

CELEBRATE THE FOURTH.

Ladies Are Assisting in the Work of the Various Committees.

ARCH FOR MARKET STREET.

Committees Appointed to Solicit Subscriptions—Decorative Work.

Meetings of four important sub-committees of the Fourth of July celebration were held yesterday.

The finance committee met at 2 o'clock, Chairman Daiton presiding. A score of women were present at the opening of the session.

Mrs. Mabel V. Osborne moved that one woman from each woman's club be appointed to solicit subscriptions.

A good deal of opposition to female collectors generally developed. The ladies who had attended former committee meetings seemed to be out of sympathy with those who had, so to speak, just come into the fold.

Mrs. Mabel V. Osborne moved that one woman from each woman's club be appointed to solicit subscriptions.

Mrs. Osborne could see no objection to her motion. The ladies had solicited for fairs and so forth, and why not for the Fourth of July celebration?

Mrs. O'Neill met Mr. Roos spoke in support of that plan.

Mr. Hammond suggested that the women who did not object to collecting volunteer for that duty.

Mrs. Osborne could see no objection to her motion. The ladies had solicited for fairs and so forth, and why not for the Fourth of July celebration?

The ladies from Alameda asked that the Grand Army posts, the Loyal Legion and the school-children of Alameda be invited to join in the celebration.

Mrs. Clara Joseph suggested that the State Floral Society, of which she is a member, be requested to supply flowers for the use of the committee.

It was moved by Henry Gellert that the future meetings of the finance committee be held in the evening, so that the convenience of the business men should be consulted.

A recess was then taken till 8 o'clock. At that hour a list of sub-committees was presented and approved.

Wholesale butchers—S. C. Hammond. Fire insurance—Kolla Wait, Colina M. Boyd.

Stock-brokers—George R. Sandler. Retail grocers—L. Lebenbaum. Mercantile tailors—M. L. Crocker, H. L. Tickner.

Hardware—Grove F. Ayers, R. H. Liddle. Furniture—Richard B. DeLam. Wholesale furniture—F. D. Worth, Wallace Bradford.

Real estate—George T. Toy, G. H. Umbsen, J. J. Farrell. Bankers—J. W. Hellman Jr., Edward Kruse.

Laundries—Samuel F. Buford, Steven M. Hammond. Coal dealers—C. Wilson, J. Rosenfeld.

Opticians—Henry Kahn. Photographers—J. Taber, Theo. Marcean. Pianos—L. L. Sherman, Hugh A. Chase.

Restaurants—Frank Marsten, M. Johnson. Tailors—E. W. Sumner, Albert Frank. Tea-stalls—E. F. Farnsworth, E. W. Emmons.

Shoe dealers—F. F. Nolan, Colonel M. H. Hecht, L. L. Rosenfeld.

When the decoration committee was called to order by Chairman F. D. Worth there were eleven ladies present and only four men.

Dr. Crawford suggested that a grand arch erected on some principal street ten days before the Fourth, as an earnest of the committee would do, would serve to create enthusiasm and render the collection of money an easier task.

In every receipt calling for baking powder better results and more wholesome food will be obtained by the use of Royal than any other, because of its greater leavening strength and absolute purity.

THE OCEANIC IS VICTOR.

C. A. Spreckels' Application for a Writ of Mandate Denied.

JUDGE SEAWELL'S OPINION.

No Law Compelling the Directors of the Steamship Company to Call a Meeting.

Judge Seawell yesterday denied the writ of mandate prayed for by C. A. Spreckels Jr. to compel the Oceanic Steamship Company to hold a meeting, and with the decision he rendered a concise opinion.

This disposes of another of the vexatious suits brought by the two younger sons and aimed at their father, Claus Spreckels. The main point brought out in the evidence by the defendant's counsel, Delmas & Shortridge, was that the court's time was being idly taken up, as C. A. Spreckels Jr., the plaintiff, had not exhausted the ordinary means for securing a remedy before resorting to the extreme relief of a court of law.

It was also clearly demonstrated that the majority of the stockholders did not wish any meeting such as the petition of C. A. Spreckels Jr. desired called, and that the issuing of an injunction would therefore be a vain form and of no effect.

The following is the full text of the opinion: C. A. Spreckels vs. Oceanic Steamship Company et al.

This is an application for a writ of mandate requiring the directors of the Oceanic Steamship Company to call a meeting of its stockholders for the election of directors of the corporation.

The capital stock of the corporation is divided into 20,000 shares. The number of directors is fixed at five, and the term of office is for one year, to be held on the 21st day of January, 1895, the day appointed by the by-laws for the election of directors, the annual meeting of stockholders being held on that day.

On the 15th day of March, 1895, the plaintiff served on each of the directors a written demand that they should call a meeting for the election of directors for the year beginning January 21, 1895. The demand not having been complied with, the plaintiff has instituted this proceeding.

C. C. 314 provides as follows: "If the directors of any corporation do not take place on the day appointed in the by-laws, it may be held on any day thereafter as is provided in such by-laws or to which such election may be adjourned or ordered by the directors. If an election has not been held by the appointed time, and no adjourned or other meeting has been held, the directors of the corporation, a meeting may be called by the stockholders as provided in section 310 of this code."

C. C. section 310 provides that the stockholders calling a meeting must hold, at least, one-half of the votes of the corporation. No other day than the 21st day of January is provided for in the by-laws for holding an election.

The statute does not, in terms, require the directors to call a meeting of the stockholders. If the election does not take place on the day appointed in the by-laws, it may be held on any day thereafter ordered by the directors. If an election has not been held by the appointed time, and no adjourned or other meeting has been held, the directors of the corporation, a meeting may be called by the stockholders as provided in section 310 of this code.

It was shown at the hearing that the holders of the stock of the corporation are not willing to call an election. Plaintiff did not prior to the commencement of this proceeding request the directors to call a meeting, and the stock to join with him in calling a meeting. He alleges in his affidavit that more than one-half of the stock of the corporation is under the control of the directors, and that it is impossible for plaintiff to obtain enough votes among the stockholders to call a meeting or to hold an election for directors.

If the owners of the majority of the shares of the stock of the corporation are opposed to calling a meeting, it is not possible for plaintiff for this court to compel the directors to call it. It would be only necessary, to prevent an election, that the holders of the stock of the corporation should absent themselves. Why go through the formality of calling a meeting when there is no prospect of compelling the attendance of a quorum?

In overruling the demurrer to plaintiff's affidavit, the court is not influenced by the consideration that the directors of the corporation are entitled to cast, at an election, as many votes for one director as there are directors to be elected, and that the directors of the corporation are entitled to call an election without the assent of the stockholders. Upon examination, however, it is found that section 314 was enacted there was no provision for minority representation. Section 307, as it originally stood, provided that "unless otherwise provided by the by-laws a majority of the subscribed capital stock is necessary to a choice."

Section 314 must be construed in the light of the other sections of the code. The reason why, by section 310, the concurrence of the holders of at least one-half of the stock is required for calling an election, evidently was that a call by a less number would not be likely to be obeyed, and that the legislature has undertaken to prescribe what shall be done in the matter of calling a meeting in the event that the directors neglect to call it, and I know of no principle which would justify the court in holding that in such a case the directors of a corporation is regulated by the statute. If the provisions of the code, as they exist at present, are not adequate to remedy the grievance of which plaintiff complains, his remedy in my judgment is not in the courts, but in the legislature.

The writ of peremptory mandate asked for is, therefore, refused. J. M. SEAWELL, Judge.

The official food analyses by the United States Government show the Royal to be a pure cream-of-tartar baking powder, the highest in strength, yielding 100.6 cubic inches of leavening gas per single ounce of powder. There were eight other brands of cream-of-tartar powders tested, and their average strength was less than 111 cubic inches of gas per ounce of powder.

PUPILS TO PARADE. A Yard of the Horace Mann School.

Pursuant to the idea of instructing the school children of this City in military tactics, the pupils of the Horace Mann Grammar School have been in active training for some months past under the instruction of George Meihling of the Olympic Club, and to-morrow they will appear in public for the first time to show the results of their training.

The girls and boys of the two upper classes of the school will take part in the drill, which will be held in the yard of the school on Valencia street in the morning from a little before 9 o'clock until half-past 10. The two companies of girls will be drilled first, in each there will be thirty-two girls in line, with such number of guides and file-closers, and, following them, the two companies of boys will drill. The best girls' company and the best boys' company will then be selected by the judges, and then the winning company of girls will drill against the successful company of boys for the championship of the school.

The school was drilled on once on May 30, and while no particular drill was given the way the girls marched led an impartial observer to believe that they will not easily be beaten by any drilling the boys can do. Both boys and girls seem to be aware of this fact, and some very neat exhibitions in tactics are expected to-morrow in the Horace Mann School yard.

Professor Meihling, in his instructions, has drilled his pupils always in double rank, and with platoons of eight files front, according to the naval shore tactics. He will command the competing companies himself, and the judges will be selected from the officers of the National Guard. The drill will include the facing, the march by platoons and by fours, right front into line from column of fours and platoons, on the right into line from column of fours and the formation of columns of fours and columns of platoons from line. There is a great deal of rivalry between the various grades, and each is prepared to do its best.

SEARCHING FOR HIS CLOTHES. Thomas W. Silvey Arrested for Attempt at Burglary.

During the fire at Sixth and Market streets yesterday morning a young man was discovered by a fireman in one of the rooms. He was asked what he was doing there, and replied that he was looking for his clothes.

The fireman notified Sergeant Christensen and Policeman Castor, who went upstairs and asked the young man his name. He said he lived there, and was looking for a valise. They took him downstairs, and to Fire Marshal Towse he said he lived on Mission street, and while standing on the corner with his trunk and friends a messenger-boy ran out with the key of an alarm box. The boy could not turn in the alarm and he did it for him. Then he crossed the street and went upstairs to see if he could do anything to put out the fire. He was a stranger in the City. In view of his contradictory statements he was looked up. He gave the name of Thomas N. Silvey.

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THE NEW COMMONWEALTH

Laura de Force Gordon Takes an Active Part in Establishing It.

She Believes Co-operation is the Practical Means to Help the Unemployed.

"Yes," said Laura de Force Gordon, the well-known attorney, who has taken a deep interest in the suffrage movement on this coast, "I have taken an interest in the movement to establish the Co-operative Commonwealth in this City, for I believe that it is one of the means for relieving the condition of the unemployed. At a meeting of the Socialistic Labor party last Sunday night I explained the system of co-operation and stated that it was the intention of carrying out the ideas of the promoter on a small scale at first. We will enroll good mechanics and laborers, then we will go to merchants and ask them for such necessities as are required to feed those who are enrolled. We do not ask this as charity, for it is un-American for men who are able and willing to work to live on the bread of charity. We will take the articles we receive, place them to the credit of those who turned them over to us, not as a contribution, but as a loan or advance payment for work to be performed in the future, whenever required. That is, whenever those who have made the advance are in need of competent workmen, we will furnish them an advance for the labor against most of the money employed on them. In that way the members of the Commonwealth will get food and clothes and those who furnish the articles will be paid in labor."

"Those who inaugurated the movement made a mistake in endeavoring to establish it on too large a scale. They rented a hall for the purpose, and the rent was charged \$75 a month, but the finances did not come as was expected, and they were forced to vacate. Now we propose to start on a small scale, and we will endeavor to secure a piece of land near the City, much of which is now idle. On this we intend to raise vegetables, part of which can be sold and part used to feed the laborers; then we will raise wheat to sell, and in time, when we have some of the necessary equipment men of the City and endeavor to have them take an interest in this movement, for I believe that it is a practical one for the relief of the unemployed."

"At the meeting Sunday night I was asked if the establishment of the Commonwealth would not displace a large number of workers in order to give work to those who are now idle. My reply was that the Commonwealth would not displace any workers, but would employ them. I would displace some thousands of Japanese and Chinese who are now usurping the place that people of our own race should fill. Then another asked if such a course would not be cruel, for, considering the question, 'have not these people souls to save?' I replied that I could not deny that these people have souls to save, but that I did not consider it cruel to seek employment for those of our own race, and that these should be given the preference. I said that I did not care for anything but the dollars that can be secured from the whites."

"I believe that this movement, as soon as it is understood, will meet with the endorsement of the laboring people, and it will not be long before the press will be full of it and advocate it. It will be with the press in regard to some years ago. When the idea of ownership of railroads by the people was first advocated it was ridiculed, but now there is hardly a paper that does not endorse that idea. We of the Commonwealth will be patient, and I have great hopes for its success. Saturday I went out and received some help, and this week I hope to do better."

"We have temporary headquarters at the office of the Labor Commissioner at 215 Sansome street," said Miss Swain, the secretary of the Commonwealth, "but in a short time we will have good headquarters of our own. The Commonwealth is not dead, and it is not going to die. At the meeting Sunday night I told them that I had had a letter from a man who could not have his own way were spreading reports that we were dead as a corporation, but I made my little voice heard whether they wanted to hear it or not, and I guess that it will not be long before they are sorry for what they have been saying about us."

In baking powders it is safer to use the Royal only, an article that many years' experience has proved most efficient, and which is especially demonstrated pure and wholesome.

R. F. BUNKER'S WILL. He Leaves His Property to His Wife and Children.

Robert F. Bunker's will was filed for probate yesterday, distributing an estate valued at \$20,000. The will reads: "I, Robert F. Bunker, hereby make this my last will and testament, and revoke all other wills by me heretofore made."

My wife takes, under the statutes, one-half of all my common property. The other half I give to my children share and share alike. I appoint David Farquharson executor of this will without bond.

Witness my hand this 25th day of July, 1889. R. F. BUNKER.

Dear Nellie: It is my last wish that from my life insurance, which all comes to you, you give my dear old mother \$1000.

PAPA BUNKER.

The family is composed of the widow and five children. Mr. Bunker died on the 17th inst. The estate is valued by the petitioner for testamentary letters at \$20,000, of which the property at the California Market represents about \$1000.

Conservative Little Bodies. Are those diminutive organs, the kidneys, which, in spite of their small size, perform in health a most important part of the mechanism of the system. Out of order they breed dangerous trouble. Renew their activity with Hostetter's Stomach Bitters, which prevents the serious and often fatal consequences of their neglect. This sterling medicine, moreover, remedies malarial, neurotic and dyspeptic complaints, and invigorates the whole system.

CABLE-CAR MAIL SERVICE.

Street Railway Lines Will Be Under the Federal Protection.

WHAT ATTORNEY FOOTE SAYS.

United States Troops May Be Called Upon in Case of a Streetcar Strike.

Now that there is a probability of the cable and electric streetcars becoming carriers of the United States mails—an experiment that is being effectively tried in Chicago and St. Louis—a great many persons are interested in the question of Federal jurisdiction that may be extended over these roads in case of strikes.

The Council of Federated Trades in Chicago is struggling with the question now, and the trades unions and laboring men of the coast have commenced to consider it seriously. If streetcars are to carry the mails, then will not the lines be entitled to the same protection vouchsafed by the National Government to the railway lines during the late A. R. U. strike?

"Assuredly they will," said United States District Attorney Foote yesterday, when questioned on the subject. "If streetcars are employed to carry the mails regulations as those governing the steam railway mail-carriers. It will be unlawful then and an offense against the Federal power to obstruct the passage of streetcars carrying mail, or to enter into a conspiracy to that end."

"And in case of strikes on the streetcar lines, will the Federal troops be called out?"

"You mean in case of mob violence or organized or united effort to obstruct the free transportation of mail matter during a strike," said the District Attorney. "The law is not going to do with strikes. As many men as like may quit work, but when force is offered to the movement of mail matter, then the power of the Federal Government steps in to assist in the right."

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NEW TO-DAY—DRY GOODS.

GREAT CUT PRICE SALE

ELEGANT AND FASHIONABLE

DRESS MATERIALS!

As usual we begin the month of June with a GREAT CUT PRICE SALE OF ALL SPRING AND SUMMER GOODS for the purpose of reducing our RESERVE STOCK to the lowest possible limit while the goods are reasonable, and as our stock of SILKS AND DRESS GOODS is particularly extensive, we insure a prompt inspection of the MAGNIFICENT ASSORTMENT OF ELEGANT AND FASHIONABLE FABRICS DISPLAYED by subjecting everything to

Reductions That Will Command the Immediate Attention and Patronage of All Discriminating Buyers!

At 25 Cents. 140 pieces 37-INCH ALL-WOOL ENGLISH NAVAL STORM SERGE will be closed out at 25c a yard.

At 35 Cents. 122 pieces 37-INCH FINE ALL-WOOL SCOTCH CHEVIOT DRESS GOODS, in mixed, striped and swirl effects, extra value for 50c, will be closed out at 35c a yard.

At 35 Cents. 97 pieces 37-INCH ALL-WOOL HEATHER SUITING, in mottled, checks and plaids, fine combination of colors, good value for 50c, will be offered at 35c a yard.

At 50 Cents. 150 pieces 45-INCH SUPERFINE ALL-WOOL ENGLISH DIAGONAL SUITING, new and choice colorings, extra value for 75c, will be offered at 50c a yard.

At 30 Cents. 75 pieces BLACK WATERED MOREEN will be offered at 30c a yard.

At 40 Cents. 62 pieces ALL-WOOL BLACK MOREEN, heavy quality, will be offered at 40c a yard.

ALL-WOOL FRENCH CHALLIES! At 25 Cents.