STRIKERS AFTER FIFTEEN MILLION DOLLARS.

Will Ask an Accounting of the Hospital Fund.

BIG PROFITS CLAIMED.

Said to Have Been Used to Build the Market-Street Railway.

THE PROBABLE DEFENDANTS.

Hundreds of the Ex-Employes of the Southern Pacific to Be Plaintiffs.

Facts have recently come to the knowledge of the American Railway Union's legal committee which have caused it to consider the advisability of bringing a suit against the Southern Pacific Company and all its various connections and stockholders that will be farther reaching in its effect than anything that has yet been undertaken against those interests.

At the time the Central Pacific Railroad was started there was a hospital fund organized, it is claimed, for the ostensible benefit of injured employes. To that fund each employe was compelled to contribute $1 a month, which sum was deducted from his wages. Recently the monthly assessment was reduced to 50 cents. This feature has since been engrafted on every corporation under control of the Southern Pacific Company, with the result that today it is estimated there are no less than 30,000 persons who are each regularly contributing 50 cents per month to this hospital fund.

It is asserted that when the Market-street cable railway was projected some fifteen years ago the fund had reached an amount between $1,000,000 and $1,250,000, and that this money was taken by Huntington, Stanford, Crocker and their colleagues and used to build the Market-street portion of the system.

It is further alleged the railroad magnates bonded the cable road for several times what it was worth, and used a portion of the receipts from the sale of the bonds for the purpose of making the Valencia, Hayes, Haight, McAllister and Castro street extensions.

A short time ago a blanket mortgage, it is claimed, was issued for $17,500,000 and the bonds thus created are now being placed on the market. The informant of the American Railway Union committee, who is well posted on the internal affairs of the railway company, states that if the railroad people succeed in placing these bonds they will have made a clear profit on the street railway deals of about $15,000,000 on the sales of stocks and bonds. All of this profit, it will be shown when the contemplated suit is brough to trial, is the result of the investment of the hospital fund.

Then, in addition to this it will be shown that the hospital fund has been at different times diverted for the payment of betterments on the Southern Pacific and Central Pacific lines and various other purposes of the railroad corporation.

This information was brought by the American Railway Union men to the attention of their attorney, George W. Monteith, to see if anything could be done toward recovering the money they had paid into the hospital fund while in the employ of the company. Attorney Monteith looked into the matter and yesterday gave them an opinion substantialy as follows:

"The hospital fund is a specific trust, and the custodians of the fund—the different railroad companies and those who have access to it and notice of its trust character—are in equity trustees for the benefit of the contributors to the fund, who are in a sense partners in the same.

"If these funds have been used for a different purpose than that for which they were originally intended, and if such different use was unauthorized—that is, without the knowledge and consent of the contributors to the fund—they are certainly entitled to all the profit that accrues from its investment. And if the Market-street cable railway and the other matters that represent the investment of these trust funds constitute a profit derived from the investment of the trust fund they are really an increase or accumulation of the trust fund. For that reason the beneficiaries of the fund are entitled to all the profits derived from the investment, wherever they may be found, within the custody or control of those who have notice of the trust, and any contributor to the fund is entitled to an accounting to be had in the proper court.

"If a suit is brought it will be in the nature of a bill in equity against the different companies and corporations who have handled or diverted the fund and who would be considered in the light of trustees.

"Such an action would compel the railroad people to disclose just what was done with these funds and to fully account for them. When an employe of the railroad terminates his employment he loses under the railroad's ruling all the benefit of the hospital fund, which, of course, is arbitrary and illegal. He certainly ought to be entitled to recover the money he has paid into the fund upon a proper showing. There is no doubt it can be recovered on the facts as shown to me.

"The plan of action that should be followed is to file a bill in equity, in which as many of those who choose to proceed against the trustees of the fund may join as plaintiffs. Then it will be necessary to ascertain the different persons and corporations that have used these funds and make them all defendants."

From an interview had with a prominent member of the American Railway Union it is learned that such a suit will certainly be brought and that between 300 and 500 of the men who were thrown out of employment during the strike of July, 1894, will join as plaintiffs. From the same source it is also learned that among the defendants to be named in the suit will be the Southern Pacific Company of Kentucky, the Southern Pacific Railroad, Central Pacific Railroad, Western Pacific Railway, California and Oregon Railroad, Oregon and California Railroad, Western Development Company, Contract and Finance Company, Pacific Improvement Company, all the streetcar lines controlled by the Southern Pacific stockholders, the Rocky Mountain Coal Company, C. P. Huntington and the estates of Charles Crocker, Leland Stanford, Mark Hopkins and D. C. Colton.

What is known as the hospital fund is supposed to be used only for the purchase of medicines and personal care and maintenance of sick or injured railroad employes while in the employ of the company, the company providing medical attendance. It is claimed that the amount contributed by the railroad employes is far in excess of the needs of the sick and injured.

None of the employes know who has the handling of the fund, and the statement is made that there has never been an accounting in reference to this fund since it was started in Sacramento some thirty years ago.

It is probable that the suit will be brought in Sacramento, as the fund had its origin in that city.

A HOME-MADE DIVORCE.

The Raffertys Kept Out of Court and Had No Trouble Until Alimony Became Due.

Mr. and Mrs. Peter Rafferty of 1502 Mission street decided that they could not live happily together, so on July 29, 1894, they signed an agreement to live apart. The husband agreed to pay his wife $40 a month, beginning in September last year.

The contract of separation has been adhered to, but Mr. Rafferty is now $100 in debt to his wife on the alimony contract, and Mrs. Rafferty has begun suit for the money. She also asks the court to declare her home-made divorce a legal one.

Mrs. Rafferty's only trouble in the contract separation has been in relation to the alimony. She was unable to collect the money, and as she could not cite her husband for contempt when he refused to pay the money she concluded to leave her divorce business to the courts. All the household property was given her at the time of separation.

THE W. C. T. U. CONVENTION.

Mrs. Kimball Debates That Her Sex Is Unequal to Suffrage.

A Cry From Japan—Miss Severance With a Nomination in Her Bonnet.

The fourth day of the W. C. T. U. convention, in the auditorium of the Young Men's Christian Association building, was opened yesterday morning with the song "Blessed Be the Tie That Binds" and prayer by Mrs. D. S. Dickson.

Mrs. P. H. Mathews read a paper on "Sunday-school Work in the State," which showed a cheering advance. Mrs. Purvis, superintendent of narcotics, reported upon the work of securing signers to a petition for an anti-cigarette bill. Over 10,000 names were attached to the petition, which was presented to the Legislature last session, but which was vetoed by the Governor after passing the Senate and Assembly. Mrs. Purvis suggested that the local unions of the W. C. T. U. should try to secure the promise of the grocery-dealers to abandon the sale of tobacco. She had received financial aid in her work amounting to $28.

Mrs. Van Pelt, upon the subject of "Literary Bodies and Higher Education," said that the most notable progress had been through the Woman's Congress, where the home and suffrage were made special features of discussion.

Dr. M. B. Mallory said that she believed that the very air was filled with "No License" sentiments, and referred to the recent complete victory in Sutter County, where not only had prohibition gained, but men have been elected who will respect their oath. The Supreme Court had declared the validity of the ordinance, so the liquor men had to yield. Yuba and Yolo have begun the fight for prohibition also.

Mrs. Armstrong stated that the petitions for "Sunday Rest" had received 1825 signatures. Letters had been sent to each member of the Legislature, and everything had been done to arouse interest in it, but the bill had failed to pass, and the cry had been raised that the public did not want it. Mrs. Armstrong referred to the good news that the Atlanta Exposition closes on Sunday, and that the cities of New York and Detroit are practically dry on Sundays.

Mrs. A. B. Gore reported much good work done in jails and prisons in the matter of giving literature to the prisoners, clothing to those discharged from confinement and assistance to their families. The superintendent of prison work visits the State prisons on first, third and fifth Sundays of each month.

Mrs. Teats, superintendent of purity work, referred to the successful passage of the bill for the protection of girls, and to its veto by Governor Budd. She stated that the names of the legislators who voted against that bill had been sent to the Arena for publication and would soon appear in that magazine with a picture of Governor Budd who had vetoed it.

Mrs. Jinks spoke of work among railroad employes, and Mrs. Bailey, the superintendent of song, suggested the publication of more temperance music. Mrs. D. S. Dickson stated that an urgent appeal had come from Japan for a W. C. T. U. worker or teacher.

The beautiful annual memorial service for the dead members of the union was conducted by Mrs. Nellie Eyster. The following names of deceased members were called:

Miss Jessie Brown, San Francisco; Mrs. Arnold, Mrs. Dresser, Mrs. Annie McDougal, Pacific Grove; Mrs. Parmela Mast, Mendocino; Mrs. Jennie Miller, Mrs. Lizzie Hudson, Mrs. Mary Johnson, Stockton; Mrs. Moberly, Woodbridge; Miss Jennie Lyon, Linden; Miss Nellie Rodehaver, Mrs. Martha Watts, Auburn; Mrs. Bingham, Petaluma; Mrs. L. C. Alexander, Healdsburg; Mrs. Smith, Santa Rosa; Mrs. Maher, San Rafael; Mrs. Sarah Hartwick, Mrs. E. Downing, Miss Agnes Doane, Gilroy; Mrs. Mary Layse, Lockport; Mrs. Mary Maxwell, Kelseyville; Mrs. Reese, Mrs. Lawson, Grizzly Bluff; Mrs. Peyton, Port Kenyon; Mrs. Jennie Gender, Suisun; Mrs. Susan Glenn, Mrs. J. Meeker, Mrs. Lovett, Oakland.

Miss Sarah Severance is the lioness of orators and when she gets to talking on her pet subject, the suffrage question, she sets a pace for the fastest stenographer on the coast. It is said that when the suffrage amendments go on the statute-books Miss Severance will go to the Senate from Santa Clara County, and that she has the nomination in her bonnet even now. Her speech yesterday before the convention on "Universal Suffrage" was a masterly, or rather, mistressly effort, full of the logic, the sense and the wit of which that future stateswoman is noted.

Telegrams of greeting were received from the W. C. T. U. conventions now being held in Colorado and the southern part of this State.

Editor Ada Van Pelt of the Signal, the W. C. T. U. paper, reported that the journal was completely out of debt and had $12 in the office safe. This was considered a better record than the editor of any other association organ could show, and Mrs. Van Pelt was commended as a good and faithful servant.

A debate took place entitled, "Resolved, That the stability of the Government would be endangered by universal suffrage." Mrs. Kimball's humorous and satirical remarks in opposition to suffrage were keenly enjoyed by her hearers, but the question was decided in the negative and against her. In the course of her speech she said:

"There are those who honestly think that even women should be given the ballot—but let us look at what results will follow. Women are inclined, so I have read, to think along one line, and that being the case how could they understand the necessity of considering so many different things in municipal, State and National government? A woman thinks about what her home contains and also, at times, what her neighbor's home contains. First, there are her children, and then her clothes and then her furniture, and how could her mind take in the necessity of legislation in regard to the tariff, or the free coinage of silver. What would she know about the laws for protection of game and fish? Immediately she would think such laws were meant to keep her Charlie from going a-fishing whenever he pleased and so would vote against them, and the result would be there would soon be no fish.

"Then women, unlike men, are always imagining that some harm will come to their children, and she would everlastingly be fussing over some law to prevent the children from getting hurt, and it would not be many years before there would be a Governmental apron-string, with every child in the Nation tied to it. The fact of the case is that women have for so many generations confined their thoughts so much to home and family that it would be almost impossible for them to take into their minds the great things involved in politics. Immediately some measure was proposed in a caucus she would raise objections and say it wouldn't be a good thing for her Johnny, not being able to understand that great minds must legislate in the interests of great things—great corporations, great monopolies and great trusts. And so, home and children being ever uppermost in the minds of women, they could see no need of any legislation only along those lines, and the old ship of state would constantly be pitching toward that side and threatening to go over entirely.

"The mind grows by what it feeds upon, and woman, having always dwelt in thought upon such little things, her mind is of small size, which makes her unreasonable and at times difficult to deal with.

"Suppose some public building—for instance, a schoolhouse—were needed, and the question was to be voted upon, some plans for the proposed building were drawn up and submitted to the voters. As soon as the female eye fell upon them she might at once declare that she would never vote for such a building as that, because the trimmings were represented as cut upon the bias, and bias trimmings went out long ago. She would vote for nothing but straight work; and however much she might be reasoned with, the chances are that she could not be moved, but would insist upon straight work or none. I believe nothing can be as unreasonable as a woman. Of course, the many little things upon which her mind is set includes peering into corners to see if cobweb and dust are there; ransacking closets, boxes and trunks to see if mouse or moth are destroying, and if she were given the ballot she would consider that she could carry her peering and investigating ways into public affairs. She would poke around in schoolhouses, ransack the City Hall and courtrooms, and even in the Capitol building at Sacramento or Washington she might sniff in every room to find evidences of smoke, which might discolor the walls, or look for spots on the carpets—none of these things indicate a wise or statesmanlike mind. I think it would be impossible to carry on Congressional, legislative and municipal matters with the present perfect order to which we have attained under the wise and carefully considered plans of our great politicians if women were given the ballot.

"Then another thing: Women are much more given to church-going than men, and they are forever baking and freezing ice-cream and making crazy-quilts, and getting up no end of all sorts of things to help out the pastor's salary or paint the church, or pay the taxes, or something. Now, it would be just like a woman to take into her head that a part of her taxes might go to help out the church and lighten her burden in that direction, which we all know would bring on a war at once, and the Government would go down to rise no more. Yes, the stability of our Government demands that conditions should remain as they are. Women, idiots, insane, criminals and Chinamen if allowed a chance at the ballot-box would soon prove that small and weak minds could tear down what great man minds have builded and perpetuated.

In the evening the Demorest grand gold medal elocutionary contest took place, in which six young ladies, holders of medals of a lower grade, competed for the prize. They were Miss Mattie Burton of Golden Gate, Miss Nettie Hale of Lodi, Miss Blanche Britton of Fowler, Miss Josie Brown of Madison, Miss Julia E. Rix of Irvington and Mrs. Aimee Murrells-Ray of Sacramento. All the recitations were upon the theme of suffrage and temperance, and each fair orator called upon the young men of the republic to enlist under the white banner which they figuratively stood under.

The prize was awarded to Mrs. Aimee Murrells-Ray, whose subject was "Our Homes and Country in Jeopardy." The address of Miss Julia E. Rix, "The Saloon Arraigned," was a well composed and vigorously delivered piece.

KENNETH DUNCAN BACK.

The Ex-Minister of the Howard Presbyterian Church a Wreck.

He Has Been Drinking Heavily and Consorting With Habitues of Saloons.

Kenneth J. Duncan has returned. He came to San Francisco from the Sandwich Islands on the bark Dimond, which arrived in port three days ago.

There is little in the Kenneth Duncan of to-day to remind one of the earnest pulpit orator who two years ago was acting as pastor of the Howard Presbyterian Church. A short time has sufficed to work awful havoc with the delicate features of the ex-minister.

Since his arrival in this City Mr. Duncan has not sought to meet his old acquaintances. Instead he has frequented the drinking places in which sporting men and women congregate, and seemed to find a solace in the noisy singing and in deep draughts of whisky. He has made as his special companions several young men who have won names in the ring as pugilists. To some of these he told his story.

"He was introduced to me under an assumed name," said one of them, "but later he told me his name was Kenneth J. Duncan, and then he related the story of his life. He said that in Honolulu he had been instructor and chaplain in a reformatory institution for boys.

"He did not know just what he would do in California. He said he was no longer in the ministry and that he had severed all connections with the church."

Mr. Duncan was drinking heavily with his new companions. Last night he was at several saloons.

It took several knocks at his door in the hotel to elicit an answer. Then the door was opened. In the shadow of the room stood an emaciated man, half dressed.

His cheeks were sunken. Great dark shadows encircled the eyes that looked out in a startled way from a mat of hair. It was Kenneth J. Duncan.

"Mr. Duncan, I want to get some information regarding a portion of the islands," said his caller. Duncan started in a frightened way and, trying to close the door, stammered:

"I—I am n—not the man."

To every question came the same response, the words being borne forward on a breath laden with the fumes of liquor. The hotel register, however, showed the name "K. Duncan" assigned to the occupant of that room, which showed that he was the man wanted even had his face not betrayed his identity.

Mrs. von Meyerinck's Concert.

A highly successful concert was given last night by Mrs. Anna von Meyerinck at the Mercantile Library under the auspices of the library auxiliary. Mrs. von Meyerinck herself sang songs by Schubert, Brahms, etc., in a very artistic manner, and Miss Cecilia Decker rendered two songs sweetly and well. R. W. Lucy won an unusual amount of applause for his finished pianoforte playing, and Charles Mayer's zither solos were also excellent. A. Solomon and Mrs. Mann won encores and Fred Maurer accompanied the vocalists sympathetically.

Senator Fair's Mine.

The sale of Senator Fair's half interest in the Pioneer mine to Pierre Humbert Jr. for $75,000 has been confirmed by the court.

REJECT MR. MILLS' OFFER.

Miners Say They Find Too Many Defects in the Document.

A COMMISSIONER IS SELECTED.

Edward H. Benjamin of Oakland Is the Representative of the Association.

The form of agreement offered by W. H. Mills, the Central Pacific land agent, to the mineral lands committee of the Miners' Association did not prove satisfactory when the committee came together in Chairman Ricketts' office yesterday afternoon to consider it.

Therefore it was rejected. The committee selected Edward H. Benjamin of Oakland, the protestant in the larger number of land contests still pending in the Department of the Interior, as commissioner to represent the association's side to Mr. Mills.

The executive committee is to meet Monday evening at the Palace Hotel to consider various matters, among them the contingency of some agreement between the Central Pacific and the association and the preliminaries for the coming annual convention; and then it will be asked to take some step toward having a special fund provided to cover the compensation and expenses of the association's commissioner for at least a year. The mineral lands committee, in appointing Mr. Benjamin, decided to make such a recommendation.

The agreement Mr. Mills drew up was pretty thoroughly analyzed and pulled to pieces when the two attorneys of the committee and Mr. Yale got together. Mr. Wright thought it was "vagne, uncertain and meaningless," and Mr. Ricketts, having devoted a night to its dissection, had prepared a critical enumeration of its defects, and also of some of its advantages to the miners. Briefly, Mr. Ricketts opposed it on these grounds:

First, it did not make the submission of lands to the joint commission for examination compulsory; second, there was no provision to compel the commissioners to examine lands; third, there was nothing covering pending protests and appeals and the promised withdrawal of land selections, and no provision requiring the commissioners to examine the lands now in dispute; fourth, the third subdivision of the agreement was ambiguous as to lands not already listed; fifth, the latter part of this subdivision might be construed as carrying with it the unconditioned withdrawal by the association of its protests and appeals; sixth, a portion of the same subdivision might be construed as a waiver on the part of the association of its right to appeal any pending protests; seventh, there was no time limit in the agreement; eighth, there was no specific description of what was to constitute mineral lands; ninth, the agreement would still confine the question to the Land Department, in which the conclusions of the commissioners were to have judicial weight, whereas the Miners' Association has more faith in the Department of the Interior and did not desire to go further than the provisions of the Idaho-Montana act the conclusions of the commission appointed under which are prima facie and not final; and lastly, the agreement was altogether too much open to construction anyhow.

But he also saw the following advantages in it to the association:

First, Mr. Mills' action was evidence of the fact that some change in the land system was considered necessary by both sides to the controversy; second, it showed that the rules of July 9, 1894, by which the Land Department of the United States is governed, do not provide for proper protection to mineral lands; third, it showed, also, that no proper investigation can be had under those rules; fourth, the agreement did away with the distinction between lands within and beyond the six-mile limit from known mineral land, and admitted that such lands beyond might become also the subject of investigation, and, in consequence, eliminated from the railroad grants; fifth, there was nothing in the agreement to prevent its abrogation at any time; sixth, there was nothing in it to prevent the association from continuing to file protests against any future selections of land, and seventh, there was nothing to prevent either party from appealing to Congress for legislative action.

Therefore he was inclined to regard Mr. Mills' proposed agreement as a big concession to the claims made by the association for a fair examination of the lands involved in the railroad grants, and, viewed in that light, to consider it a great victory for the miners. Nevertheless the form, as drafted by Mr. Mills, was open to too many objections, he said, to be accepted.

It was then that Mr. Wright tersely described it as "vague, uncertain and meaningless," and Mr. Yale characterized it with one word, "ambiguous."

Messrs. Wright and Ricketts agreed that Mr. Mills' form of agreement would not apply to any of the selections of land already made.

"Why, when I go to Mr. Mills," observed Mr. Wright, "he treats me as if I were an oyster, and I am told he treats everybody the same way, whatever their degree of intelligence. This agreement is simply molasses to catch flies with."

Mr. Yale thought the proposition submitted by the miners had been entirely ignored, and in Mr. Wright's opinion it "had been ignored because it was precise." Mr. Ricketts remarked: "In his first proposition he favored filing relinquishments; now he wants to accept the decisions of the General Land Office and does not intend to file relinquishments."

The draft of agreement made by Mr. Mills was formally rejected by the following resolution from Mr. Wright, supported by Mr. Yale's second, and unanimously adopted:

Resolved, That the form of agreement submitted to this committee by William H. Mills of the Central Pacific, etc., be rejected, and that Mr. Mills be informed by the chairman of this committee that this committee stands upon its proposition submitted under date of September 17, the same to be subject to such minor modifications as shall in no manner interfere with any essential particular.

Before the committee adjourned Mr. Ricketts said he had found a letter written by Land Commissioner Drummond to Secretary Delano in 1871, showing that an agricultural patent had been issued to the Western Pacific for land upon which a quicksilver mine had been discovered subsequently.

HIS MIND FAILED HIM.

Examination of a Well-Known Contractor for Insanity.

"I'm going to free Ireland and distribute happiness to all the world in five-pound packages," shouted Owen Clements before Judge Hebbard yesterday. He flourished a big revolver to emphasize his remarks. Several Deputy Sheriffs who were closely watching him soon had him where he could do no harm.

Clements is a member of the firm of Clements & Philbin, contractors. For some time past he has been showing signs of mental weakness, so his friends took him before the Insanity Commissioners yesterday for examination.

Among the friends who testified regarding his condition were Charles P. Schaefer, Peter Gillooly, Mary Mulholand, J. W. Schinkwin and D. Sullivan.

Clements is a single man. He is the owner of valuable property and his firm has a number of good contracts outstanding from which Clements will eventually receive fair profits. On account of this property the case went over until this morning, when more of Clements' friends will appear and help to do what they can to have a proper guardian appointed to look after Clements and his property.

MANAGER KRUTTSCHNITT.

He Arrived Last Night and Discussed Southern Pacific Affairs.

Julius Kruttschnitt, the new general manager of both the Pacific and Atlantic systems of the Southern Pacific Railroad Company, arrived in San Francisco last evening. Apartments at the Palace Hotel had been reserved for him, but on his arrival he was escorted to Collis P. Huntington's house on California street and there passed the evening with the president of the company.

Mr. Kruttschnitt is a young man of Southern birth, whose work has been mainly done in the South. Judging from his general appearance, his speech and movements, one would say that he has the physical as well as the mental capacity for performing a vast deal of work. His greeting to interviewers is frank and cordial. He said last night that he would go to work this morning. When asked if he contemplated the making of many changes in the operating department of the company he said:

"I have not had time to give the subject much attention. When I was appointed many reports were put in circulation that changes were intended, but rumors of the kind usually spring from the imagination. I brought no one with me from New Orleans and do not know that the operation of the system under one general management will afford great opportunity for reduction in the number of assistants. At present I cannot say what changes, if any, will be made."

Mr. Kruttschnitt said that he was quite a stranger in California, although he had been in the City before, but only for a short time. He passed through the San Joaquin Valley by daylight yesterday and embraced the chance to see as much of the country and of the road as possible. He seemed to be in excellent form last evening, free from fatigue and altogether cheerful.

AGAIN AFTER HUNTINGTON.

Ex-Strikers Determined to Have Him Arrested and Prosecuted.

A New Complaint to Be Filed Against Him Within the Next Ten Days.

C. P. Huntington's arrival in this City has revived the desire on the part of a large number of his ex-employes to have him prosecuted on the charge of having violated the interstate commerce act in having issued a pass to Frank M. Stone, good over all the lines of the Southern Pacific Company, as Mr. Stone testified during the trial of the strikers last winter.

It will be remembered that the indictment found against the president of the Southern Pacific Company by the Federal Grand Jury was dismissed on the motion of United States District Attorney Foote on the ground that the pass had never been used in an interstate trip by the holder and that therefore there had been no violation of the law.

In their search for testimony the A. R. U. men claim to have secured ample proof that Mr. Stone not only used his pass to and from Portland, Or., but also for two trips to Ogden and return.

In a recent interview Mr. Stone states that he had not received his pass from Mr. Huntington until some time in April, yet before the Federal Grand Jury the accusers of Huntington say he testified that he received his pass about the 10th of January.

The complaint is now being prepared and will be so drawn as to cover the use of the pass during the early part of the year 1894 as well as during July.

Attorney Monteith is to have charge of the matter, but only consented to act on the understanding that other counsel was to be associated with him. He was waited upon yesterday by a committee of the American Railway Union, consisting of C. E. Crandall and D. T. Williams, and asked to press the matter with all possible promptness and vigor.

It is thought the complaint will be filed by Friday of next week, but who will be applied to for the warrant for the arrest of Mr. Huntington is not yet known, though it will be before some State or county officer sitting as a Federal magistrate. In this connection are mentioned the names of Mayor Sutro of this City, Mayor Davie of Oakland, Mayor McCarthy of San Rafael, Justice John A. Carroll of this City and Police Judge Campbell.

PETITION BISHOP WARREN.

Resolutions Adopted by the Official Board of Grace Church Regarding Transfers.

The official board of Grace Methodist Episcopal Church has entrenched itself in its stand of opposition against arbitrary episcopacy.

Presiding Elder John F. Coyle was present by request at the meeting of that body at Grace Church last evening and presided during an animated discussion of the merits and demerits of transfers which culminated in the adoption of strong resolutions, one putting the church on record as opposed to receiving pastors from any but the California conference, the other requesting Bishop Warren to appoint Rev. M. F. Colburn pastor of Grace Church.

A motion that Rev. M. F. Colburn supply the pulpit of Grace Church pending the Bishop's decision was carried.

The board elected officers and committees for the ensuing year. The pastor is ex-officio president of the board, hence that office could not be filled. Louis Paltenghi was elected secretary, F. L. Turpin treasurer, W. F. Gibson, Alfred Anderson, William Oakley and W. H. Wiester, members of the finance committee, and Benjamin Bryon its secretary.

Robert McLellan, D. Henderson, George Pennington, William Oakley, J. Sankey, Benjamin Bryon, J. J. Newbegin were made ushers and collectors.

Captain W. D. Kingsbury of the Boys' Brigade addressed the board, requesting that the company be allowed the use of the rear lot of the church property for the erection of a drillhall, and a committee, consisting of J. J. Truman, C. S. Holmes and W. H. Wiester, was appointed to consider the advisability of according the privilege.

Morphine Poisoning.

A man rented a room at 627 California street on Wednesday night. About 3 o'clock yesterday morning he was discovered in an unconscious condition and was taken to the Receiving Hospital. Drs. Thompson and Stice found that he was suffering from morphine poisoning and applied the usual remedies. He had not recovered consciousness at a late hour last night, and the probability is that he will die. Letters were found in his pocket bearing the address: J. S. Stevens, 1816 Taylor street, Oakland. There was also a certificate of good character in the same name, issued by the Southern Pacific Railway Company. He is a man about 35 years of age.

Two Unapproved Verdicts.

The verdict of the Coroner's jury in the Jennie E. Morgan inquest yesterday was unsatisfactory to Coroner Hawkins. The testimony of the girl's relatives and acquaintances showed that she had been despondent for some time. She was found dead in her bedroom at 1001 Powell street Monday afternoon with the gas turned on. The jury's verdict was that the cause of her death was unknown. Coroner Hawkins refused to approve it. A similar verdict was returned in the case of Lawrence Maloney, the patient who escaped from St. Mary's Hospital while delirious and leaped in the bay from the foot of Folsom street. The Coroner took the same course respecting it.

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HARBOR ROCKS DOOMED.

Congressmen Think Money Will Be Voted for Their Removal.

ARE MENACES TO NAVIGATION.

Members of the Delegation Take a Trip About the Bay and to Fort Point.

The big cannon and the mortars at Fort Point and the rocks in the harbor that are sources of danger to navigation received the attention of members of Congress yesterday. On the bay the honors were done by Harbor Commissioners Colnon and Cole, who took the party out in the State's tug Governor Markham.

At Fort Point General Graham, with a battery of artillery, fired a Senatorial salute of seventeen guns and showed off his battery in some evolutions, and Lieutenant Armand Lissak showed off the big new Krupp gun that guards the Golden Gate by firing a 1000-pound projectile against the Marin County shore.

The party boarded the Governor Markham at 10 o'clock. There were present Senators White and Perkins, Congressmen Loud, Hilborn, and Barham; Harbor Commissioners Colnon and Cole, Colonel Mendell, Professor Davidson; John C. Coleman, vice-president of the North Pacific Coast Railroad; Captain McKenzie of the steamer San Rafael, J. W. Harrison of Sausalito and Miss Hazel Colnon.

The tug first steamed out by Blossom Rock, Arch Rock and Shag Rock, all of which Colonel Mendell has recommended be removed. Under the harbor and river act of 1894 he made a preliminary examination and reported that the harbor was worthy of the improvement of having these rocks, the two Mission rocks, the Brothers, inside the harbor, and the Noonday and Anita rocks, outside the heads, removed, and recommended that a survey and estimate of the cost of removal be made.

The cost of this work would be, according to rough estimates made by members of the party, from $30,000 to $50,000 in each case.

Professor Davidson stated that the records show that seventy-one vessels have gone on the rocks in the bay, nineteen on the rocks at Fort Point, nine on Arch Rock and eight on Mile rocks in the entrance. Three of the vessels going on Arch Rock have been total losses. These were the Autocrat, valued at $100,000; the Winged Racer, $45,000, and the Flying Dragon, $55,000.

On Noonday rocks the loss by the wrecking of the Noonday was $300,000 and of the Alaska $57,000. The loss on vessels totally wrecked or injured on all the rocks ran up into the millions, a dozen times as much as it would cost the Government to blow them all up.

While passing Blossom Rock Professor Davidson reminded the party that it obtained its name from the British sloop of war of that name which ran upon it in 1826.

All the members of Congress expressed the belief that there would be no trouble in getting an appropriation in accordance with Colonel Mendell's recommendation for surveys and preparation of necessary plans and estimates for the removal of most of the rocks.

Senator Perkins said: "I think that we can get the appropriation for the surveys at the coming session, and that, of course, is all that can be asked for until it is known what the work will cost. Then, I think, we should be able to get appropriations of $50,000 a year until they are all removed. The losses that have been incurred would have paid for the work a dozen times over."

A stop was made at Lime Point to look into the question of getting a wagon road built from Sausalito to Point Bonita lighthouse. J. W. Harrison advocated this in behalf of the people of Sausalito. He pointed out that when the steamer New York went ashore there was no road over except through private property by roads that were three or four miles longer than the proposed highway would be.

From there the party steamed out the Golden Gate by the Mile rocks and back to Fort Point.

Lieutenant J. E. Kuhn of the Engineer Corps, who is in charge of the building of the fortifications, and Lieutenant Summerall of the artillery met the party at the wharf.

They were driven in a four-mule bus upon the bluff where General Graham was stationed with a battery of artillery which fired a salute of seventeen guns and was put through some evolutions. The four sunken batteries with sixteen big mortars were inspected, after which the party went up and watched the firing of the big cannon on the bluff by Lieutenant Lissak.

Senator Perkins received yesterday a telegram from the Board of Trade of Eureka asking the delegation to pay a visit to that harbor. He replied that at present, at least, it would be impossible to do so, as Senator White returns to the south to-day. All the members, he said, were in favor of keeping up the work that is being done there.

A Permanent Pastor.

The First Christian Church is to have a permanent pastor, the Rev. James Small, who has been a pastor at Des Moines. Rev. Mr. Small will occupy the pulpit on the first Sunday in November.

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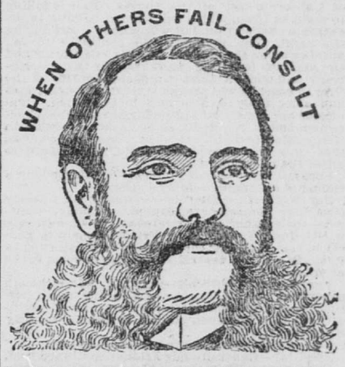

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