

JOHN S. HITTELL'S BOOK

"The Mental Growth of Mankind" Disturbs a New York Critic.

JUST A QUESTION OF WISDOM.

The Gothamite Suggests That the Californian Had Better Enlighten Himself.

Some very severe things concerning John S. Hittell's ability as a historian and critic...

When his attention was called during the past week to this chastening Mr. Hittell was disposed to meet the charges with unflinching dignity.

The Critic man starts out thus: In undertaking to prepare a history of the mental development of the human race...

Here Mr. Hittell meets the reviewer half way and admits that the book covers a field entirely untraversed before.

The reviewer continues: Of the four volumes the first treats of savagery, chiefly in the phases of industry, social life, intellectual life, polity, military system and religion.

The value of a work of this kind is determined by four conditions—the author's mastery of the sources of information, his critical judgment in the use of materials, his accuracy in the statement of facts and his power of generalization.

Although the book has now been published over two years the author has seen few unfavorable notices of it, and he is at considerable loss to figure out the motive that has inspired the New York reviewer.

AN AGED PAUPER HEIR.

James McCollum, an Irish Alms-house, Claims Half of Mrs. Gallagher's Big Estate.

James McCollum, an inmate of the almshouse at Letter, Keno, Dorogal County, Ireland, 95 years old, wants half of the \$147,000 estate which his sister, Mrs. Ellen Gallagher, gave to religion and charity.

Peter Collins, one of the nephews of Mrs. Gallagher, filed a petition in the Superior Court yesterday asking to be appointed guardian of his uncle, James McCollum, and setting forth the latter's claim to half of the estate.

The contesting relatives, besides Mr. McCollum and Mr. Collins, are Margaret Dowds, Rosanna Murdock and Hannah Kelly, nieces, and James Collins, a nephew.

Wants the National Convention. The Central Republican Club of the Thirty-ninth Assembly District held its monthly meeting Tuesday evening, October 1, at Saratoga Hall, 514 Geary street.

Wonderful Animals. Professor Genry's famous dog and pony show is to appear in the City under canvas at the corner of Seventh and Mission streets.

and not a religious teacher. I have tried to tell history, and any one who does that expects to hurt somebody's feelings.

"In my chapter on Judaism I attack the accepted history of the books of Leviticus and Deuteronomy, and show that they were really written in different centuries for a deliberate purpose.

The article goes on: "In one respect the first volume is superior to the others. The state of savagery, as a division of anthropology, has been subjected to scientific treatment only within the last half century; and the author having before him the works of Darwin, Lubbock, Spencer, Tyler, Leppert and the rest, was called upon to do little more than to put into condensed form results well and ably stated within recent years by others.

In the author's judgment, tartly expressed, the reviewer might have looked further and found more typographical errors than this one he points out.

It was greatly to be regretted that this extensive treatise must be pronounced of no value to the specialist because it is merely a working over by an unskilled hand of common materials, while it cannot be recommended to others, since it is deficient in organic analysis, unreliable in its data and inadequate in point of generalization.

Although the book has now been published over two years the author has seen few unfavorable notices of it, and he is at considerable loss to figure out the motive that has inspired the New York reviewer.

James McCollum, an Irish Alms-house, Claims Half of Mrs. Gallagher's Big Estate.

James McCollum, an inmate of the almshouse at Letter, Keno, Dorogal County, Ireland, 95 years old, wants half of the \$147,000 estate which his sister, Mrs. Ellen Gallagher, gave to religion and charity.

Peter Collins, one of the nephews of Mrs. Gallagher, filed a petition in the Superior Court yesterday asking to be appointed guardian of his uncle, James McCollum, and setting forth the latter's claim to half of the estate.

The contesting relatives, besides Mr. McCollum and Mr. Collins, are Margaret Dowds, Rosanna Murdock and Hannah Kelly, nieces, and James Collins, a nephew.

Wants the National Convention. The Central Republican Club of the Thirty-ninth Assembly District held its monthly meeting Tuesday evening, October 1, at Saratoga Hall, 514 Geary street.

REQUA-HERRICK NUPTIALS

Wedded Amid Arborecent Surroundings by Rev. Dr. McLean.

MANY GUESTS AT THE CHURCH.

The Son of the President of the Central Pacific Becomes a Benedict.

Miss Florence Herrick and Mr. Mark L. Requa were wedded yesterday amid surroundings as lovely as those wooded environments of Rosalind and Orlando in their delightful courtship.

The First Congregational Church of Oakland was transformed into a sylvan scene of rare beauty.

The bride and groom are prominent in California society, both members of families held in high esteem in the State.

AFTER M'DONALD'S COIN.

People's Bank Suit Dismissed in the Interest of Depositors.

LONG LITIGATION AT AN END.

The McDonalds Hold Eighteen Shares of Stock That Are Wanted.

The suit of the California Safe Deposit and Trust Company against Joseph Winterburn, Columbus Waterhouse and two hundred and six other defendant stockholders of the People's Home Savings Bank was dismissed yesterday.

This suit was instituted in March of this year on behalf of the depositors. While it might appear at first glance that Messrs. Gunnison, Booth and Barnett, the attorneys for the Safe Deposit Company and the depositors, had been vanquished and beat a hasty and graceful retreat from the field of legal action, the fact is that the move just made is the one most likely to

bring about a realization of the anxious and long cherished hopes of the unfortunate depositors.

Messrs. Gunnison, Booth and Barnett want to get hold of money that rightfully belongs to the depositors, and which is in possession of persons out of the State.

By acting under an order of the directors suit may be instituted in any State of the Union. Such an order has been made.

The action first brought in March, 1895, was to compel the payment of unpaid subscriptions of capital stock. The moneys then due the plaintiffs, as set forth in the complaint, was \$697,049.92.

Further judgment against the defendants was also asked for on the amount remaining unpaid on their individual shares of stock.

By the same action it was sought to enjoin the officers and agents of the bank from transferring shares of the capital stock by solvent owners to insolvent parties, and the court was further asked to restrain the officers and agents of the bank from transferring any stock pending the action.

Judge Trout dismissed the suit without prejudice. "The object of the dismissal," said Attorney Barnett yesterday, "was to facilitate in every way the calling in of the unpaid capital stock. While we are satisfied this suit which we dismissed would ultimately accomplish the same result, yet when a call is issued by a board of directors, as in this case, it establishes a basis on which suit may be instituted in any jurisdiction.

Thus we hope to enforce the liability on the stock that the McDonald family holds. Dr. McDonald has 385 shares in his own name and Mary E. Wilson holds 1450 shares in trust for the doctor. The liability of that stock amounts to over \$122,000.

That can be reached because the McDonalds own property in California. But when a call is made by the board of directors, as stated, proceedings may be instituted in any State of the Union or in Europe, and the dismissal of the suit in question is to hasten the time when a grasp may be laid on money which in right and justice belong to the depositors.

Burglary in a Dyehouse. Frank Scott, alias "Fatty" Coyle, was booked at the City Prison yesterday by Detectives Cody and Graham on the charge of burglary.

On Sunday night he broke the two front windows of Mrs. Hagerup's dyehouse, 148 Third street, with a piece of gas-pipe and stole three or four silk dresses, a skirt, two pairs of gloves, a shawl and some leathers. Most of the stolen property has been recovered.

Philippe II of France was surnamed Augustus, not because he bore any resemblance to the Roman Emperor but because he was born in August. The same surname was bestowed on Sigismund II of Poland for the same reason.

CANNOT CONTROL RATES.

The Supreme Court Decides Against Pasadena in a Railroad Case.

The Municipality Is Denied the Right to Even Make Contracts Regarding Fares.

The Supreme Court declared yesterday that the city of South Pasadena had no right to fix the rate of fare between that city and Los Angeles on the Los Angeles Terminal Railway.

When the right of way in South Pasadena was granted, it was made a part of the franchise that the Los Angeles round-trip fare should not exceed 30 cents.

Afterward the railway company declared that it could not afford to carry passengers at that rate, and with permission of the Railway Commissioners it raised the fare to 35 cents for the round trip and 25 cents for one direction.

A proportionate increase in the rates to intermediate points was made.

The Superior Court at Los Angeles held that the city ordinance was binding on the company, and that by violating the conditions that related to fares the company forfeited its right of way.

The company's tracks and improvements were declared a nuisance, and the city obtained an injunction against further operation of the road.

In reversing the action of the Superior Court, the Supreme Court says: "If the city could make a valid agreement for rates of fare to Los Angeles, including the charges of a connecting line of street railway, it might stipulate for rates over connected lines to San Francisco or elsewhere, and if, as claimed by respondent, the case is one of mere contract obligation, then we think it is not the province of the courts to interfere through the Legislature—and this would be of doubtful constitutionality—or immediately through the courts, to have a contract prohibited to warrant such a contract."

The city is not the agent of its inhabitants or of the public for such purposes.

The decision was written by Commissioner Brit.

Leather tires will in the future be employed on bicycles made for the French army.

WEDDING SCENE AT THE FIRST CONGREGATIONAL CHURCH, OAKLAND.

[Sketched by a "Call" artist.]



GREAT SPECIAL SALE OF 50,000 YARDS OF CAMBRIC, NAINSOOK AND SWISS EMBROIDERIES!

Table listing various fabric items and their prices. Items include 16,000 yards of regular price 15c, 12,000 yards of regular price 10c, etc.

FOUR SPECIALS IN LADIES' WAISTS! At 25 Cents, 50 dozen LADIES' LAUNDERED SHIRT WAISTS, in white and colored bosoms, regular price 75c, will be closed out at 25c each.

FOUR SPECIALS IN HOUSEFURNISHINGS! At \$4.00 a Pair, 50 pairs FINE CALIFORNIA LAMBS' WOOL BLANKETS, double-bed width (66x90 inches), value for \$6.

FIVE SPECIALS IN GLOVES! At 25 Cents, 40 dozen LADIES' 8-BUTTON LENGTH MOUSQUETAIRE UNDRESSED KID GLOVES, in heliotrope, emerald and purple shades (odd sizes), regular value \$1, will be closed out at 25c a pair.

Wrinkles Health and Summer RESORTS. A SURE PREVENTIVE FOR CHOLERA. HIGHLAND SPRINGS, Lake County, Cal.

WRINKLES. In the bosom, does it? Collar doesn't fit, and arm-holes are too small? It's not STANDARD. That's all. Next time ask for the home produced Standard Shirts and take no other. All dealers mark on every Shirt. NEUSTADTER BROS. Mrs., S. F.

CAUTION! TO LET. THE HILL-CREST COTTAGE - SIX FURNISHED rooms and bath; modern improvements; barn with rooms for hire; situated in most beautiful spot of Belvedere. For further particulars see BOYDE, TOY & CO., 19 Montgomery.

Health and Summer RESORTS. A SURE PREVENTIVE FOR CHOLERA. HIGHLAND SPRINGS, Lake County, Cal. A Comfortable Winter Resort at Reasonable Rates. Easy of Access. Altitude, 1700 feet. Pure Mountain Water and Air. The Best Mineral Water and Baths on Earth.

Wrinkles Health and Summer RESORTS. A SURE PREVENTIVE FOR CHOLERA. HIGHLAND SPRINGS, Lake County, Cal. LAUREL DELL LAKE (FORMERLY Lower Blue Lake). A new hotel—the most artistic in the country. The rush is over. Rooms can now be had and you will be treated well. Rooms are large, airy, hand-finished, rooms, on main, 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22nd, 23rd, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 31st, 32nd, 33rd, 34th, 35th, 36th, 37th, 38th, 39th, 40th, 41st, 42nd, 43rd, 44th, 45th, 46th, 47th, 48th, 49th, 50th, 51st, 52nd, 53rd, 54th, 55th, 56th, 57th, 58th, 59th, 60th, 61st, 62nd, 63rd, 64th, 65th, 66th, 67th, 68th, 69th, 70th, 71st, 72nd, 73rd, 74th, 75th, 76th, 77th, 78th, 79th, 80th, 81st, 82nd, 83rd, 84th, 85th, 86th, 87th, 88th, 89th, 90th, 91st, 92nd, 93rd, 94th, 95th, 96th, 97th, 98th, 99th, 100th.