

NEW INFORMATION NEEDED.

DEMURRER SUSTAINED IN THE LEVI SMITH FORGERY CASE.

Judge Jacobs yesterday filed an order sustaining the demurrer of Levi G. Smith...

The statute upon which this information is founded reads as follows: "If any person, with intent to defraud another, shall knowingly by color of any false token or writing, or any false pretenses, obtain from any person any money, transfer of real or personal property, or any thing of value, shall be punished as the law provides."

This information is founded upon the allegation that the defendant obtained a thing of value, to-wit, a county warrant, by the means of the false pretenses set forth in the information, and the only question presented is whether or not the defendant was a thing of value, so as to come within the meaning of the above-quoted statute.

The defendant presented to the board of county commissioners, with the intent to cheat and defraud the county of King an account for work and labor, pretended by him to have been done in Road District No. 8, in section 22 and 23, in the county of King, state of Washington. The false account so presented had upon it the forged name of Charles Harding whom it was pretended had done or performed said work and labor.

The law of warrants, briefly stated, is as follows: Whatever property there is, in any county, which can be transferred by assignment or endorsement in a commercial sense, a warrant is not negotiable. Any defense affecting its validity, or any other defense, such as set-off or counter claim, may be made against it, even in the hands of a bona fide purchaser for value.

I was at first inclined to yield to the argument of the prosecuting attorney that the value of the paper upon which this warrant was written was sufficient, because section 30 of our penal code made by express provision a warrant subject to the statute concerning false pretenses. At common law, as every lawyer knows, the only description of property which could be the subject of larceny was personal goods or things movable, and having in themselves an intrinsic value. The crime could not be committed either of things which served of the reality or of written instruments of any description.

NEW TRIAL FOR FORD.

Judge Jacobs Files an Order Granting a Rehearing of the Case.

Rev. W. E. Ford, convicted of having seduced Jennie Merford, a 15-year-old girl who was employed in his household, will be given a new trial, Judge Jacobs yesterday having filed an order granting the motion of his attorneys for a rehearing of the case.

As to the charge that Juror Walter Kinnear was not an elector when he sat on the jury, the court finds this to be the fact, but holds that this would not be good ground for granting the motion.

As to the charge that Kinnear and Alexander had formed an improper coalition with the prosecuting officers during the trial is brushed aside as of no importance.

known to be persons of respectability, character and veracity. They include persons in high official positions and social prominence. The court is forced to the conclusion that the complaining witness was mistaken as to what occurred on the 9th. The defendant presents the testimony of thirteen reputable witnesses, persons of respectability and excellent character. Again the court is forced to the conclusion that the complaining witness is mistaken as to what occurred on Saturday, the 16th.

ARTHUR CONNERS ACQUITTED.

Charge of Passing Counterfeit Coin Not Sustained.

Arthur Connors, indicted for passing counterfeit coin, was acquitted yesterday by Judge Hanford in the United States district court.

Connors is the one who was held before the state court last week for implication in the theft of some sailor bags, and the possibility of ten years at hard labor, in addition to a \$500 fine, stated him in the face. He was without means, and the court appointed H. L. Wilhelm to defend him.

CHINESE DEPORTED.

Deputy United States Marshal MacLaughlin returned to the city from Tacoma yesterday, where he went to ship Lee Foy and Ah Sin, two Chinese found to be illegally in the United States, back to China.

NEW SUITS FILED.

The following new suits were filed yesterday:

The A. P. Hotelling Company vs. Thomas H. Clark, et al. Promissory note and mortgage, \$1,000, interest, attorney's fees and costs.

JAMES R. ALLEN vs. MARY SMITH et al. Promissory note and mortgage, \$1,000, interest, attorney's fees and costs.

MARY J. FUGHER vs. B. E. FREDERICK et al. Promissory note and mortgage, \$300, interest, attorney's fees and costs.

THE PACIFIC HOP COMPANY vs. FAILURE OF CONTRACT TO PURCHASE HOPS, \$2,267.22.

COURT NOTES.

Charles Reed, charged with obtaining money under false pretenses, was arraigned before Judge Jacobs yesterday and given until Monday to plead.

The suit of Annie E. Beach vs. Libby B. Brown to recover damages for the alienation of her husband's affections, has been set for hearing on January 17.

Charlie Stroter, a lady of color, charged with grand larceny for robbing a white man, pleaded not guilty when brought into Judge Jacobs' court yesterday.

Judge Elliott yesterday filed an order directing H. O. Shuey, receiver of the Seattle Savings bank, to pay a 5 per cent. dividend on all claims filed with him and approved by the court.

The jury in the Federal court case of Robert Abraham vs. the Manchester Fire Insurance Company rendered a verdict yesterday in favor of the plaintiff, awarding him the amount sued for, \$2,500, and costs.

Charles Phillips, the murderer of Policeman Wells, was arraigned before Judge Jacobs yesterday and pleaded not guilty. Judge Epler and J. E. Morrison appeared as attorneys for Phillips. His trial was set for January 24.

John Brown, charged with grand larceny for stealing \$100 worth of cigars from Bernard and Anderson, pleaded guilty. The court directed the prosecuting attorney to investigate and ascertain if possible, whether this was Brown's first offense. Sentence is deferred in the meantime.

Burger Bros. have begun an action to recover from the Pacific Hop Company \$2,267.22 damages for breach of contract. The complaint alleges that the plaintiffs in April last purchased of the defendant company 20 bales of choice Oregon hops at 85 cents per pound; that the defendant company shipped them only sixty-three bales, and that these were mouldy.

THE HUB 615 and 617 First Ave. THE HUB Grand Kriss Kringle Sale of Boys' and Children's Suits, Reefers and Overcoats, Ladies Can You Resist These Bargains? See our extra heavy Clays, either blue or black; made up in reefer style, or plain double-breasted, sizes 4 to 15 years; \$3.50 and \$6.00 value; now... \$3.85

THE HUB... 615-617 First Avenue. The Remarkable Popularity of the Celebrated St. Clair Steel Range rests upon its established merit as the best and most reliable cooking apparatus in the market.

SLEEP FOR SKIN-TORTURED BABES Do not forget that we guarantee it for five years, and that we set it up in your house for a free trial. We take all the chances. Why should you not try it? We Outfit Your Home Complete From Kitchen to Parlor! Seater & Holden, Furniture, Carpets, Stoves, Ranges, Crockery, Tinware, Etc. 1109-1111-1113 Second Ave. Holiday Presents. We offer beautiful high grade Jewelry, Watches, Silver Novelties, Umbrellas, Sterling Silver and Silverplated Ware, Mantel Clocks, etc., this week as very low prices.

SEATTLE THEATER. Northwest Theatrical Association. Tel. Main 44. Paul E. Hyner, Resident Manager. 5-NIGHTS-5 Beginning Saturday, Dec. 25. Greatest Operatic Event of the Season. The Del Conte Italian Grand Opera Co. Direct From Milan, Italy, Together With MADAM GENEVRA JOHNSTON-BISHOP PRIMA DONNA SOPRANO. DEL CONTE & CO., Proprietors. 90-ARTISTS-90. PRESENTING ELABORATE PRODUCTION OF PUCCINI'S LA BOHEME THE OPERATIC TRIUMPH OF THE AGE. Saturday, Dec. 25... La Boheme Sunday, Dec. 26... Cavalliera and Pagliacci Monday, Dec. 27... Trovatore Tuesday, Dec. 28... Monon Lescant Wednesday, Dec. 29... The Masked Ball

SEATTLE THEATER. NORTHWEST THEATRICAL ASSOCIATION. Paul E. Hyner, Resident Manager. Tel. Main 44. Tuesday, Dec. 21. One Night Only. The Greatest High Class Musical Attraction in the History of Seattle. GRAND OPERA Mme. Scatchi Sofia Scatchi The World's Greatest Contralto, and Company, including: Mlle. Marie Toulinguet. Prima Donna Soprano Imperial Opera Company. Mlle. Marie Du Bedat, Prima Donna Soprano, Royal Carl Rosa Opera Company. MR. THOMAS M'QUEEN, Tenor, International Opera Company. SIG. ACHILLE ALBERTI, Baritone, Imperial Opera Company. SIG. GNARRO, Musical Director. Will present in Costume, with Scenery, Paraphernalia, etc., the Fourth Act of Verdi's Grand Opera, IL TROVATORE. To be preceded by a miscellaneous concert. Prices: Lower floor, except last four rows, \$1.50; last four rows and first four rows balcony, \$1.00; next three rows balcony, 75c; last four rows, 50c; gallery, 25c. State now on sale.

ARMORY HALL, Christmas Night... Saturday, Dec. 25. Jefferson Theater. Telephone Main 10. Cor. Fourth and Jefferson. E. B. FRIEND, Manager. Grand Opening of the Opera Season - BY THE - Tivoli Opera Co. First Week, Commencing SUNDAY, DEC. 19th, And Saturday Matinee.

THALIA SOCIETY "SAID PASHA." Prize Masquerade Ball. Especially engaged for the opera season. Sale of seats will begin on Thursday morning. Box offices open daily from 10 a. m. to 2 to 4 p. m. Popular prices—10, 25, 35 and 50 cents. Matinee prices—Children, 10 cents; adults, 25 cents. No reserve.

SEATTLE THEATER. Tel. Main 44. Northwest Theatrical Association. PAUL E. HYNTER, Res. Manager. Saturday and Sunday, Dec. 18 and 19. Brand of Cain. Under Auspices of Woodmen of the World, Home Camp No. 266. Prices—25c, 50c and 75c. ALASKA Transporting Service. H. J. Speer & Son, Owners. Rooms 8 and 9 Boxwell Bldg. Seattle, Wash. Tickets from Seattle to Dawson City and the Klondike country. All water route via Yukon river. Steamers brand new. Everything clean and comfortable. Contract for building our two Yukon river boats has been let to A. J. Allen, the well-known shipbuilder of this city. The Stearns & Post Mill Company furnishing lumber and yard work for construction. Mr. Allen will have full charge of work on river, under command of Capt. J. W. Monroe, will sail from Seattle March 5, 1898. Officers of our boats and familiar with the coast of Alaska. Reference—Boston National Bank, Seattle.