

DAILY RECORD-UNION ISSUED BY THE SACRAMENTO PUBLISHING COMPANY Office: Third Street, between J and K. THE DAILY RECORD-UNION. A SEVEN-DAY ISSUE. For one year, \$3.00 For six months, \$1.80 For three months, \$1.00

Weather Forecast. For Northern California: Fair Wednesday, except near coast, where stormy; cooler in the south portion; brisk northwest wind.

A FILTHY CASE AND CHIVALRY.

In the Botkin case in San Francisco, the witness Dunning, whose wife was poisoned, has been held in contempt of court because he will not name on the witness stand the women with whom he has had illicit relations. We are not going to dispute the law of the case with the court. We shall assume that the trial judge is well informed in and fortified by the law, and that he has expounded it as it is; but just the same it is a law which cannot command respect of the chivalrous man. It is not a rule, whatever its origin, which will inspire many men with fear, or make true men swerve from their duty.

Dunning may prove the coward and come out of jail at the expense of the women who have yielded to him, but if he does he will deserve to be kicked from pillar to post throughout all mankind's civilized domains. A fellow who was so shameless in his amours as to confess himself to have been, and who became the illicit consort of such a vulgar woman as Mrs. Botkin confesses herself, may be expected to fall down. However, we may misjudge him. His former respectability and good standing may be sufficient reminder to him that despite his shameless fall, he may still command something of respect if he proves chivalrous enough to refuse to yield to the demand of the law, and in consequence takes its penalty like a man.

By the way, the Botkin case is a mess of filth and makes the San Francisco papers these days anything but fit for the household. Even those which do their best to soften the story of the witness stand do not successfully exclude the filth which is dished up for the young maidens and susceptible youth of the metropolis. Do news demands, after all, justify such publication? Is such publicity necessary in order to insure the ends of justice? We think not. Less exposure of the lewdness of vulgar people, with whom the demimonde would blush to associate, would not prevent the courts trying murderers and sending them to the scaffold when convicted. The newspaper is not an arm in the system of justice provided by the law. It is an aid, undoubtedly; it does render valuable service to the law by reason of the publicity it gives to news. But it is not essential to these self-imposed duties that it should besmear itself with the offal of bawdy houses and the smut of such creatures as develop in cases like the Botkin nastiness. Really, if the San Franciscan with a family does not take up his morning paper with the tongs these days, and consign it to the furnace before his girls and boys catch a glimpse of it, he is remiss of parental duty, and consents to the contamination and ruthless plucking of the flowers of his home garden.

And while contemplating the Botkin case in all its repulsiveness, another offense looms to view in the form of a woman newspaper reporter, who becomes a witness for the prosecution. This woman is clearly of the product of sensational journalism and the drift of woman into business vocations belonging of right to men. The reporter in question, who prefers to be called "correspondent," is still written as "Miss" Livernash. According to her own testimony this maiden went to Mrs. Botkin, told her she would befriend her, worked her way into the woman's confidence, and dragged from her bit by bit, day after day, the whole story of infamous living which was testified to. Not content with this, when the Botkin woman had an interview in Stockton with her husband in the privacy of their apartments, this woman stood outside in the attitude of an eaves-dropper, and noted down what she overheard through the open transom, and doubtless through the keyhole. True, she told her victim that she was a newspaper "correspondent," but it is also clear that the victim was led to believe that the reporter was befriending her, and she was justified in assuming that meant the friendship and backing of the paper the witness represented. This reporter traveled with Mrs. Botkin, and permitted her and her husband to pay her fare and hotel bills, and now comes upon the stand and details all that she wormed out of the suspected woman. Of course it will be said that this was detective work, justifiable in the cause of justice, and all that. But conceding it, it remains that it was nasty, vulgar and disgraceful work for a woman, and that neither the law nor society demand its employment by a newspaper.

men fresh from civil life and wholly untrained regarding the duties to be assumed. General Miles would wholly disassociate the army from politics, while the Hull bill opens a wide door for the politician to enter and control because it is through the staff that reform must be accomplished, if at all, in the reorganization of the army the people want the politician to be excluded. They desire, very naturally, that men shall enter into positions of trust and command only because of fitness, determined by experience in the army or training in an army school.

W. S. Mellick, editor of the Pasadena "News," was a member of the last Legislature and was re-elected at the last election. In a late issue of his paper he says: "The Sacramento Record-Union last session was the only paper in the State which did the Legislature justice in giving day by day, accurate reports of all the proceedings."

NEW RECORDING DEVICES.

On the 12th inst the House of Representatives passed the Senate bill authorizing the Register of the District of Columbia to purchase and use typewriting machines, made to write upon the pages of bound volumes, for the purpose of transcribing documents for record. The passage of the bill brought on a spirited debate, that added considerable information. First it was objected that the ink on the machine ribbons is not permanent in color. To this it was replied, with proofs, that the Government chemist had analyzed the inks used and found that they are permanent in character. Then it was objected that an old law provided that records shall be made in a strong, legible hand with pen and ink. To this it was replied that the new law would work a modification of the old one.

Again it was objected that the thing is experimental. But it was shown that in Pennsylvania the method has been in use some time with perfect success; that it is in use by commercial bodies in New York; finally a numerous signed endorsement of the new system was handed up and this included the signatures of title security companies, who, it was added, could be counted upon to endorse no record work that would be likely to fade or produce an insecure record. Then the objection was raised that there was nothing in the bill to secure guarantee that only indestructible non-fading ink should be used in the machines. To this it was replied that neither is there in the present law any provision that the pen-ink used shall be indelible. Finally the bill was passed and hereafter in the Register's office at Washington, records will be made in typewriter form. Such records are more readily made, are more legible and are easily read by anyone who can read print, while in the past a good deal of official penmanship has been obscure.

It is not unlikely, now that the Federal Government has thus endorsed the new method of recording, that it will presently come into general use throughout the country. It cannot be said that the measure booms a particular kind of machine since there are a dozen kinds of these machine-records, and more are monthly making their appearance. Like the other typewriter business it cannot become a monopoly, because there are so very many kinds of typewriting machines, and their number is constantly augmenting. Certainly official records in print are infinitely preferable to those in pen-writing, the reasons are too obvious to need recapitulation, but clearness, speed, ease in searching records, and earlier return of original documents are the chief.

Lieutenant Hobson is now en route to this coast to sail for Manila, and there undertake the raising of the sunken Spanish flotilla. By wire he is reported as strong in the belief that the task can be accomplished and that such of the ships as were not burned are known were badly damaged by fire, the others are lying not in deep but in rather shallow waters. There is no heavy sea in Manila Bay, and at Cavite there are appliances sufficient for the task of lifting the vessels out of the mud. If Hobson succeeds in floating the sunken fleet, it will add at least six serviceable ships to our navy just where they are most needed. There is a flotilla of small boats also, which are particularly useful in ascending rivers and shallow bays, which, if they can be restored to use, will prove of highest efficiency in the Philippines. All these it is probable Hobson can save. Admiral Dewey has already raised and put into commission two of them, and one rather large old style cruiser also. The outlook is, therefore, that within the next three months quite a respectable addition to our Asiatic fleet will be made.

Eastern opponents of the open door policy for the Philippines base their contention on the statement that the islands are so much more distant from the Atlantic seaboard than European trade centers as to put us out of the competitive possibilities. But would it not be just as well for our friends on the Atlantic side to recall to their obscured memories that this nation has a Pacific Coast, and that not all the commercial virtue of the country is vested in Atlantic trade centers? Over on these shores we dare entertain the belief that the Pacific Coast is still in the Union, and that not all the United States is embraced within the municipal bounds of New York and Boston.

The evident intention of Democratic leaders to refuse to bend to the wishes of small fry politicians and oppose the ratification of the peace treaty, is becoming just now a force which gives fair promise of accomplishing the ratification. This indicates greater breadth of statesmanship among political leaders than has been credited to them, as a rule. Really party lines are becoming very weak, and he who attempts to crack the party whip in these days, assumes the risk of ignominious defeat.

UNION B. AND L. SECURITIES

THOSE HYPOTHECATED FOR A \$50,000 LOAN.

Frank Miller of the D. O. Mills National Bank on the Stand All Day Yesterday.

The case of T. W. O'Neil, receiver of the Union Building and Loan Association, against the National Bank of D. O. Mills & Co. was resumed before Superior Judge Buckles yesterday morning. Most of the morning session was devoted to the taking of testimony of experts respecting the value of the property in Yolo, Tehama and Alameda Counties, held by the association. Frank Miller, cashier of the National Bank of D. O. Mills & Co. was the first witness called, and he was asked to explain how a number of warrants on the association came to be deposited in the bank. He explained that the warrants were drawn payable to the bank by E. K. Alsip for the Building and Loan Association and went through the usual process of cancellation. J. D. Lawson, a Woodland real estate agent, testified that the value of the property near Woodland, known as the Briggs' orchard, is about \$17,000. He claimed that land value at the same place as that in February, 1896, but that sales were fewer.

On cross-examination the witness stated that in fixing his estimate he had not considered the cost of piping for irrigation purposes, nor had he considered the vineyard, as vineyards in the county had received a black eye. He could sell very little land planted to vineyards. He had only estimated the value of the land and the improvements, aside from the vineyard—had valued it only as alfalfa or clover land. The witness, while he did not claim to be an expert, thought it would cost about as much to plant and tend a vineyard up to the time of bearing as the bare land was worth. R. I. Blowers, a vineyardist who resides near Woodland, testified that the bearing land consisting of Briggs' orchard was worth in 1896 about \$100 per acre. He considered the vineyard to have been of no value whatever. The witness said the piping in the orchard was of little value, as the pipes had been filled with roots of the vines. He judged such to be the case from a vineyard belonging to him, which had been similarly piped, the piping of which had been rendered useless by being filled with vine roots. He had not taken buildings into consideration in estimating the value of the property. O. Kraft, an expert in valuing real estate, testified that the value of the Halley ranch in Tehama County was in 1896 \$7,500, or about \$2.18 per acre if used for a sheep range. C. R. Mayhew, a real estate man of Red Bluff, testified that in February, 1896, the Halley ranch was worth about \$3 per acre, including improvements; it had value only as range land, though there were a few spots of good farming land.

It was agreed and stipulated that the testimony of the four expert witnesses should be used in the case of the Farmers' and Mechanics' Bank, and Receiver O'Neil hereafter to be called, subject to the usual objection and motion of the defendant to strike out. John Scott, receiver of the Union Building and Loan Association, appointed by Mr. O'Neil, was called and questioned as to whether or not in February, 1896, there was a mortgage of \$4,000 on the Halley ranch in Tehama County. In the face of an objection by the attorneys for the defense, the witness was withdrawn, and Albert M. Johnson, one of the attorneys for the plaintiff, took the stand and testified that in 1896 a mortgage of \$4,000 did run against the property in question. Hugh M. Cameron, real estate agent of Oakland, testified that in 1896 the value of the Thirty-second street property in Oakland was about \$27 per month. The W. O. Brown property in Peralta Park, near Berkeley, consisting of thirty-seven lots, he considered to be worth \$200 per lot. A. J. Samuel, a real estate agent of Oakland, testified that the value of the Thirty-second street property at about \$25 a front foot, and the improvements at about \$2,000.

The stockbook of the Union Building and Loan Association, showing the names of persons who hold stock in the sixth series, was offered in evidence, but was rejected on the ground that the certificates of stock were the best evidence. Receiver Scott was instructed to bring such certificates into court. In the afternoon the certificates of stock of the sixth series, all of which had been cancelled, were offered in evidence by the attorneys for the plaintiff and admitted. Frank Miller was again called to the stand and asked to state when the words "Secured by certain notes as per memorandum attached" were written on each of the two \$25,000 notes given to the bank by Messrs. Alsip and Steinman, Secretary and President of the Union Building and Loan Association. The witness could not remember whether the words were written before or immediately after the notes were signed. The memoranda mentioned in the footnote referred to its securities. The witness said he thought it had been taken for granted that Alsip should "collect the interest on the securities and turn it over to the bank." If Alsip paid the interest on the notes promptly the bank would have taken it for granted that the collateral was all right. Had he been lax in payment of interest or principal the bank would have investigated. Alsip, however, had made frequent payments on the principal, which he supposed had been collected from collateral securities. Alsip paid in money and the witness assumed that the money so paid had accrued from the securities held, on which the notes were based. As the payments were made from February, 1896, to December, 1897, a number of notes given by Alsip for the association were withdrawn. After Mr. Miller's direct testimony was in, the attorneys for the plaintiff rested, and a recess of five minutes was taken to allow time for a consultation between the attorneys for the defense.

Thereupon Attorney White moved for a non-suit. He read twenty-five specific reasons in support of the motion, maintaining among other things, that if Article XV. of the by-laws of the loan association had ever been adopted it had never been accepted and was virtually annulled from the fact that it had never been acknowledged. Attorney Devlin added several technical arguments in favor of the motion but it was denied by the court. Thereupon Attorney White made his

opening statement, consuming considerable time.

Frank Miller, President of the National Bank of D. O. Mills & Co., was the first witness called by the defense. He testified that the bank was not never had been Treasurer of the Union Building and Loan Association, and that no such notification had ever been made to the bank by the association.

The witness identified a batch of twenty-two cancelled warrants drawn by stockholders against the association and paid by the bank, and they were admitted in evidence. The warrants were paid at request of the association on a loan made in 1896. The account was subsequently closed and others were opened.

The witness said he had answered to further questions that he in at one time and seen a newspaper account of a meeting of the Directors of the Union Building and Loan Association, to the effect that the National Bank of D. O. Mills & Co. had been elected Treasurer of the association, but that the bank had never received official notice of the election, and that the election was null and void without its consent.

The witness said the Union Building and Loan Association was treated precisely as other customers of the bank. Witness testified that the bank was never a shareholder in the Union Association. Prior to February 26, 1896, the association borrowed money from the bank.

Mr. Johnson objected to various questions asked the witness by the defense for the purpose of showing the nature of the association's business with the bank. The objections were based on the ground that such testimony was irrelevant because if certain things were done by the Directors they were done illegally—that custom did not make them legal. The court sustained some of these objections and overruled others.

In response to a question by the defense, the witness explained that the loan made in February, 1896, to the association, the witness was confined to the conversations leading up to the making of the loan. He said the result was that the bank demanded certain collaterals and got them. The interview was between the witness and C. F. Dillman, representing the bank, and B. Steinman and E. K. Alsip representing the association.

Mr. Miller said the association was borrowing money to pay off a series of stocks, and not, as the bank understood, for the purpose of releasing the loan made in February, 1896, to the association. All the payments were indorsed on the notes, and there remains unpaid approximately \$30,000. Witness could not recall just what collaterals are now on hand.

Witness said the bank officials had no knowledge of the securities being over or undervalued. Neither did they attempt to direct in any manner how the borrowed money was to be used. Counsel for the defense asked a number of questions calculated to show that the bank was never apprised by any member or officer of the association that any question existed as to the legality of the transaction. In short, he asked for the use of the money lent by it. The right to show this was combated vigorously by Grove L. Johnson, who held that if the action was illegal at the beginning it was illegal all through. At this point Add C. Hinkson, who is counsel in other cases yet to be tried, was permitted to argue the point at issue, as it was one that would arise in collateral cases. He claimed that though the Directors of the association might violate a rule of the association, their action could be ratified and made binding by the stockholders.

The court finally made a pro forma ruling, admitting the character of evidence sought to be offered. Mr. Miller replied that no officer of the association ever suggested the possible illegality of the loan until a couple of months ago, and no stockholder ever complained of the act, so far as he knew. The witness said, in answer to a question by Mr. Seymour, the bank managers never authorized the bank to act as Treasurer of the Union Association. Late in the afternoon Grove L. Johnson began the cross-examination of Mr. Miller. The latter stated that he and Mr. Dillman acted for the bank in the matter of the Union Association loan. The bank has no regular rules. Being a National bank, it is managed under the regulations prescribed for such banks. Practically, in the words of Mr. Johnson, the witness and Mr. Dillman "run the bank," but loans are acted on by the Directors at their monthly meetings.

Mr. Miller, replying to Mr. Johnson's questions, said he had a knowledge of current reports published in the local papers. He had never notified the State Building and Loan Commissioners that the bank was not the Treasurer of the Union Association. Mr. Johnson then led the witness over the matters connected with the bank's loan in 1896 to the association. The witness was under the impression that he did not consult any attorney at the time the loan was made. The transaction had been talked of for two or three days. Loans have been made to various corporations. Witness said that the Union Association officials wanted \$30,000 at the time they applied for a loan with which to pay off the sixth series of stock. The sum lent was \$50,000. Since February, 1896, a few loans have been made to the association, one being on the Briggs orchard for \$12,000, the others for smaller sums. Payments have been made on most of these loans, either by cash or checks.

one of \$9,000 and one of \$1,000 having been fully paid off, also one of \$1,800.

Mr. Miller was then examined at some length as to the details of the manner in which Mr. Alsip conducted his business with the bank—how the payments were applied on the various notes.

There were several questions that Mr. Miller could not answer from memory, and he was requested to bring his books into court this morning.

"The Night Before Christmas." The author of the famous poem that recounts in such graphic language "The Visit of St. Nicholas" was born in the city of New York, July 15, 1779. His boyhood was passed at the country seat of his father, called Chelsea, then far remote from the city, but now a very thickly settled portion of it, and embracing a large tract in the vicinity of Ninth avenue and Twenty-third street.

In the intervals between the time devoted to more serious studies his principal amusement was writing short poems for the amusement of his children, and among them was "The Visit of St. Nicholas," which was written for them as a Christmas gift about 1840. The idea, he states, was derived from an ancient legend, which was related to him by an old Dutchman who lived near his father's home, and told him the story when a boy.

In those days every young lady was supposed to have an "album," and a relative who was visiting the family quickly transferred the verses to hers. They were first published, much to the surprise of the author, in a newspaper printed in Troy. They attracted immediate attention, and were copied and reprinted in newspapers and periodicals all over the country. An illustrated edition, in book form, was published about 1850, and since then school readers have made them familiar to

generation after generation of children. They have been translated into foreign languages, and a learned editor informed us of his delight and surprise when traveling in Germany to hear them recited by a little girl in her own native tongue.—Harper's Round Table.

The Largest Wedding. On the day that Alexander the Great was married no fewer than 20,202 persons in one ceremony were made husbands and wives. This seems impossible, but the event really took place, as historical records tell us. This monster wedding occurred upon the conquest by Alexander the Great of Persia which was then ruled over by King Darius.

Alexander married Statira, the daughter of the conquered King, and decreed that 100 of his chief officers should be united to 100 ladies from the noblest Persian and Median families. In addition to this, he stipulated that 10,000 of his Greek soldiers should marry 10,000 Asiatic women.

When everything was settled a vast pavilion was erected, the pillars of which were 60 feet high. One hundred gorgeous chambers adjoined this for the 100 noble bridegrooms, while for the remaining 10,000 an outer court was inclosed, outside of which tables were spread for the multitude. Each pair had seats, and ranged themselves in a semi-circle round the royal throne. Of course, the priests could not marry this vast number of couples, so Alexander the Great devised a very simple ceremony. He gave his hand to Statira and bided her—an example that all the bridegrooms followed.

This ended the ceremony, and that vast number were married. Then followed the festival, which lasted five days, the grandeur of which has never been equaled ever since.

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All sorts of stores sell it, especially druggists; all sorts of people use it.

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PERFUMERY should be of fine quality or not used at all. What is more vulgar than a trailing scent of cheap pungent, nauseating alleged perfume? In order to secure perfumery that will be delicate, subtle, refined, and at the same time pronounced in its odor, one should use that of a well-known, standard make. We have Falmer's, L'Azelle's and others whose name is as well as the world.

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