with the unions would be made. A committee from the strikers was sent for, and at the conference the propositions of the employers were made known. At a meeting of the joint committee of the striking hod carriers and plasterers to-night it was decided that meetings of all the strikers should be held to-morrow night for the purpose of considering the propositions made by the employing association.

STEAMER BERMUDA.

A Search of the Vessel Reveals Nothing of a Filibustering Nature.

JACKSONVILLE (Fla.), March 10.—A dispatch to the "Citizen" from Fernandina, says the steamer Bermuda arrived there to-day from Bermuda. Captain Murray said that she came for orders. The Bermuda on her arrival was searched by an officer of the revenue cutter Colfax, but nothing of a filibustering nature was found.

The people of Tallahassee were much surprised to have a party of twenty strange Cubans, none of whom could speak English, arrive there this morning, with no apparent object in view. It is supposed they are members of the expedition that it was rumored would have cleared from Apalachicola the other day. If the appearance on the scene of the men-of-war had not nipped the project in the bud.

Cleveland Bicycle Race.

CLEVELAND, March 10.—A fall occurred in the six-day race in which Gimm, Wood and Ashinger went down. It occurred through Schock's carelessness in swinging wide in front of Gimm, who was behind him, fell over him and his wheel. No one was badly hurt. Score: Wood 336 miles 10 laps, Schock 338 miles 9 laps, Gimm 338 miles 9 laps, Gifford 338 miles 3 laps, Ashinger 337 miles 1 lap, Denich 325 miles.

Appointment Confirmed.

WASHINGTON, March 10.—Appointment of W. R. Jewett as Postmaster at Danville, Ill., was sent to the Senate to-day. This is the first Postmaster to be appointed by President McKinley.

During the Administration of Mr. Cleveland the name of John Beard was sent to the Senate at every session, but he was never confirmed. The nomination was received while the Senate was in executive session, and was confirmed.

Chinese Officials at Washington.

WASHINGTON, March 10.—Fung Yung Ang, Chinese Consul-General at San Francisco, and Vice-Consul Ouwang King are guests of the Chinese Minister in this city, having reached the city this afternoon, after their overland trip of six days.

Flood Scare at Cincinnati Over.

CINCINNATI, March 10.—At 11 o'clock to-night the river here was 49 feet 3 inches, and rising an inch and a half per hour. All flood scare here is over, since it is learned last night's storm was local.

Height of Trees in Summer and Winter.

It has, perhaps, occurred to few of us that the boughs of trees occupy a very different position in summer and winter respectively, but Miss Agnes Fry has made careful measurements of the height from the ground of branches of both walnut and mulberry trees in August and December, and she finds that in some cases there is a difference of as much as thirty-one inches in the height of the same branch from the ground in these two months. This particular figure was obtained with a branch of a mulberry tree, and it was found that in December the weight and thirty-five pounds was not sufficient to lower it to its summer position.

In other cases there were differences of from thirteen inches to nineteen inches in the distance in summer and winter respectively of branches from the ground. To determine the relative diagnosis of a tree in winter from its general outline is so difficult a task—Public Opinion.

ROYAL BAKING POWDER Absolutely Pure. Celebrated for its great leavening strength and healthfulness. Assures the food against alum and all forms of adulteration common to the cheap brands. ROYAL BAKING POWDER CO., NEW YORK.

AN HONEST MAN.

District Attorney Backus Tells a Humorous Tale.

This is one on District Attorney Backus, of Kings County. He tells it himself, and it was brought out curiously a day or two ago. "Mr. Backus in?" a visitor to the District Attorney's office asked. "Yes," an attendant said. "You've just time to catch him before he goes away for the day." "The visitor entered, passed Mr. Backus' desk—and Mr. Backus at it—and followed the attendant into an inner room. He was informed that he had passed Mr. Backus and returned, to find that gentleman smiling to discover that all the world did not know him at sight. "This is a case of arguing myself unknown," the visitor said apologetically. "It reminds me of a story," said Mr. Backus. "I went to Poughkeepsie once with another lawyer, and a detective in plain clothes, who was escorting a prisoner who was to be resented there. The prisoner was shackled to the detective. They sat in the seat ahead of that occupied by the other lawyer and myself. "The train stopped fifteen minutes at Poughkeepsie for lunch, and in order not to expose the manacled prisoner to a curious crowd, I suggested that we sit in the car for a few minutes after the train was stopped, allow the passengers to alight and go to the lunch room and then go quietly to a carriage, which awaited us. The others agreed and we sat still. "A nervous passenger who had ridden in the same car with us from New York, and who did not know that one of us was a condemned criminal, wished to get out for lunch and thought it advisable to ask some one to keep an eye on his handbag in his absence. "He hesitated until he saw only four of us left. Then he approached and looked keenly at each of us in turn. After a close scrutiny of our countenances he leaned over, tapped the prisoner on the shoulder and said: "Will you be good enough, sir, to keep an eye on my baggage while I get a bite to eat?"—New York Herald.

His Regret.

"I guess I have made a mistake," remarked the war correspondent, gloomily. "My methods are too old-fashioned."

"But you were one of the first to reach the scene of the strife."

"That's where some of my competitors got the better of me. I ought to have stayed closer to the home office where I could get my copy in early and get some hint of the kind of news the other fellows were composing."—Washington Star.

One of the features of the Paris Exposition of 1900 will be a "city of gold," an historical exhibition of the progress of banking.

THE NONPAREIL "The Nonpareil" The Grand Reception of Yesterday Continues.

AGAIN WE ACCEDDED TO THE DEMANDS OF OUR PATRONS. A grand reception was displayed as if were by acclamation. THE BIG NEW STORE was the objective point of the populace all day and evening, and the result of our efforts in the line of display, and the grand concert in the evening was sealed with the approval of the most discriminating. As a matter of fact the grand opening reception eclipsed all records and well repaid the study and work that went into it. The whole store is in accord with the keynote of the two new departments, in perfect readiness for spring.

Remember, the exhibition continues and those who did not come have yet an opportunity to view this beauty array.

5 Star Specials 5

BLACK GOODS DEPARTMENT.

- Star No. 1. Ten pieces 38-inch Black Brocade Grenadine signs in silk-luster mohair, guaranteed fast black. 40c Yd.
Star No. 2. Seven pieces 44-inch Black English Coating finished serge suiting in rich silk black. Absolutely pure wool and fast black. STAR PRICE..... 50c Yd.
Star No. 3. Seventeen pieces 38-inch Black Brocade Mohair, a rich silk-luster fabric with beautiful brocade designs in handsome scroll and floral effects. Exact patterns of the imported silks. Just the thing for those nobby skirts so much in vogue at present. STAR PRICE..... 65c Yd.
Star No. 4. Five pieces 52-inch Black Diagonal Mohair handsome fabrics, with silk-luster mohair. An elegant cloth for tailor-made or outing suits. STAR PRICE..... 75c Yd.
Star No. 5. Fifteen pieces 46-inch Black Brocaded Soliels and Canevas Cloth; all new designs in large and small patterns for suits or skirts. This is by far the most handsome line ever shown and the price is within the reach of all. STAR PRICE..... \$1 Yd.

Changeable Taffeta Silks in new spring shadings with novelty stripes and small dots. Just the thing for a dressy waist. 85c Yd.

Changeable Taffeta Silks in all the newest colorings for spring; used for waists, skirt linings and ruffings in an excellent quality, at..... 75c Yd.

OTHER GRADES AT 85c YARD.

WASSERMAN, DAVIS & CO. Agents for Butterick Patterns. Big New Store, K, Between Sixth and Seventh.

I have a splendid assortment of Mackerel at prices from 10c to 30c. Codfish, the best that can be had. Price, 15c per pound, and various other seasonable goods for Lent. FOR LENT. ROBERT D. FINNIE, Grocer, 721 J St.

CORWIN'S MILLINERY. "We save you one profit" and give you a bright, fresh and entirely new assortment of hats. (Wholesale Dept., Philadelphia Building, S. F.) 607 J.

NEW LADIES, WAIT FOR THE OPENING SATURDAY, MARCH 13th. New Store. Stylish New Stock. MILLINERY. M'D'NE MILLER, 613 K. Opposite the NONPAREIL.

PEACE AND WAR.

How Little It Takes to Stir Up Strife Sometimes.

Four women faced each other in a Third Avenue "L" car the other evening, having been fortunate enough to secure two "cross" seats. They were young, fairly comely, and were on pleasure bent, for they carried dancing shippers wrapped in newspapers and there were glimpses of gaudy gowns beneath their long, coarse cloaks. "Do you mind ridin' back to my stomach?" "Yes, it always makes me sick to my stomach." "Well, you take my seat, Annie, I don't mind it a bit."

"The exchange was made and the conversation became general. "My husband said I'd no business to be thinkin' of dancin' when I had a baby an' housework to look after. But I guess when he wants a drink or a cigar he gets 'em, and why shouldn't I have a little dance if I like?" "Sure," was the response of the youngest woman. "The men think they own us, that's the trouble."

"There ain't any man ownin' you yet," retorted the first speaker with a chuckle, "and you'd better hurry up, Mary."

Mary's face grew crimson. "Oh, there's time enough," she replied. "I ain't obliged to marry to keep from starvin', like some people."

"What d'ye mean by that?" "Oh, nothin'." "If you mean that for me—" "Why, you didn't marry to keep from starvin', did you?" queried mischievous Mary. "Well, that's news to me."

"See here, Mary Martin, if you ain't careful I'll give your face a good slap." "If you did," was Mary's angry reply, "it'd be the last thing you'd do on this earth."

"Ladies! ladies!" cried the others, "please quit! Everybody is laffin' at us." "If you just wait till I see my husband, he'll settle this with your brother mighty quick."

"Eighty-fourth!" shouted the brakeman, and the quartet left the car, still wrangling and clinching the plan for dragging in their peaceable and innocent male connections to settle their dispute.

Foolish Criticism of the Rich. Nothing is so easy as to divert the attention of a community like New York from a real issue to a fictitious one. Thus, at a moment when some hard-headed concentration on the gas question might have resulted in saving for the people of New York from five to ten millions of dollars a year in their light bills, a most excellent clergyman committed the inadvertence of expressing to his congregation his personal disapproval of ostentatious display and lav-

SPRING * OPENING!

OUR SPRING STOCK OF NOVELTIES IN BOYS' AND CHILDREN'S CLOTHING HAS ARRIVED.

It is larger in VARIETY and EXTENT than ever before, and being now complete, we invite parents and their little ones to our stores on FRIDAY AND SATURDAY,

When our entire line will be displayed in OUR NEW ANNEX--THE JUVENILE DEPT.

A nobby effect in Junior Suits is the celebrated "DREXEL," made excellently with large sailor collar, fancy trimmed souché or braid. A separate vest. Combining every effect that is possibly known to correct taste, making in all a superb vestee suit for boys from 3 to 6 years of age.

Another novelty is the "ULTRA REEFER SUIT,"

This suit is made double-breasted. Large lapels, deep sailor collar, fancy trimmed with braid and souché.

This is our newest idea in a Reffer Suit.

SEE OUR WINDOW DISPLAY.

THE CHAS. S. NATHAN CO. 613 N. B. ST. BETWEEN 6th & 7th



BIG BOYS' and YOUNG MEN'S SUITABLE ATTIRE. This department shows the greatest care that is possible for young men all the way from 11 to 17 years of age. They are naturally very particular, and that's why we are constantly on the watch for new features that add to the swell dresser. You will see here the most progressive styles in suits that fit as they should. The make tallies so close with tailor-made garments that you can't tell the difference, only in the price. Many other different NOVEL ideas in BOYS' ATTIRE are here and must be seen to be appreciated.