

THE DYNAMITE CRUISER VESUVIUS.

Now the Topic of Discussion in Army and Navy Circles.

Talked of as Reverently as if She Were Something Supernatural.

Believed to Have Begun a New Era in Warfare—Showed Her Usefulness in the Havoc Her Guns Played With Fortifications at Santiago Harbor.

NEW YORK, June 17.—The United States dynamite cruiser Vesuvius evidently began a new era in warfare when she made havoc of the Santiago harbor fortifications on Monday night with three of her giant shells. Army and navy men are talking about her as reverently as if she were something supernatural. Citizens generally compare her with Ericsson's monitor, and say she is a hundred times more destructive.

Gun cotton is only one-fifth as strong as nitro-gelatin. "Where a shell strikes from one of the guns of the Vesuvius the havoc is awful. One of her projectiles dropped in the midst of a regiment would eliminate it from the war. If any man in the regiment was not torn to bits, he would not be fit for fighting.

"Against a ship the Vesuvius would be deadly. One of her big shells dropping on the deck would crush through the armor, and, exploding in a vital part, would shatter the ship. If one of these shells exploded in the air or in the water within fifty feet of a ship of war it will crush her side or bottom and sink her. If one of these shells explodes within fifty yards of a modern man-of-war, it will render her useless for fighting, for the detonation will throw the bearings of her engine nearly out of line, dislocate the shaft or jam the neatly fitting parts. Thus the ship will become a mere helpless target."

Many leading artillerymen in the army are in favor of the use of high explosives and in their official communications to the War Department had advocated its more extensive use. The only thing that has worried them is the absence of a convenient as well as a fitting means of firing it. The great dynamite guns at Fort Hancock and the Presidio are to a certain extent regarded in the light of experiments.

SOME NOVEL LEGAL POINTS.

(Continued from Second Page.)

In the month of May, 1893, approached the plaintiff with a statement that Wittenbrock's mortgage could be bought for \$7,000, although there was then due thereon about \$1,800 in interest; that the plaintiff said that he was willing to buy it for \$7,000, provided Wittenbrock would give him a little time to pay for the same; that he reported this situation to Wittenbrock, who refused to sell except for cash.

Both Beckendorf and T. H. Morley, the Assessor of Sacramento County, testified that in August, 1894, at the time when the deed was made to Wittenbrock by the Trois, the land in question was not worth more than \$15 per acre, nor the aggregate sum of \$4,500. The plaintiff's cross-examination admitted that Beckendorf had been to him and told him that Wittenbrock would sell his mortgage for \$7,000, and later had informed him that Wittenbrock was unwilling to allow time for the payment of the purchase price therefor.

189. The principles involved in that case are very similar to those involved in the case at bar, and in its decision the court quotes "Mr. Jones on Mortgages," as follows: "When the parties have undertaken to discharge the mortgage upon the uniting of the estates of the mortgagor and the mortgagee in the latter, it will still be upheld as a source of title whenever it is for his interest by reason of some intervening title or other cause that it should not be regarded as merged. It is presumed, as matter of law, that the party must have intended to keep on foot his mortgage title, when it was essential to his security against an intervening title, or for other purposes of security; and this presumption applies, although the parties through ignorance of such an intervening title, or through inadvertence, have actually discharged the mortgage and canceled the notes, and really intended to extinguish them.

It may therefore be deduced from the authorities as a general rule that when the mortgage acquires the equity of redemption, in whatever way and whatever he does with his mortgage, he will be regarded as holding the legal and equitable title separately, if his interest requires this severance. The law presumes the intention to be in accordance with his real interest, whatever he may at the time have seemed to intend."

SYRUP OF FIGS. NEVER IMITATED. THE EXCELLENCE OF SYRUP OF FIGS is due not only to the originality and simplicity of the combination, but also to the care and skill with which it is manufactured by scientific processes known to the CALIFORNIA FIG SYRUP Co. only, and we wish to impress upon all the importance of purchasing the true and original remedy.

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CALIFORNIA FIG SYRUP CO. SAN FRANCISCO, CAL. LOUISVILLE, KY. NEW YORK, N. Y.

GLOOM

Is the lot of the man who is a weak and puny mortal. Watch for the drawn and the tired limbs. See those trembling hands. Notice the uncertain look in the eye. What brings me to this pass? The thing principally to blame is indiscretion. If you eat too much rich food you will sooner or later have dyspepsia.

OR

Write. That is as good. "Hudyan," which is nature's own production, brings instantaneous help. It stops the drains which are sapping your very life's fountain of vitality in a week. Then the system responds in a grand way. Life is again a pleasure. Spirits rise and full strength and fire reappear.

POWER.

There is blood taint in evidence when you have thinning eyebrows, copper colored spots or tiny ulcers in the mouth. These are signs of "poor blood cure" cures. They are free. Drives all the poison out at once and leaves the system perfectly sound and well.

HUDSON MEDICAL INSTITUTE, Stockton, Market and Ellis Streets, SAN FRANCISCO, CALIFORNIA.

SPECIAL NOTICES.

BAKER & HAMILTON, wholesale hardware, bicycles, carts, buggies, carriages, fixtures, bath fairs and header wagons. Send for catalogue.

NEW TO-DAY.

TEACHERS' EXAMINATION. NOTICE IS HEREBY GIVEN THAT the examination of applicants for teachers' certificates will commence in this city at the City Seminary building, I street, between Tenth and Eleventh, Monday, June 20, 1898, at 8:30 a. m.

AMUSEMENTS.

CONGREGATIONAL CHURCH, Friday evening, June 17. Saturday afternoon, June 18, 3:15 o'clock.

LITTLE PALOMA SCHRAMM, The Wonderful Pianist and Composer (nine years old), assisted by BEATRICE PREST FINE, SOPRANO.

PRICES: Evening, 75 and 50 cents; afternoon, 50 cents; children, 25 cents (under 12 years). No extra charge for reserved seats at Pommer's Music Store. On sale Tuesday, 14th.

BASEBALL!

Pacific Coast League Series. San Francisco vs. Gilt Edges, AT SNOWFLAKE PARK, SUNDAY, - - JUNE 19th.

Game called at 2 p. m. ADMISSION..... 25 CENTS

MOONLIGHT EXCURSION OF SACRAMENTO PAVILION, No. 4, N. G. W., up the river, MONDAY EVENING, June 27, 1898. A pleasant trip guaranteed to all tickets. Return on June 28th. Boat will leave Pioneer Mills at 7:30 p. m.

Anything for the house. Sacramento, Saturday, 18 June, 1898. Store closes today at 6 p. m.



Our new \$15 baby coach

Here's the newest coach for baby and to use a popular expression it is "a beauty." Though on account of its artistic appearance and strength it is worth much more, we are selling it for \$15. It has silk plush cushions fastened to the side and back with cord and tassels. The seat is upholstered in plush, which can be taken out if desired. The satin parasol is lined with two scalloped ruffles. Has foot brake and rubber tires. A thoroughly good carriage.

To-day, Saturday, is a good day to visit "Baby Coach Annex," where fifty-eight different styles of baby coaches are on view.

John Breuner CORNER SIXTH AND K.

A CHANGE OF COLOR

IN YOUR SOILED Shirts, Collars and Cuffs. Making them look just like new, is the result in sending them to Mason's Laundry. Our work is thoroughly and promptly done, and our charges moderate. Wagons call to any part of the city. Dry a position or ring us up. Particular attention given to ladies' wash dresses, shirts, waists, etc.

TELEPHONE—Capital, Main 211. Sunset, 211.

MASON'S STEAM LAUNDRY.

Twenty-first and O Sts. Main Office, 538 J St.

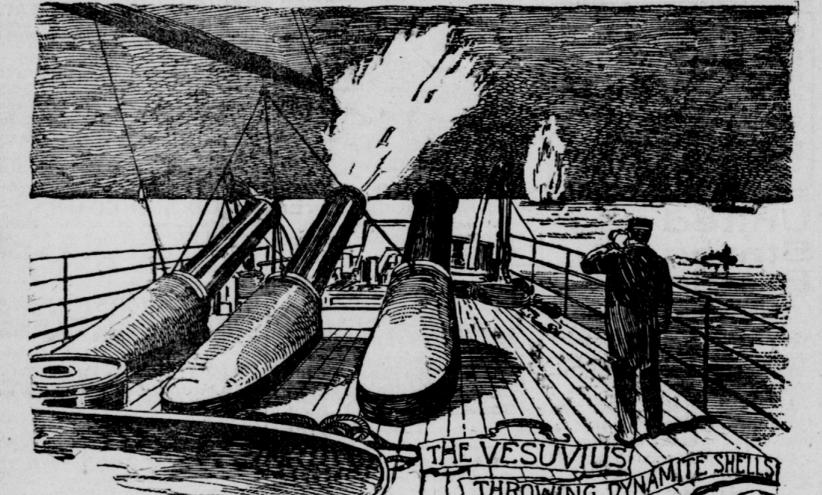
MADE ME A MAN

AJAX TABLETS POSITIVELY CURE ALL Nervous Disorders—Failing Memory, Impotency, Prostration, etc. Our work is thoroughly and promptly done, and our charges moderate. Wagons call to any part of the city. Dry a position or ring us up. Particular attention given to ladies' wash dresses, shirts, waists, etc.

IN THE SUPERIOR COURT OF THE State of California, in and for the County of Sacramento—In the matter of the estate of SARAH E. NICHOLS, deceased. Notice is hereby given to the creditors of and all persons having claims against SARAH E. NICHOLS, deceased, to exhibit them, with the necessary vouchers, within four months from and after the first publication of this notice, to H. L. NICHOLS, Administrator of the Estate of Sarah E. Nichols, deceased, at his law office, at the office of White & Seymour, Stroll Building, Sacramento City, California, the same being the place for the transaction of the business of said estate.

IN THE SUPERIOR COURT OF THE State of California, in and for the County of Sacramento—In the matter of the estate of JOHN FREUND, deceased. Notice is hereby given to the creditors of and all persons having claims against JOHN FREUND, deceased, to exhibit them, with the necessary vouchers, within four months from and after the first publication of this notice, to H. L. NICHOLS, Administrator of the Estate of John Freund, deceased, at his law office, at the office of White & Seymour, Stroll Building, Sacramento City, California, the same being the place for the transaction of the business of said estate.

As Executor of the last will and testament of John Freund, deceased, White & Seymour, Attorneys for Executors. ONLY ONE DOLLAR A YEAR—THE WEEKLY UNION—The best weekly.



THE VESUVIUS THROWING DYNAMITE SHELLS

or whatever the object of attack may be. "The destructive power of such a broadside is almost beyond computation. It is enough to destroy a city; to wipe it off the face of the earth, and eliminate every trace of its existence. The nitro-gelatin is half as strong again as dynamite. Imagine the effect of three and three-quarters tons of it.

to fire just three shots, one from each of her guns. The result seemed to have been remarkably successful. I believe she will create a revolution in naval warfare, at least with regard to vessels of her size and kind." Chief Engineer Albert F. Dixon of the Naval Auxiliary Board, who is now in this city examining yachts and tugs for the coast defense fleet, served for several months on the Vesuvius. "Most naval officers," he said, "have a prejudice against the Vesuvius at first, but after they have once served on her they get to like her. I put in four months on her. Our duty was destroying yachts. She has three guns or tubes for throwing shells. They are built into the ship, extending through two decks, and coming out at an angle of thirty degrees. They are fifty-four feet long, and fifteen feet of that length protrudes above the deck. The loading device is peculiar. A section of the gun, including about ten feet of the breech, slips down on a ball and socket joint, and into this the projectile containing 200 pounds of gun cotton is pushed. Then the section is raised into position and the gun is ready to be fired.

who, when he was first put on the witness-stand, testified that it was not the intention of either himself or of the defendant, Frank Trol, that plaintiff's mortgage should be a real estate mortgage until a deficiency arose; that is to say, until plaintiff had received the proceeds of the sale of the crop which was hypothecated to the plaintiff by the mortgage. He also testified that no deficiency arose until the fall of 1894, which would be after the execution and delivery of the deed to Wittenbrock. It is true the plaintiff was recalled to the witness-stand by his counsel, and to some extent modified his testimony last quoted, but an examination of the clause under which plaintiff claims to have a mortgage on the real estate will disclose that at the time the mortgage was written the intention of the parties was that it should be a real estate mortgage only after the existence of a deficiency. All of the testimony in the case satisfies the court that all of Wittenbrock's actions and conduct concerning the entire transaction were in the best of faith, and not intended to injure or defraud the plaintiff or any one else.

"The moral effect of a bombardment by the Vesuvius must be tremendous. By way of illustration, let me tell you one fact. The dynamite cruiser Nietheroy put an end to the last Brazilian revolution without firing a shot. Her mere presence was enough. Don Pedro, the Emperor of Brazil, sent Admiral Saldama de Gama of the Brazilian navy up here to find out how the pneumatic dynamite gun worked. The Admiral was deeply impressed. "To rather be with that gun than against it," he remarked to me standing beside the gun on the proving grounds at Fort Hamilton, where he witnessed its range, accuracy and destructive power. Within a short time Don Pedro abdicated, a republican form of Government was set up, and Melio began his revolution. Admiral de Gama was his chief fighter.

For the purposes of the argument, let us suppose that the plaintiff had recorded his mortgage as a real estate mortgage prior to the recording of Wittenbrock's deed, and through some accident or mistake Wittenbrock should have accepted the deed and released the mortgage of record, would the plaintiff then have been in any better position than he is at present? This question is answered by a great number of decisions of the Supreme Court of this State, and they uniformly hold that where a mortgage under such circumstances as existed in the case at bar accepts a deed in satisfaction of the mortgaged debt, and through any accident or "mere slip" a second mortgage or a subsequent judgment or deed intervenes between the original mortgage and the deed taken in settlement of the mortgaged debt, equity will not permit the second incumbrancer to reap an undue or unjust advantage. The decisions sustaining these views are so numerous that it is deemed sufficient to cite one case only where many of the previous decisions of the Supreme Court are cited in satisfaction of the case of Davis vs. Randall, 117 Cal. 12, the Supreme Court of this State has said: "The merger of mortgage liens with the fee, upon both being united in the same person, is a question of intent; and merger will not be implied where there is an intervening claim, but equity will keep the legal title and the mortgage's interest separate, though held by the same person, when necessary for the full protection of his just rights; and if, from all the circumstances, a merger would be disadvantageous to the party holding the fee, his intention that merger shall not result will be presumed and maintained and equity will keep the liens alive for the purpose of doing justice."

Accident to a brakeman. John E. Gould, a brakeman on the Oregon line, was hurt yesterday at Lincoln, Placer County. While switching he was thrown off the car. No bones were broken, but he was so badly bruised that he will be in bed for a few days. He lives in Slater's Addition. Dr. Siegert's Angostura Bitters is a temperance tonic of world-wide reputation. The English army and navy use it in East India as a preventive of all dangerous diseases of the bowels. Try McMorry's Blend Coffee, 35c.

Coax the Liver. Don't drive it. Harsh purgatives harm more than they help. Tarrant's Seltzer Aperient is a sparkling, effervescent remedy that relieves by gentle means; cures headache, biliousness and indigestion. Sold by druggists for 50 years. 50c. and \$1.00.

DR. GUNN'S PILLS. ONE FOR A DOSE. Biliousness, Purifies the Blood, Cleanses the System, Gives Health, They neither grip nor weaken. To be had of all druggists. DR. GUNN'S PILLS.

Dyspepsia. Is weakness of the stomach. It is the source of untold misery. It may be cured by toning and strengthening the system and enriching the blood with Hood's Sarsaparilla. Many thousands have been cured by this medicine and write that now they can eat anything they wish without distress.

Hood's Sarsaparilla. Is prepared by C. I. Hood & Co., Lowell, Mass. Sold by druggists. \$1, six for \$5. Get Hood's Pills cure all liver ills, 25 cents.