The San Francisco Call

THURSDAY.....AUGUST 22, 1895

AMUSEMENTS.

BALDWIN THEATER.—"The Bauble Shop."
COLUMBIA THEATER—"A Tragedy Rehearsed," "Nance Oldfield" and "A Man of the World."
MOROSCO'S OPERA-HOUSE—"A Cracker-Jack."
TIVOLI OPERA-HOUSE—"The Royal Middy."
ORPHEUM—High-Class Vaudeville.
MECHANICS' FAIR.—Larkin street, near Market.
STATE BOARD OF TRADE EXHIBIT.—575 Market street, below Second. Open daily. Admission free.
BAY DISTRICT TRACK.—Races.
CALIFORNIA STATE FAIR—Sacramento, September 2 to 14.

PICNICS AND EXCURSIONS.

EL CAMPO—Sunday, August 25—Aquatic Exhibition by South Sea Island Swimmers.

CITY NEWS IN BRIEF.

Joseph Macdonough's estate has been appraised at $1,389,296 38.

The Reliance football team will go East as far as Chicago in October.

The arguments in the Haskins will contest were not concluded yesterday.

The Fruit-growers' Bank of Fullerton, Orange County, has applied for a banking license.

William L. Tomlins, a Chicago musician of note, addressed the City teachers at Golden Gate Hall.

There seems to be no diminution in the numbers which file through the big doors of the Mechanics' Fair.

Attorney-General Fitzgerald has rendered an opinion relative to municipal corporations and the eight-hour law.

The San Francisco Athletic Club gave an exhibition last night, which was witnessed by several hundred people.

Ray H. Sherman, George McMillan and Guy A. Cochran are the captains of the three big football teams this season.

No agreement was reached at the Affiliated Colleges meeting last night in the matter of a selection of a building site.

Frank G. Woodward filed an answer to his wife's divorce complaint yesterday, with counter-charges of cruelty.

Judge Murphy has recovered from his recent illness and will resume his seat on the bench in the Durrant case this morning.

The trial of Ferdinand Ciprico, charged with forging Chinese certificates, will begin in the United States District Court to-day.

Art students are returning from the country and the California School of Design and the Art League have resumed operations.

Monsignor Tosi, S. J., Prefect Apostolic of Alaska, and Father Barnham, S. J., arrived in this City Monday from the Yukon River.

John H. McMurray, Frank Schmidt and Mary Jane Haynes were committed to the asylum yesterday by the Insanity Commissioners.

The Grand Jury sent a communication to Chief Crowley yesterday as to the necessity of having all sidewalk obstructions removed.

J. Harlow, the coast handball champion, and M. J. Kilgallon were defeated by T. F. Bonnet and R. Linehan at the Occidental court last night.

The entries for the pony races at Monterey next week closed with Major Rathbone of the Pony Racing and Steeplechase Association yesterday.

Applicants for work at the State's Free Labor Bureau may now remain near the office in order to fill orders for help as quickly as possible.

The favorites were all beaten at the track yesterday. The winning horses were: Easel, Grady, Sport McAllister, Road Runner and Flirtilla.

The Silver Convention concluded its labors yesterday and adjourned after adopting a plan for immediate county organization throughout the State.

The Southern Pacific Company's new tariff on oats from Oregon to points around the bay went into effect yesterday. It reduced the rate from $6 to $3 a ton.

The Half-million Club has declined to stand the expense of the illustrated lectures that the Board of Trade proposed should be given at the Atlanta Exposition.

The amount of money so far collected for sending a California exhibit to the Atlanta Exposition is much smaller than it was expected it would be.

Dr. Titus, superintendent of the City and County Hospital, submitted a redhot report to the Board of Health yesterday. Several official heads were lopped off by that body.

Miss Loduska J. Wirick, a returned missionary; T. Kawaii, a Japanese student, and Rev. Jea Hawk, a Chinese missionary, addressed the Woman's Christian Temperance Union.

Frank Sullivan, a bookkeeper for Le Count Brothers, lost his left arm yesterday in a collision between his buggy and a Southern Pacific train at Harrison and Twenty-first streets.

There will be a meeting at the Socialist Temple on Turk street on Sunday evening, the 1st prox., to protest against the celebration of the twenty-fifth anniversary of the battle of Sedan.

C. Carrasco, an agent, was arrested last evening by Officer G. P. Chace for selling lottery tickets. Thirteen "Little Beneficencia Lottery" tickets were found upon him and will be used as evidence.

Chairman Ferguson yesterday notified the mass-meeting committees of their appointment, and also forwarded General Graham the resolutions referring to the inscription on the Presidio monument.

Forecast official W. H. Hammon predicts fair weather for to-day, with nearly stationary temperature, brisk westerly winds becoming high in the afternoon, and a dense fog at night may be expected.

The Richmond District is infested with a band of thieves whose nightly depredations are becoming tiresome to the residents. An effort will be made to provide the district with better police protection.

Father Barnham, an Alaskan missionary, says that English engineers are surveying a new boundary between Alaska and Canada that will cut off Glacier Bay and magnificent harbors from the American territory.

James Cummings, a boy employed in the Nevada stables, was thrown from a horse at Third and Market streets yesterday morning and fell in front of an electric car. He escaped with bruises on his head and shoulders.

The alarm from box 75 at 12:50 A. M. yesterday was for a fire at 9 Leavenworth street, in the dwelling-house owned by John Cosgrove and occupied by J. Marks. Old mattresses in the basement took fire. The loss was about $100.

Ex-Judge Van R. Paterson filed a brief yesterday, replying to Attorney Lloyd in relation to the guardianship of Herman Oelrichs Jr. He declares that if the famous "pencil will" is not a forgery, Senator Fair was insane when he wrote it.

South-of-the-park residents and Ashbury Heights home-builders denounce the Market-street combine for withdrawing the Metropolitan cars from Clayton, Waller, Cole and Carl streets. They appointed a committee to wait upon Messrs. Huntington and Vining.

Furniture in the house of F. W. Gross, 1012 York street, was removed while under attachment and the Deputy Sheriff's back was turned ten days ago. After eight days' search by the Sheriff's entire force of men, assisted by the police, it was recovered on Harrison street.

The United States Consul at Warsaw has written to Chief of Police Crowley with the view of securing for four relatives of the late Bernard Schwartz, who live in Russia, about $400 bequeathed them and now in the possession of Schwartz's two sisters in San Francisco.

Land Agent Mills of the Southern Pacific answers John M. Wright's communication, but in a very diplomatic manner. He says the railroad company is ready to appoint an expert to act in conjunction with one of the Miners' Association, but suggests that their conclusions be accepted as final and that the legal fight be dropped.

Secretary Frank Kane of the Pacific Coast Society for the Suppression of Vice and Officer Coleman are continuing their anti-cigarette crusade. Last night they arrested eleven cigar-dealers for selling cigarettes to a minor. Their names are: Alex Blakeley, Henry Amme, H. O'Donnell, Sam Dannenbaum, Owen McArdle, Andrew Berg, Mark Litas, Ed Williams, C. Bowen, Charles Lenhart and Julius Koppel. Each put up $10 cash bail.

Henry L. Emory, a clerk, was arrested yesterday on the charge of forgery. When taken to the City Prison it was evident that he was suffering from delirium tremens, and he was sent to the Receiving Hospital till he recovers. He is charged with passing a forged check for $20 and another for $15, both purporting to be signed by Alexander Center on Charles Montgomery of the Brooklyn Hotel.

Baker C. W. Elfving has won his suit against Fred Wittram for $43 65, on account of bread furnished the Wittram family for eighteen months. The case was a hard-fought one before Justice of the Peace Groezinger. Mrs. Wittram is said to be very well-to-do, but she refused to pay the bill, saying she knew nothing about it. Effort was made to saddle everything on the husband. Elfving would not have it that way, because, as he claimed, Wittram was execution proof. The judgment, costs and fees have run up the bill for bread to nearly $70.

ALONG THE WATER FRONT.

Colonel Spalding Arrives From Honolulu En Route to Washington.

A CABLE TO THE ISLANDS.

Mysterious Suicide—Bunko Men Bound for Petaluma—The Bark Discovery.

The Oceanic steamship Australia arrived yesterday, six days and eighteen hours from Honolulu. The following is the list of cabin passengers: A. E. Alexander, J. Ancker, R. B. Brenham, J. W. Bergstrom, Dan G. Beebe, V. Boyer, Mrs. Bruguiere, J. M. Chase, J. A. Desimone, Mrs. E. Forsythe, Mrs. E. S. Goodhue and child, C. F. Horner and wife, Miss B. Hopper, S. N. Hundley and daughter, B. E. Howard, wife and child, Mrs. Hassen and child, Mr. Jones, Judge Kelley and wife, Miss Kelley, J. P. Lytton, W. J. Lowrie, C. B. McVay, Colonel Sam Norris, J. A. Palmer and wife, C. L. I. Pokrantz, wife and child, H. Pohlmann, Mrs. H. H. Renton, D. B. Smith, Colonel Z. S. Spalding, I. M. Scott Jr., B. F. Thurston, J. G. Vorstman, E. M. Walsh, wife and two children, Paul Waterman.

Colonel Z. S. Spalding, one of the passengers by the Australia, is on his way to Washington to lay the matter of a cable between Honlolulu and San Francisco before the next Congress. On the 12th inst. President Dole laid before both houses of the Hawaiian Legislature a contract made with Colonel Spalding to grant a subsidy and exclusive franchise in return for the laying of the cable. The matter went over till the Chamber of Commerce could be heard. Several members of the chamber objected to an exclusive franchise, and spoke strongly against it, but a small majority were in favor of the cable, holding that the Government must agree to those conditions if the line was laid.

The next day the Legislature ratified the contract after a spirited opposition on the part of those who thought the concessions too strong. The annual subsidy was fixed at $40,000. The franchise is for a period of twenty years, but the grant shall not prevent any foreign Government having existing treaty rights with the Hawaiian republic from landing a cable upon the islands from any point on the North American continent. The twenty years' subsidy of $40,000 is to begin from the date of telegraphic communication between Honolulu and a point at or near San Francisco and the islands of Hawaii, Molokai, Maui and Kauai, and the money to be paid in quarterly installments of $10,000 each. Colonel Spalding will make a proposition to the next Congress asking for an annual subsidy from the United States Government of $250,000.

The work on the cable must begin by May 1, 1897, and be completed by November 1, 1898, or the contract will be void. If Spalding fails to get assistance from the United States the Hawaiian Government may cancel the contract. The cable company will be exempt from port charges, taxes and duty upon material, in addition to other important privileges.

The telegraphic rates on other than Government messages will not exceed $1 per word. The cable will run along the route surveyed by Captain Tanner of the United States steamer Albatross several years ago and will land at Monterey here and at Waikiki Beach, near Honolulu.

Among many of the prominent commercial men of the islands the idea prevails that the cable matter was hurried through with undue haste and that the concessions made by the Hawaiian Government should have been more moderate.

The Australia brings the news that the British Minister, Hatch, has communicated the fact that his Government considers the proceedings of the Military Commission as lawful and that that body was a valid tribunal and fully within the powers of the Hawaiian Government. The Minister also states that his Government holds that the evidence upon which the commission convicted Colonel V. V. Ashford was insufficient and requests that the sentence be canceled. Ashford was pardoned upon conditions most severe and sent out of the country some time ago in ill health. The British Government declines to interfere in behalf of Johnston, the ex-secret service man exiled with Cranston.

The watchman on the ship Queen Margaret, lying at Harrison-street wharf, reports that at 6 o'clock yesterday morning a man sprang from the deck of the vessel into the bay. He was a stranger, dressed like a sailor, and sank instantly upon striking the water. It is not known who he was.

The old bark Discovery, which has been laid up in Oakland Creek for two years, has been docked at Spear street, where she will be repaired for the coast trade.

MIDNIGHT MARAUDERS.

Petty Thieves Infest the Richmond District—Residents Demand Greater Police Protection.

During the last six months Richmond has been infested with what appears to be an organized band of thieves, who nightly make their appearance in some part of the district. Hitherto they have been content to confine their operations to the fowl-yard and such movable articles as were within easy reach. Recently, however, another class of night marauder has come to the front and is decidedly dangerous if reports be true.

A few nights ago M. J. Kelly, who lives on Tenth avenue, near Point Lobos, was awakened by the continued ringing of the electric doorbell. He started downstairs to answer the summons, when Mrs. Kelly suggested that he first look at the time. It was exactly 3 A. M., and then, instead of going downstairs, he raised a window and asked what was wanted.

"Come down here, Joe. I want to see you," was the reply. Mr. Kelly volunteered the information that his name was not Joe, and advised the unseen speaker to move on. Just then he heard another voice, and later a dull thud, as if something had fallen. The next morning a brick was found near the front door, evidently the weapon to be used on Mr. Kelly had he been incautious enough to make his appearance. In addition to this the key to the flat below was hanging in the socket, showing that the visitors had made an effort to open the door by means of a skeleton key. Fortunately there was a bolt on the inside.

THE HALF-MILLION CLUB.

It Will Not Shoulder the Illustrated Lectures at Atlanta.

At a meeting of the executive committee of the Half-million Club yesterday a letter was read from Secretary Filcher of the State Board of Trade stating that the fund for sending the California exhibit to the Atlanta Exposition was not so large as anticipated. While it was the intention of the board to pay for the expenses of the illustrated lectures at the exposition, the shortage mentioned would make it necessary for the Half-million Club to carry this feature upon its own shoulders.

David Rich stated that while he would like to have the State advertised by illustrated lectures, he did not believe in the club going outside of its plans and aims to advance money for this purpose when its funds were needed for so many things nearer home.

H. P. Sonntag would not agree to draw money from the treasury for such a purpose. After a little further discussion, the matter was dropped without further action being taken, but the sentiment was against shouldering the undertaking.

Mrs. Touchard requested the indorsement of the club for the "California dinner" to be held at the California Hotel and to be entirely of California products, but no action was taken in the matter.

Several weeks ago a committee from the Los Angeles Oil Exchange desired the Half-Million Club to interest itself and induce capitalists to undertake the shipment of oil to this City for fuel. Yesterday notice was received that such a company had been organized and thanking the club for what it has done.

WHY FOUR MEN DIED.

There Was a Jury Verdict for Each Departed One Within an Hour and a Half.

The Coroner, his deputies and four different juries made double-quick time yesterday forenoon in officially and legally declaring the facts and whys of four deaths in San Francisco. There was a mortuary accumulation consisting of three suicides and the accidental death of a man who fell off a balcony. The first inquest began at 9:10 o'clock and the fourth at 10:15 A. M.

It took but a few minutes to discover a suicide in the case of Goo Gee Yuck, a laundryman at 1018 Stockton street, who, discovering that he had the curse of leprosy, kept out of the way of health officials and killed himself August 4 by cutting his throat with a sharp razor.

Then there was the case of John Coughlan, the private in the United States army. He was born in Ireland forty-five years ago, fought the Indians in Arizona awhile, and when all that was over he settled down to hum-drum post life at the Presidio. Not long ago he was given five days in the guardhouse.

On the 16th inst. Coughlin was found dead at 5 A. M., self-hanged by strips of blanket. He was buried in the Presidio cemetery the other day, and yesterday the case was ended by a verdict of "suicide."

There was the same brief verdict in the case of Jean Marie Frank Dufresne, the old frog-catcher of 736 Pacific avenue, but the inquest did not bring out any reason why he jumped in the bay at some unknown place. His body was found in the water August 15, at the foot of King street, and it was the opinion of the jury that he committed suicide. One witness told a story to the effect that a man was killed mysteriously years ago where the deceased was in the habit of catching frogs and that the matter preyed on the frog-catcher's mind, but that theory seemed far-fetched and not much account was taken of the story.

The jury's verdict on the case of Thomas Sanford, who fell from a balcony at 26 Eleventh street, where he was working on August 14, was accidental death.

HOME-MADE ARCHITECTS.

The New Classes Organized at the Mark Hopkins Institute.

All the Departments of the Art to Be Taught at Nominal Cost.

The popular idea of fostering home industries has broken out in a new spot. This time it is California's architects who are to be encouraged.

Arrangements have now been made for the establishment of a practically free architectural school at the Mark Hopkins Institute. For a long time the Society of Architects has been trying to bring about such a conclusion. At one time it inaugurated a school of its own, and afterward endeavored to unite it to Palo Alto University. The effort failed, however, and the society's desire to benefit its craft has only just been realized.

The whole architectural school will be under the direction of Professor B. R. Maybeck of the University of California. A class in free-hand drawing has been organized under H. T. Bestor, the veteran editor; another in architectural history under G. H. Sanders of Wright & Sanders; while still another is expected to be organized by G. W. Percy of Percy & Hamilton on "construction."

Three large rooms on the top floor of the institute have been set apart for the "home manufacture of architects," and three nights a week—Monday, Wednesday and Friday—they are sought by eager students who have supplied the necessary fittings. The institute has reduced its membership fee to 50 cents and another 50 cents a month covers incidental expenses. The teachers give their services free, out of the warmth of their goodwill to the students.

As yet the new woman has not appeared in the new architectural classes, the names at present enrolled being those of Messrs. S. A. Copper, H. A. Boese, F. D. Boese, Harry Blohme, Francis Dunn, W. F. Miller, E. L. Voy, James Russell, Mark Manning, George Drallard, J. Cahen, Albert Cahen, Alice D. Craig, A. L. Jenkins. These are in Mr. Bestor's class and are given the benefit of original and comprehensive methods in pencil-and-ink work.

The proposed course will extend over three or four years.

THREE NATIONS REPRESENTED.

Miss Wirick, T. Kawai and Rev. Jeu Hawk Gave Addresses.

Three nations were represented at a special meeting of the Woman's Christian Temperance Union, held at the headquarters at 132 McAllister street yesterday afternoon.

Miss Loduska J. Wirick, a missionary who has spent five years at Tokio and who is returning to her home at Tipton, Iowa, to regain her health and strength, which have been much impaired by her devotion to her work, was present by invitation. The young lady was sent to her field of labor by the Christian church of Des Moines, Iowa. Accompanying her is T. Kawai, a young Japanese who will enter Drake University at Des Moines as a theological student.

Rev. Jeu Hawk, a Chinese missionary who is laboring under the auspices of the Woman's Board of Missions of the Christian church at Portland, Or., was the third of the interesting group of speakers.

Mrs. H. H. Luce presided, and after the more formal addresses there was a half hour of queries and answers.

Miss Wirick described the methods of missionary work in Japan, and dwelt more especially upon the general use of sahki, or liquor. The liquor is not so strong as the American product, and a man who is intoxicated is a rare sight in Japan. She said the temperance literature sent by the union to missionaries in the Flowery Kingdom is productive of much good. She described the earnest labors and sad death of the noted temperance worker Mary Allen West.

T. Kawai gave a short address on the education of Japanese women, which was interpreted by Miss Wirick.

Rev. Jeu Hawk said he wished the union godspeed, and believed that only through its instrumentality would a death-blow be dealt the liquor traffic.

Smuggled Silk Seized.

One of the little schemes by which Uncle Sam is constantly cheated of his revenue at every port in the United States was discovered day before yesterday by Customs Inspector McLean when the Pacific Mail steamer City of Panama docked. Several bolts of valuable silk were found in a trunk belonging to two Chinese members of the crew and were confiscated. No prosecution will follow. The loss of the silk is a considerable penalty and the Government will be ahead by avoiding the cost of prosecution.

MR. MILLS' DIPLOMACY.

How He Would Like the Mineral Lands Controversy Settled.

A VERY SUGGESTIVE LETTER.

Naively Proposes That the Miners' Association Drop the Legal Fight.

Land Agent W. H. Mills of the Southern Pacific has answered the communication of John M. Wright of the Miners' Association in his characteristic manner.

It is a lengthy document which Mr. Mills has indulged in, and recalls the Talleyrand idea that "language was made to conceal thought." Mr. Mills does a great deal of concealing.

He also does a great deal of suggesting. It is a sort of diplomatic move on the part of the railroad company—an attempt to "feel" the intentions of the association and to draw them out.

Summed up it amounts to simply this: The Southern Pacific is ready to appoint an expert to act jointly with a like expert of the association, provided the decision they reach on the character of lands, whether mineral or agricultural, is to be accepted as final; and provided further, the legal fight through the Department of the Interior is abandoned. The two closing paragraphs of Mr. Mills' answer are the ones worth reading to properly understand the Southern Pacific's position.

Mr. Mills in the body of his letter also insinuates that the affiants, whose affidavits have been taken to support the contentions of the association, have been "trifling with the gravity of an oath," and the tactics of Attorney Ricketts are sweepingly pronounced by him a policy of mere obstruction.

The members of the Miners' Association who are lawyers, namely, Messrs. Wright and Ricketts, are very cautious about commenting upon Mr. Mills' letter, particularly Mr. Wright, who took a determined stand yesterday afternoon after receiving Mr. Mills' communication, to "make no comments whatever." Secretary Ralston, being a Knight Templar, has gone on to Boston. Other members think it is easy to see through the scheme of the Southern Pacific to any one who can read between the lines, the scheme being, they say, to wit: The appointment of the joint expert commission with its correlative of the abandonment of the legal fight through the Law Department, the Interior Department and the courts, and the possible logical result that the railroad will try to control the said joint commission. At the outset the Southern Pacific, through Mr. Mills, offered to provide free transportation.

A meeting of the committee of five of the Miners' Association, viz.: A. H. Ricketts, E. C. Loftus, C. F. Hoffman, Charles G. Yale and John M. Wright—President J. H. Neff acting with them—will be called by Chairman Ricketts at as early a date as the members can all be brought together, he says, to take up and consider Mr. Mills' communication. Following is his letter to Mr. Wright:

Dear Sir: I have before me your esteemed favor of August 20, and have noted its contents with care. The act granting lands in aid of the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean excepted from its operation mineral lands. A like exception also relates to the grant to the California and Oregon Railroad Company and to the Oregon and California Railroad Company, which have their termini at Roseville in California and Portland in Oregon.

The rules of practice by which evidence is adduced in reaching a determination by the land officers of the Government as to whether the lands are non-mineral and therefore granted, or as to whether they are mineral and therefore within the exception to the grant, have been exceedingly onerous to the railroad company. These rules are portable in their nature, being formulated and issued by authority of the Department of the Interior. Each new administration finds it necessary to revise and change these rules, and each succeeding change has added something in the way of more onerous conditions. Beyond this, the ordinary methods which have been employed in the determination of these questions have been slow and tedious, as well as expensive to both sides of the contest.

It has appeared to me—and I expressed this view to Mr. Crawford, State Mineralogist—that it is highly desirable that the parties to this contest should promote a more expeditious settlement of the matters in controversy, relating to the mineral or non-mineral character of the land, by some concurrent action. It may not be practicable for the representatives of the railroad and the miners interested in the determination of this question to secure change or modification of the rules established by the land officers of the Government. These rules appear to have been established with reference to the full and complete protection of the rights of the Government of the United States. But in this case, as in all cases before judicial and quasi-judicial tribunals, the stipulations and agreements of the parties to the contest may promote expedition and very greatly mitigate the cost.

In view of these considerations it seems to be desirable that the question as to whether any particular piece of land within the limits of the grant is non-mineral and therefore granted or is mineral in its character and therefore excepted from the operation of the grant, should find speedy determination and at the minimum of cost to the railroads and those who contend for the mineral character of the lands. The final determination of all questions affecting title to land and the repose of titles is promotive of the settlement and growth of a country.

It is now thirty-two years since the date of the first granting act. But the features of the controversy to-day present the same aspect of thirty years ago. The obscurity of proof is in a measure responsible for this obstruction and delay.

It has appeared to me that by concurrent action of the parties to this contest, a preliminary examination by experts was practicable. I have, therefore, looked with satisfaction upon the formation of an association representing the mining interests of the State who might act as parties of the other part in securing a speedy adjustment and settlement of these questions. The suggestion outlined in your letter appears to be feasible. An expert appointed by each party to the contest may make an examination of lands to which allegations of mineral may have attached, or which by their contiguity to known mines possess presumptive evidence of mineral character, the concurrent report of experts representing contending interests to be made the basis of adjustment in any trial had before the land officers of the Government authorized to hear and determine questions of this nature.

The railroad companies therefore are willing to select an expert to act with a like expert to be selected by the representatives of the mining interests, and will cheerfully abide by the joint conclusions of the parties after due examination of the physical condition of the land has been completed. This examination could relate to such land as might be agreed upon as possessing presumptively mineral character and would relate to such listings of land as are made in odd numbered sections within the known mineral regions of the grant.

It is, or at least should be, well known to you as representatives of the mining interests of the State that the Central Pacific Railroad Company has pursued the most considerate and liberal policy. It has stood ready at all times to relinquish its claim to any known and operated mine within the limits of the grant, and it has in fact made relinquishments of this character in many instances.

In most cases the exploration of the land by prospectors has furnished most indubitable proof of its non-mineral character. The company has been the victim of fraud on the part of those who have sought to acquire title to timber land by fraudulent allegation of the mineral character of such land. The reasonable and equitable settlement of these questions has also been further obstructed by the filing of affidavits on the part of those willing to trifle with the gravity of an oath, alleging the mineral character of extensive regions of which they could have no personal detailed knowledge. Nothing has been accomplished by these obstructive measures except delay. The physical condition of the land with reference to its mineral or non-mineral character is a question capable of ultimate ascertainment. Ultimately, therefore, the question is susceptible of determination by the methods in vogue; but, as already indicated, they are uselessly expensive and entail delay.

If the basis of the adjustment now proposed will promote a speedy and ultimate settlement of the questions involved it is highly desirable both from a public and private standpoint. I have the honor, therefore, to concur in the proposition that the representatives of the mining interests appoint a reputable mining engineer to act with a like expert of like reputable character to be appointed by the railroad company to make examination of lists of lands selected from the odd-numbered sections within the limits of the grant and in all portions of the grant where mineral allegation may be fairly made; and that the parties to this method of arbitration be bound by the joint report of the examiners.

On its part the railroad company will accept as conclusive the testimony as to the mineral character of any land jointly certified by these representatives of the parties to the contest.

In entering upon this new system of adjustment it becomes necessary—first, that both parties shall be able to bind their representatives. On its behalf the association from which this proposition emanates should be able to bind the mining interests of the State and should give ample assurance and sufficient guarantee that it does in fact represent the mining side of the controversy; and that after the close of the examination whatever is determined shall be regarded as the legal basis of a final adjustment. The chief value of this plan will reside in the fact that what is determined by it shall remain undisturbed. It would be useless to enter upon an exhaustive and expensive investigation of the character proposed unless both parties act in good faith and are irrevocably committed to abide by the legal force of the testimony adduced.

In the next place, if this more amicable method is to be the procedure of the future, all other methods should now be abandoned. Obstructive affidavits relating to large sections of land should be withdrawn, and the new method of ascertainment as to the physical condition of lands prima facie granted to the railroad company should be entered upon in good faith as the beginning of a new and broader policy.

Thanking you for the very amicable terms in which your communication is couched, and expressing the hope that the opinion we now entertain of the value of this new procedure will not be disappointed, I beg to remain, your obedient servant, WILLIAM H. MILLS.

After he had read the product of Mr. Mills' mind, Attorney Ricketts said:

"I am agreeable to the idea of having a joint expert commission appointed to ascertain the character of the lands, but that is about all I can say until I study Mr. Mills' letter a little more carefully. I could not just now go into details.

"As to his suggestion that the legal contest we have started be dropped, I must say this: My clients will not be inveigled into any forfeiture of what legal rights may have accrued to them, if I, as their attorney, can prevent it. I have a duty to perform for Messrs. Benjamin and Ralston personally, whatever may be the desire and conclusion of the Miners' Association, and I am bound to that duty by the well-known spirit and ethics of my profession. As the attorney for my clients I shall not consent, therefore, to the abandonment of the legal proceedings we have begun, and I oppose any such abandonment, if it be proposed, as chairman of the mineral lands committee and as a member of the association. Of course, so far as the association itself is concerned, I must be governed by its action as such member, but as its attorney I have an interest at stake. My reputation as a lawyer and the honor of my profession are involved now that the fight has been begun.

"Understand me, though, as favoring, as a member, any amicable arrangement which will operate justly to the Miners' Association."

AT THE CITY THEATERS.

John Drew at the Baldwin and Dixey at the Columbia.

Good Audiences at the Tivoli, the Orpheum and the Opera-House.

John Drew is playing to excellent audiences at the Baldwin Theater this week. "The Bauble Shop" is an English up-to-date play with drawing power in the United States. It scored a decided success in New York and promises to repeat the achievement in San Francisco. The first matinee of the John Drew season will be given on Saturday afternoon.

After the performance on Saturday evening "The Bauble Shop" will be taken off as announced and on Monday night, August 26, San Francisco will have a chance of witnessing for the first time Henry Guy Carleton's latest work, which has the peculiar title of "That Imprudent Young Couple." The first act is laid at fashionable Tuxedo, and in contrast to this the second act takes the players to a modest little cottage in Harlem, where the hero, Mr. Drew, and his stage wife, Miss Adams, are trying hard to live on eighteen hundred a year. The play is essentially American, having been written by an American playwright, who laid his scenes in the United States.

The Conried German Comedy Company will produce their fifth novelty next Sunday night at the Baldwin Theater, entitled "Ohne Gelaeut" (without bells). It is from the pen of Fedor von Zobeltitz, a well-known writer of novels. It is a play of unusual strength. The subject in its treatment and intention is far beyond the ordinary inquest over a social problem. The sale of seats opens to-day.

Columbia Theater.

Dixey, Rose Coghlan, Maurice Barrymore and Stockwell are having big audiences at the Columbia. Three plays in one evening seem to meet popular favor, and the audiences sigh for more of Dixey, for he is an artist with the quality to evoke merriment of the real innocent kind. His Svengali makeup is like a sketch from the original Trilby in Harper's. "A Man of the World," "A Tragedy Rehearsal" and "Nance Oldfield" will be presented throughout the week.

The Tivoli Opera-House.

The "Royal Middy" is still on deck at the Tivoli, and brings to the house lovers of music who do not hesitate to express their delight. The "Black Hussar" is the next attraction.

The Orpheum.

The Orpheum Music Hall people present their usual allurements, and minister to the pleasure of many amusement lovers.

Grand Opera-House.

The players at Morosco's Grand Opera-house have their patrons, and their name is legion, for the Morosco people have the happy knack of presenting dramas that thrill in a scenic style that enchants. The comedy-drama "Crackerjack" is the reigning attraction at the opera-house this week.

CROWDS AT THE FAIR.

There Seems to Be No Decrease in the Number of Visitors Who Pass In.

As the days pass they see no diminution in the attendance at the Mechanics' Fair. In fact, the number which enters by the big doors on Larkin street seems to be increasing. So far no particular spot has been singled out for the crowds to linger around—everything is too new as yet—but the crowds which wander back and forth through the art gallery seem to point to that as the popular resort, as it has been nearly every year.

Machinery hall has its devotees also, and the faces of habitual fair-goers are beginning to be familiar to the attendants there. Out in the main hall the clusters of people around the bicycle exhibits tell of the growing popularity of the wheeling instinct, and the struggling masses of men, women and children gathered around whenever anything is given away tell of another trait of the up to date San Franciscan.

The programme for this afternoon is as follows:

March, "Triumph".....Westmeyer
Overture, "The Daughter of the Regiment".....Donizetti
Waltz, "The Wave".....Metra
Grand selection, "Robert le Diable".....Meyerbeer
Fantasia, "Lohengrin".....Wagner
Overture, "Night Camp in Granada".....Kreutzer
Waltz, "Dream".....Milloecker
Grand fantasia, "Huguenots".....Meyerbeer
"Evening Song".....Herfurth
Galop, "Turque".....Polac Daniels

THE HASKINS ARGUMENTS.

An Entire Day Devoted to Debating in the Will Contest.

GOING TO THE JURY TO-DAY.

The Contestants Declare That They Do Not Charge Mrs. Haskins With Forgery.

There have been four attorneys actively engaged in the contest of the James S. Haskins will, and each of these had so much talking to do yesterday that the case has not been finished. Ex-Senator Tirey L. Ford will conclude the arguments this forenoon.

The courtroom was occupied yesterday by a greater crowd than at any of the preceding sessions. People seemed to want oratory, and oratory was to be had. The friends of Mrs. Haskins formed a throng that as a lobby would have carried a Legislature. Many attorneys, some of them interested in the Fair litigation, remained most of the day.

Mrs. Haskins, a pleasant-faced, benevolent-looking woman, whose almost snowy hair formed a sharp contrast to her black crape costume, was visibly affected at the references to her thirty-two years of companionship with Mr. Haskins. She would have broken down at times but for the constant attention bestowed upon her by Margaret Craven, the beautiful young actress, who has remained at her side throughout the long trial.

Miss Craven had promised Manager Stockwell that she would devote the day in court to studying up her part in "Masks and Faces," which is to be presented at the Columbia Theater next week. She had her book there, but she was too faithful to Mrs. Haskins to think of the lines she has to learn.

The opening argument for the contestants was made by William M. Abbott, the eloquent young attorney associated with Mr. Ford.

"I wish to refute a statement that has been made in this case," Mr. Abbott began. "It has been said, and it seems to be the common opinion, that we charge Mrs. Haskins with forging this will. We do not charge that. We have no charge to make against this lady, and we have made none. All that we have attempted to determine is whether the disputed will was actually written by James S. Haskins."

Then the attorney went over the story of the early life of James and William Haskins, the brothers who came from England and located in this State. He sought to show that the interest of one for the other would have induced James to bequeath a portion of his property to William. He concluded a two hours' discourse with an argument on the Haskins handwriting.

George T. Wright, one of the attorneys for Mrs. Haskins, in arguing on the handwriting, declared that the contestants had not produced any evidence at all to support their allegations. They had not even cast any doubt upon the genuineness of the will, he said, and that made no attempt whatever to break down the conclusive evidence of the defense.

"Mrs. Haskins," he continued, "had no motive to forge a will. The property is nearly all hers by law, and not more than $3000 could have been involved in any claim of the other relatives. Mrs. Haskins is not a woman to forge a will. She has a little while yet to live, but she expects that in a few years at the most she will go to meet the husband with whom she has lived on earth for thirty-two years, the best part of her life. Would she go to meet the man that she loved, and stand before the pearly gates branded as a forger and a felon?"

Mr. Wright made the principal review of the case for the defense and Attorney Deuprey devoted his eloquence particularly to a scorching arraignment of the nephews and their main witness, Mr. Heintzer of Forest City, for the charges they made against the widow. Witness Heintzer was unmercifully handled for the declarations that he made in relation to Mr. and Mrs. Haskins, at whose house he had often been a guest, and Deuprey charged him with being inspired by a desire to assist the nephews, with whom he does business.

Ex-Senator Ford began a strong address late in the afternoon, and he will again take up the argument at 10 o'clock to-day.

WESTERN PRESS CONGRESS.

An Invitation Extended Newspaper Men to Visit Salt Lake Next Week.

The Utah Press Association has invited the editors of the Western States to Salt Lake for the purpose of holding an editorial convention to consider the advisability of organizing a federation of the press association of the States between the Missouri River and the Pacific Coast.

The convention will be held on August 27 and 28. In connection with this convention it has been decided to combine pleasure with business by so arranging affairs that a grand excursion for visiting editors would be organized, with Denver as a gathering point for the editors who would arrive in Salt Lake City over the Rio Grande Western, and Ogden for those who would enter the northern gates of the city via the Union Pacific and the Southern Pacific roads.

The visitors will be shown the great Salt Lake and also taken to Park City to see the great Ontario silver mine. There will be a banquet and ball given over the waters of the great inland sea in the largest bathing resort pavilion in the world. A grand complimentary concert will be tendered the visitors in the great Mormon Tabernacle, with the famous choir of 300 voices on the programme, and other social and fraternal amenities will be extended.

AT THE LABOR BUREAU.

Applicants for Work May Remain in the Building.

The State's Free Labor Bureau is doing a remarkably brisk business, and every day new orders are being received for help. While there are still many unemployed registering for places the rush in this direction has subsided somewhat. This is giving the deputies a chance to catch up with their work and more time to look into the requirements of employers and those who want work. At the first of the rush the order was made that as soon as applicants were registered they remain away from the office at 215 Sansome street until sent for. This was to prevent a large number of people from congregating in the building and on the street. This rule has been abolished, and Mr. Fitzgerald states that now those who wish work will stand a better chance of getting places by remaining around the office, so as to be ready when orders for help are received.

"FROM THE LOWEST LEVEL."

A STORY OF MINING LIFE IN CALIFORNIA.

BY THE REV. J. H. WYTHE JR.

THE CALL has secured the right to publish this charming story in serial form, and the first part appeared Saturday, Aug. 11. Readers of THE CALL declare the story to be one of unusual interest. The next installment will be printed next Saturday, Aug. 24. It is customary to publish such contributions in the Sunday edition of THE CALL, but the author has conscientious scruples against having any of his productions published in the Sunday edition of any paper and in deference to his convictions THE CALL has agreed to print this story in the Saturday issues only.

THE CALL devotes a great deal of attention to excellent articles on Western Themes by Western men and Western women.

NEW TO-DAY—AMUSEMENTS.

BALDWIN THEATRE. AL HAYMAN AND CO. INCORP'D PROPS.

MR. JOHN DREW!

ONLY FOUR MORE PERFORMANCES OF "THE BAUBLE SHOP."

SEAT SALE TO-DAY FOR THAT IMPRUDENT YOUNG COUPLE

Second Week—"That Imprudent Young Couple."
Third Week—"The Masked Ball," "The Butterflies."

Columbia Theatre.
FRIEDLANDER, GOTTLOB & CO. LESSEES AND MANAGERS.
AND STILL THEY COME.
NOTHING BUT CROWDS.
NOTHING BUT STANDING ROOM.
The Stockwell Season—Great Star Cast!
HENRY E. DIXEY.
MAURICE BARRYMORE.
L. R. STOCKWELL.
WILLIAM G. BEACH and
MISS ROSE COGHLAN.
THREE DELIGHTFUL PLAYS:
"A Tragedy Rehearsed,"
"Nance Oldfield"
....AND....
"A Man of the World."

TIVOLI OPERA-HOUSE
MRS. ERNESTINE KRELING Proprietor & Manager
LAST NIGHTS
Of the Artistic Rendition of
"THE ROYAL MIDDY"
—NEXT WEEK—