ness on his own behalf, what would become of him? We have ascertained that important fact that a man went to Oppenheim with a cheap diamond ring on the 13th of April. Mr. Oppenheim would not be certain that it was not between the 4th and the 10th. He tells you the man had on a blue overcoat and a slouch hat. Now Lenihan tells you that his conversation with Oppenheim was exactly as Oppenheim says it was with Durrant, and as he left the store he went in the same direction as Oppenheim says Durrant went — namely, toward California street. Durrant tells you he never wore an overcoat in April. Mr. Oppenheim is simply mistaken. He got it into his head that he too must know something about the case, and came here to tell you what was really his conversation with Lenihan.

You have evidence that Durrant had in bank $80. What did he want to go to a pawnshop for the purpose of pawning or selling a cheap ring? Lenihan tells you he had money on the races, and that he was short. That, Durrant never was.

Here Mr. Deuprey was proceeding to quote regarding cases of mistaken circumstantial evidence when he was interrupted by Judge Murphy.

The Court—With what view do you propose to read this matter?

Mr. Deuprey—I propose to read it to illustrate to the jury the danger of circumstantial evidence.

The Court—There is no proof before the jury that these are facts. I know it is frequently the custom for counsel to cite cases to illustrate their arguments.

Mr. Deuprey—It is only for illustration, sir.

The Court—They do not come before the jury as facts. They will not be authenticated at all. It is not to be read to the jury at all as law. Nor is it to be read to the jury as a fact. There is only one way for the jury to obtain knowledge of a fact and that is by matter which is brought before them. My own impression is that this is very bad practice, and yet I do not know that counsel can be prevented from reading a chapter in the Bible or an historical fact or anything else. The jury must understand that this is simply to illustrate the point you are making.

Cases of mistaken circumstantial evidence cited.

Mr. Deuprey cited another case in which a wife was mistaken in regard to the matter of identification of her own husband, whose part was successfully played for a number of years by another man. Then he continued:

This is a serious one, this case of mistaken identity. You cannot use too much caution in dealing with it. If a wife can be so mistaken in a man whom she takes for her husband, look how much further Mrs. Crosett or Mrs. Leak or Quinlan might be mistaken, they never having seen Durrant before in their lives! Now, we might have asked for an acquittal when the prosecution rested, but contended that you were entitled to hear this man who is accused of so heinous a crime, to know what he had to say regarding what he did on that day, to have a full knowledge of his surroundings. This we gave you and much in support of it. They have never established by any proof who killed Blanche Lamont. What evidence have you of this? Do you want to stand on suspicions? Dr. Barrett cannot give us any information as to the real cause of death. He did not preserve her heart or any of her vital organs to show what the conditions were.

No proof to show who killed Blanche Lamont.

All he can say to us is that the conditions which appeared are those which would appear in strangulation. Who could say whether Blanche Lamont was killed on April 3 or April 4 or April 5? It was some time between April 3 and 6, but that is all. What her awful fate was we know not. There is no proof before you who killed Blanche Lamont. There is no proof before you where she was killed. You cannot point to any evidence indicating who killed her, where she was killed, or when she was killed. Now come down to the proposition of motive. Have you any evidence of motive in this case so far as it related to Blanche Lamont? Durrant's assertion was that she was a good, innocent girl. His conduct as related by Mrs. Noble, by Miss Mand Lamont, and by all connected with that church, shows that he was ever the gentleman to that young lady. You have before you the character of W. H. T. Durrant, from the date of his birth to the time when he was brought up among Christian surroundings—to the knowledge of good and not of bad.

Durrant's character stands unassailed and proven.

We have placed his character in the balance, and who are the men who came forward to support it? What young man, what old man, would not be proud of such men in the community coming forward to say that his conduct was excellent? Do you believe this great municipality of the City and County of San Francisco, backed with the most able District Attorney, with the 4000 policemen and a large detective force; do you believe that if they could have brought anybody to say a word against this young man's character that they would not have done so? I submit to you, gentlemen of the jury, that he stands unassailed in character and no motive has been shown: no person has been proven to have committed the deed. You have no evidence as to when or how it was done. You are simply here with matters of circumstantial evidence, and with the instruction of the court you must acquit. The tie which links mother and child is of such pure strength as to be never broken except by those whose feelings have been withered by vitiated society.

An appeal to the sympathies of the jurors.

The love of the mother is never exhausted. It never changes and never tires. It endures forever. In good repute, in face of the world's condemnation, the mother still loves. She remembers the infant smile that filled her bosom with rapture—the opening promise of youth—and she never can be brought to think ill of her child. No love is like a mother's love—unselfish, free and pure, the flame that, lighted from above, will never know the blush of conscious guile. I call your attention to these matters that when you come to consider this case you will be careful in weighing evidence. Think of the mother, who believes in her boy, who has sat by him day and night, to be harshly criticised by some miserable penny-a-liner. But I come to beseech you, gentlemen of the jury, more than anything else to listen carefully to every word that comes from the lips of the judge of this court in giving the charge. The law as he gives it must guide you in coming to a conclusion. My part is about done in this trial. My relations with the District Attorney have been of such a character that the friendship between us I can never forget.

Tell this father that his son is not a monster.

We believe, gentlemen of the jury, that from all that has been submitted to you as evidence in this case, there is a failure of proof, and we have established more than we offered to do in our opening statement. May you in your deliberations come to such a conclusion that you will say to this mother that this boy is the same as he has ever been—a Christian youth wedded to his home, wedded to his family. Say by your verdict to this broken-hearted father, crushed by the wrong that the law has done to his and him, that his son is not a monster. Let it be said by your verdict that no unlicensed condition of the press can waive you from your duty. Let it be known to the public and the commonwealth and to the world at large that you, citizens of this City and County, respect the constitution of the United States and the law of your own State, which gives every man a fair and impartial trial, and by your verdict of "not guilty," show forever that you are mindful of your duties to yourselves, to your families, to your country and to your God.

REYNOLDS AS A MYSTERY.

Supposition That He Might Have Been Read, the Sunday Suicide.

Were Smythe and Reynolds the Same? What the Richardsons Say About Smythe.

A statement which was to help establish an alibi for Theodore Durrant in the Blanche Lamont case has just come to light. It was sent privately to the Examiner by the writer, and but for the Reynolds letter to the Coroner which THE CALL published yesterday along with the statement George Reynolds was to have made to prove an alibi in the Williams case, it might not have been published for some time to come. Its publication had been withheld at the instance of Captain Lees.

The writer of this Blanche-Lamont-case statement signed himself "Richard Smythe." That such a man did and does exist seems probable enough, though it may have been that "Smythe" and "Reynolds" were aliases. Nobody seems to know Reynolds or to have ever heard of him; if he was ever at the Central House, 871 Market street, the books of that lodging-house do not show it.

"Most everybody who comes here gives an assumed name," said an attache of the place yesterday afternoon, so if Reynolds ever was there he must have likewise concealed his true identity. However, the statement Reynolds was to make was a thing in prospect, and perhaps the intention was to have him room at the Central House when the time came for him to give his valuable testimony in Durrant's behalf.

This City was searched from one end to the other for Reynolds, but no such man was found, nor could he be located in Oakland where he stated he had been living with Emile Boissen when the latter had his habitation at the foot of Broadway.

In the absence of Reynolds himself several coincidences were taken into consideration. The date of Reynolds' letter to Coroner Hawkins was Sunday, October 27. In that letter he threatened suicide by drowning. He would "seek rest," he had informed the Coroner, "from all worldly cares in the waters of the ocean near the Cliff House," but he promised to do it that night. On Sunday afternoon a young married man called "Charles Read" by G. A. Heilleman of 624 Washington street, who gave "Read's" address as "1531 Sutter street," did commit suicide near Point Bonita by shooting himself while fishing on the rocks. It was subsequently ascertained that Heilleman was the uncle of Read's wife, and that Read had been the proprietor of the Polypathic Surgical and Medical Institute at 1531 Sutter street. He had been afflicted with stomach troubles, and the last Federal Grand Jury had indicted him for sending a letter through the mails relating to his business and arrested. Sickness and the despondency supposed to have been due to this indictment and arrest were believed to have been the causes of his suicide.

He killed himself in a rather dramatic manner. It was while he, his wife and sister-in-law, Heilleman and a lady named Mrs. Doran were enjoying a Sunday outing. The party had gone over to Sausalito, intending to continue on to Ross Valley. Read had the programme changed when Sausalito was reached, and instead of the party going to Ross Valley a double rig was procured and they drove to Point Bonita.

It was Read who proposed that they should go to Point Bonita. His sister-in-law, Miss Ella Dressell, said he had acted queerly all along during the day. He had refused to ride in the buggy with them and wanted to be alone. Finally, while he was standing on the rocks off Point Bonita, he shot himself with a target rifle, and his body fell into the water.

This suicide, with the coincidence of Reynolds' threat to drown himself in the ocean on that same date, has caused Captain Lees to believe that Read and "Reynolds" might possibly have been one and the same person. Such at least was the theory the police were proceeding upon last night in their efforts to run down the charge "Reynolds" had made against the Durrant defense of attempted subornation of perjury.

So much at present for "Reynolds"; now as to Smythe. First, here is his statement:

My name is Richard Smythe and I room at the Melville on Market street, where I have been for two weeks, since coming from Arizona. During March and the greater part of April of this year I lived at (particular house and place to be designated hereafter) about one mile from Haywards, Alameda County. I think nearly one mile to the south. I was living there about three months, taking care of the place for a Mr. Jones. I don't know his initials. My wife and son, the latter 9 years old, were with me. I knew Blanche Lamont in her lifetime. I saw her last alive on the morning of Friday, April 5 of this year, when I left home to go to Oakland. Miss Lamont came to our house on Wednesday evening, April 3, about 6 o'clock. She had her schoolbooks with her, and she came direct from school. She came to bid my wife good-by, as we had expected to leave for the south in a few days, and also to go with my wife on Thursday, the next day, to call on a Mrs. Mary Richardson, a lady living either in Oakland or Alameda, I think the latter place, but I am not sure.

This Mrs. Richardson is an expert on Band of Hope work, and my wife was also deeply interested, having managed for several years the Excelsior Band of Hope in one of the Baptist churches in Philadelphia. Blanche Lamont wanted to get information on the subject, so she wrote a note to my wife a few days before, saying she would come over on Wednesday, April 3. I identify the letter shown as the one my wife received, except that it was not torn when I first saw it. I don't know what became of the envelope. Miss Lamont stayed at my house on Wednesday night, and on Thursday, the 4th, she and my wife took the electric cars and went to call on Mrs. Richardson. They started about 10 o'clock, and did not get home till after 3 o'clock that afternoon. I don't know whether they saw Mrs. Richardson or not, for I did not notice particularly what they said when they returned. Miss Lamont wanted to go home on that evening, but we finally persuaded her to remain till the next day. She said she was afraid her aunt would be worried about her.

I don't know the exact hour she started home on Friday, the 5th, for I had to go to Oakland that day, and I left home early, say about 6 o'clock, and I did not get back till about 3 o'clock. It might have been half-past 3. I cannot say. Miss Lamont had gone, however, when I got there. She left her bookstrap at my house, and my wife loaned her one of ours. It seems that my little boy got her books to play with and misplaced the strap, so that when she wanted to go it could not be found. I identify the strap as mine. It belongs to my little boy, and his initials, R. M. S.—Richard Mercer Smythe—are on it. I also identify this other strap as belonging to Blanche Lamont. It has her name in full upon it, the first and last letters being somewhat blotted. The name is near the buckle. The other end is clean cut, as though with a sharp knife, but irregular in shape and the edge is inked. I found this strap in a barrel in the kitchen about one week after Miss Lamont's body was found in the church. I took it to Mr. Dickinson's office, because it was evidence for the defense and he was the lawyer on that side. If I had got anything in favor of conviction I would have taken it to the police office, because it would have belonged there. I had no other reason for my action.

Mr. Dickinson instructed me to remain silent and not discuss the subject with anybody, and I have done so. I also gave him the letter my wife received from Blanche Lamont. I do not know Durrant or any of the officers, attorneys, witnesses or other persons connected with this case, except General Dickinson, and I never met him until he received the strap and letter from me. I have never been in the Emmanuel Church and do not know anybody belonging to it.

I first met Blanche Lamont at a Methodist Church, on Twentieth or Twenty-first street, out at the Mission, shortly before Christmas, 1894, on a Sunday morning. I was introduced by my wife, who had known her since some time in 1892. My wife first met Miss Lamont in Rockford, Ill. My wife was there visiting a sister, and remained about six months. I don't know how often she saw Miss Lamont there, but whenever I have seen them meet here they have always been extremely friendly. My wife's sister was an intimate friend of Blanche Lamont, and they wrote to each other after Miss Lamont returned to Dillon, Mont., and also after she came here.

The day she came to my house on April 3 she brought two letters she had received during the preceding month from my wife's sister. She also had one or two letters from a young lady who had been a classmate at Rockford, both of which I understood her to say she had received a short time before. I saw my wife reading these letters that Wednesday evening after dinner had been cleared away, but I did not pay much attention to them. Miss Lamont appeared to be in good health and was very cheerful and bright while at my house. She did not say anything about any appointment in this City for Friday, or mention anybody's name as far as I heard. I heard her speak of going home. I recollect telling her that I was in Butte City, Mont., in August, 1894, for a week or so. I was there on mining business and roomed with a family named Brown on West Broadway. They had two daughters who had been to Dillon, and I asked Miss Lamont if she knew them, but she said she did not. I had business with two men there, but only saw one, a Mr. Higgins, on North Main street.

I am not now living with my wife, but we are not divorced. We are living apart by mutual consent. She and our little boy are living with her parents on a farm in Bucks County, Pennsylvania, about nineteen miles north of Philadelphia. We separated on May 10, and have not written to each other since. I have never been regularly employed in this City. I have been traveling considerably, buying and selling cattle, mining and in fact anything I could turn my hand to. I have a mining claim in Wallapai district, Arizona, and was there working during a greater part of June and July of this year. I pay all my expenses here out of my own funds.

I consider my present home in Tucson, Ariz., where I have a room on Congress street. I have no interest in the case whatever, and don't know any witnesses by the names of Dugan and Stewart.

Most naturally the first question to suggest itself is "Who and what is this Richard Smythe?" That such a man has lived is borne out by the following answer from Butte, Mont., to a telegraphic inquiry from THE CALL:

BUTTE, MONT., Oct. 29.—The only family of Browns living on West Broadway in this city in August, 1894, was that of Adam F. Brown, a young man about 35 years of age. Mr. and Mrs. Brown lived with the family of John F. Lufkin at 312. There are no girls in either the Brown or Lufkin families. Mr. Lufkin said tonight that he recollected a man named Smythe rooming at his house about a week some time in the latter part of 1894. Smythe claimed to be an electrician, but further than that nothing is known of him.

This at once throws some doubt upon the statement of Smythe, though it confirms the existence of the man himself. It shows that he indulged his fancy in his context when he said:

I recollect telling her (Blanche Lamont) that I was in Butte, Mont., in August, 1894, for a week or so. I was there on mining business and roomed with a family named Brown on West Broadway. They had two daughters who had been to Dillon, etc.

The kernel of truth his assertion contained, according to the dispatch, was that he had been in Butte and knew a man named Brown there, that is all.

There is a belief that possibly "Reynolds" and "Smythe" might have been the same person—that if Read was not "Reynolds," then Smythe might have been the author of the "Reynolds" statement and sensational letter, and may still be in the flesh, enjoying the effect of his startling communication upon the public mind; or, possibly, Read might have adopted the name of Smythe in Butte, Mont., thus appropriating the identity of a Smythe of Tucson, Ariz. But a query arises here, which cannot just now be satisfactorily answered, "Was Read the right name of the Point Bonita suicide of Sunday?" The name of "Charles Read, proprietor of the Polypathic Surgical and Medical Institute, 1531 Sutter street," does not appear in the City directories.

In the statements of Reynolds and Smythe there is much in their character and formulation that is similar. The motive is the same, the manner of going about it is the same and the style of diction is the same. Most of the sentences are constructed after one fashion. They begin with personal pronouns or names, and each constitutes a simple declaration. This similarity might be explained by proof that, if the statements were made by two different persons, they became much alike in their construction by passing through the process of being written out by the same amanuensis, whoever it might have been that played the part of the amanuensis.

Take the first sentences in each and parallel them. "My name is George Reynolds," begins one; "My name is Richard Smythe," the other starts, "and I am at present rooming at the Central Lodging House at 871 Market street, below Fifth," says Reynolds, "and I room at the Melville on Market street," states Smythe. Thus identity, place and tense are established in the same order of succession, and then follows a qualification as to time: "Where I have been for two weeks since coming from Arizona," explains Smythe; "I have been there something over a week," Reynolds informs.

Parenthetically it might be remarked that the records of the Central House show no such name as that of George Reynolds, and Smythe's "Melville on Market street" is not in existence. The Vendome, formerly the Marquette, was several years ago called the Melville. In one statement the personality becomes doubtful if not entirely fictitious, in the other the name of the place used throws discredit on the reliability of the story.

But to continue with the parallel. Each injects a little of his past history into his story before getting down to the important features—each with an apparent desire to establish his position and value as a witness as plausibly as possible and beyond the peradventure of a doubt.

REYNOLDS.	SMYTHE.
I have been doing work on ranches in the neighborhood of San Miguel and in San Luis Obispo County	During March and the greater part of April of this year I lived at * * about one mile from Haywards.

The next parallel is as to ability.

REYNOLDS.	SMYTHE.
I have some little means of my own and am paying my own way.	I was taking care of a place for a Mr. Jones. My wife and son were with me.

Before Smythe gets through with his statement he tells of a Brown, but he doesn't particularize with Brown any more than he does with Jones. In a very indefinite way he locates both these persons, and whether they are accessible at this day is not indicated. "Smith," "Jones" and "Brown" are a vague trinity in "Smythe's" information.

The most startling parallel comes next. Each is positive and very particular in pretending knowledge of one of the principals of the Durrant-Lamont tragedy, the only difference being in the objective, one choosing Durrant and the other Lamont:

REYNOLDS.	SMYTHE.
I know Theodore Durrant well, and have been acquainted with him for ten or twelve years.	I knew Blanche Lamont in her lifetime.
Theo and I used to be together considerably.	Miss Lamont came to our house, etc. She came to bid my wife good-by.

Then, of course, the two statements must branch off as to circumstances, one, however, firmly fixing upon Durrant as its objective; the other as firmly on Blanche Lamont, but the parallels of motive and style still continue:

REYNOLDS.	SMYTHE.
I don't think Durrant knew my address, and I didn't know his.	I have never been regularly employed in this City.
I used to stop with Emil Boisen when he lived in Oakland, near the foot of Broadway.	I have been traveling considerably buying and selling cattle, mining, etc.
I only stay in the City during the winter months, if I get work.	I consider my present home in Tucson, Ariz., where I have a room on Congress street.
I have not talked with either Taylor or Harrington about our walk that night.	I don't know any witnesses by the names of Duggan and Stewart.

"I am paying all my expenses here," is the way Reynolds endeavors to throw suspicion aside as to his needs of money. "I pay all my expenses here out of my own funds," is the manner in which Smythe describes his financial status for apparently the same reason. Smythe says this almost at the end of his story and Reynolds soon after the beginning; but Reynolds or his amanuensis had evidently forgotten that he had already said so, and Reynolds is therefore made to reiterate toward the close: "I am paying my own expenses in this City." See the parallel thus:

REYNOLDS.	SMYTHE.
I am paying my own expenses in this city.	I pay all my own expenses here out of my own funds.

There is this particular attempt at safeguardedness in Reynolds' statement, whatever it might have anticipated, which has no parallel in Smythe's statement:

I don't know any of the attorneys in this case or Detective Morse or the police.

Reynolds did not write like an illiterate man who obtains his livelihood by working on ranches. His spelling was correct, and the simple style of his composition was at least grammatical. His capitalization was proper; that is, he used capitals where they should be used, and did not use any where they should not be used. His punctuation, so far as his style of composition required punctuation, was all right. His sentences being brief, and none of them worthy to be called complex in a literary sense, only commas and periods were needed, and Reynolds put them where they belonged.

And what has been said of the literary qualities of Reynolds' diction can also be repeated in describing Smythe's. Anyway it would not have been difficult for one man to have constructed both stories.

There is such a lady as Mrs. Mary Richardson in Oakland, whose personality has been dragged into the matter by Smythe, but his use of her name is not at all borne out by an interview had with her by THE CALL yesterday. Witness the following:

OAKLAND, OCT. 29.—Mrs. M. E. Richardson says she was approached over a month ago regarding the man Smythe, but could give no clews which led to clear up the mystery. She believes it is more likely a scheme of the prosecution to help out their case than the defense.

"There was a Band of Hope in the Emmanuel Church several years ago," said she to-night, "which I visited Easter Sunday two years ago, but I do not remember ever having seen Blanche Lamont or Minnie Williams.

"How my name became mixed up in the plot I cannot understand. It is done by some one who knows me well evidently, because I am called Mary. I never was known by that name, and never sign it, but it is my right name. The whole thing is a deep mystery to me. I can recall no one who has ever conferred with me about Band of Hope work which could throw the least light on the matter."

Miss Mae E. Richardson, a daughter of the lady, however, gave a slight clew by recalling the fact that a Mrs. Roberts who lives about Elmhurst was a superintendent of the Band of Hope in Philadelphia, and that her husband has been working on a ranch near Haywards for some time past. She believed that it would be well to investigate the whereabouts of the man and his doings for several months past.

"Mrs. Roberts, whose husband has been working on a ranch near Haywards"; she a former "superintendent of a Band of Hope in Philadelphia"—that is all! Future developments may throw some light upon any possible connection which Mr. Roberts might have had with the affair.

What Detective Morse Says.

Detective Harry Morse is outspoken in his opinion of the two statements which have so suddenly become a part of the famous case. He believes, he says, that they are the work of some insane meddler, who, wishing to see Durrant on the scaffold, has taken that method of giving him a final impetus toward conviction.

"The defense in this case has always been the same," he said yesterday. "The attorneys for Durrant would not countenance such a state of affairs, and I would not listen to any proposals of that kind from any one. The case as it was presented was just as we made it up. The matter of collecting evidence has been in my hands exclusively, and it was given to the jury just as it was originally intended. Mr. Deuprey's promises in his opening statement did not relate to anything any man named Reynolds or Smythe could say; they were based on the evidence that was afterward submitted.

"There is no truth in the statement that General Dickinson's questions regarding Blanche Lamont's visits to the Methodist church and of her letters from Rockford, Ill., were for the purpose of laying a foundation for the testimony Smythe said he was to furnish the defense. The questions, I suppose, were for the purpose of showing that the girl went with other men besides Durrant, but I do not know really what they were for. As for the strap, General Dickinson obtained it as he stated, and he submitted it for what it was worth.

"The defense in the Minnie Williams case is fully made up. It is just as it will be presented to the jury, and there is absolutely nothing in it relating to either Reynolds or Smythe. They have not been contemplated in the defense at all. We have no use for them."

Mrs. Read's Denial.

Mrs. Read, the widow of the man who shot himself on Point Bonita, denies in every particular the charge that her husband was Reynolds or Smythe, or had any connection with a person or persons so named. She denies, too, that he took any particular interest in the case, and the only comment he ever uttered was that he hoped the jury would hang Durrant.

"The cause of my husband's death," Mrs. Read said last night, "was a fear of being convicted of the charge which was pending against him in the United States courts."

Read had been indicted by the United States Grand Jury for using the mails for illicit purposes.

"He had been to several eminent lawyers," Mrs. Read continued, "and every one of them had told him that he could not escape conviction. It is not known, but he left a note addressed to me telling me of that fact. I didn't think the Coroner or any one else had any with his letter to me, so I did not show it to anybody. The letter was addressed to me and left on my husband's desk, where my sister found it. In that letter he told me that he was going to commit suicide, and he stated what I have told you as the cause."

Mrs. Read showed several samples of her husband's handwriting, and they are widely different from the reproductions of Reynolds' statements which were published in the newspapers.

A comparison proved at once that the samples of her husband's writing which Mrs. Read showed, and the statement prepared by the mysterious Reynolds, were written by different hands.

Lenahan Contradicts the Examiner.

Charles T. Lenahan contradicts the Examiner's story that he held his first conversation with the detectives in Burke's saloon.

At the saloon named no trace could be found yesterday to the identity of E. M. Thayer. Abbott Hanks, formerly captain of the signal corps, denied yesterday that his "boys" were in the habit of going into this saloon.

Mrs. Noble Never Heard of Him.

Mrs. Noble, when asked last night, said she had never heard of Smythe; that Blanche Lamont never knew a Symthe in Oakland; and that the only place visited by Blanche Lamont was a young friend in Mills Seminary.

She felt positive that Hon. James Lamont of Rockford, Ill., an editor of a temperance publication there, and once elected to the Illinois Legislature as Assemblyman on a temperance ticket, would not be able to throw any light on Smythe's identity or his assertions relative to Band of Hope connections.

HEBREW LADIES' FESTIVAL.

Nearly One Thousand Persons Attend the Inauguration of the Event.

The festival inaugurated Monday by the ladies of the Bush-street Temple at Union-square Hall on Post street is a success in its inception. Eight hundred ladies and gentlemen passed the doorkeeper. There have been sold 4000 tickets, which will be used during the week.

There is a representation in the architectural display of these apartments and in the costumes of the ladies of the following nations: American, French, Italian, Russian, Spanish, Mexican and Japanese. In each there is for sale a consignment of such articles as are characteristic of the people of the nations represented.

In fact, each booth possessed some special feature of attraction.

The crowd that attended the festival last evening was even larger than it was on the opening night. The ladies who were in charge of the many beautiful booths were busy seeking to induce the visitors to make purchases in aid of the temple, and they were very successful, realizing a neat sum in small contributions.

There are many candidates for the honor of being the most popular lady in the fair, and there are so many who are entitled to be recognized as such that many of those solicited to vote cast a ballot for each of a dozen so they could not be charged with partiality.

The Pacific Hebrew Orphan Asylum band discoursed sweet music that was at the close of each number loudly applauded. The musical programme was as follows:

Overture, Pacific Hebrew Orphan Asylum band; vocal solo, "Il Bacio," Miss Zelda Lewis; musical selection, "Birds in the Forest," band; vocal solo, "Laugh and the World Laughs With You," Charles Parent; "March of Victory," band; vocal solo (selected), Mrs. J. Fried; waltz, "For Thee Only," band.

This afternoon there will be a matinee that will be made specially attractive for children, for whose benefit it is to be given. In the evening it will be Olympic Club night, and several members, including J. R. La Rue and the Lansburg brothers, will give acrobatic performances.

Friday afternoon there will be another matinee.

The executive committee, under whose auspices the fair is being held, is composed of: Mrs. Jennie Reiss, president; Mrs. A. Altmayer, first vice-president; Mrs. Leon Blum, second vice-president; Mrs. J. Frohman, treasurer; Miss Eugenia Heller, secretary; Sol Adler, assistant secretary.

YERKES OBSERVATORY.

Professor Barnard to Assist in Testing Its New Objective.

Professor Barnard, formerly of the Lick Observatory, has just been at the Yerkes Observatory, on the shore of Lake Geneva, and writes very enthusiastically of the new 40-inch refractor it is about to receive. The Yerkes ojective has an area of 1257 square inches, that of the Lick's is 1021 square inches.

Professor George E. Hale is at Cambridgeport looking after the great objective, and Professor Barnard is on his way to assist him in testing it.

"The observatory (Yerkes) is a grand affair," writes Professor Barnard. "It is the greatest structure ever built for the purpose by long odds."

Vindicated.

The charge of embezzlement preferred by J. D. Hart against Charles J. Stolz, tried before Police Judge Low Tuesday, October 29, was thrown out of court, as the charge proved groundless.

SMOKED OPIUM IN COURT.

Chinese and Whites Give Evidence as Experts on the Drug.

JUDGE HEACOCK WAS BORED.

The Fiends Consume Quantities of the Stuff Before Testifying in a Customs Case.

United States Commissioner Heacock's courtroom might have been taken for an opium den in full blast by one unfamiliar with the dignity of that sanctum yesterday morning.

Wong Yow was being examined on a charge of having smuggled opium in his possession, and the case finally narrowed down to a question as to whether the 170 tins of the drug seized by Deputy Surveyor Ruddell contained any opium imported in a refined state or whether it was all domestic opium that had been cooked up in San Francisco from the crude article.

In order to determine this point it was necessary to have expert testimony, and the could only be obtained by smoking this drug. Each side produced three smokers, four of them being Chinese and two whites, pipes were procured and the experts fell to with avidity, some of the fiends lying at full length on the floor while others utilized chairs and the big lounge that forms a portion of the furniture of the room. Soon the blue wreaths of smoke that arose from the cooking of the opium over the little nut-oil lamps filled the room, and the sweet, sickening odor of the drug penetrated every nook and cranny of the apartment.

Judge Heacock looked disgusted as the fumes assailed his nostrils, but he bore the ordeal with becoming fortitude and waited for the opinions of the recumbent experts. Conversation among the attorneys flagged, but still the smokers rolled their little pills, cooked them and looked wise and at the same time pleased as the smoke poured from their nostrils and joined the clouds that already nearly obscured the ceiling. The smokers evidently thought they had a good thing and were "pushing it along."

Finally, becoming a little bored by the proceedings, the Commissioner asked whether the prospective witnesses were not about ready to testify, but was told that they were not quite convinced of the identity of the opium, and the smoking went on. At last one of the white smokers, by dropping the pipe from his nerveless hand, gave evidence that his "habit" was satisfied and that he ought to be ready to give his opinion, and seeing that they could not carry on their favorite occupation any longer, the remainder of the experts arose reluctantly from their positions and put away their paraphernalia.

One thrifty Chinese who had taken a liberal supply from one of the cans to start with wrapped what he had not been able to consume in a piece of paper and stowed it away in his pocket.

Before beginning the hearing of the expert testimony the Commissioner carefully opened all the doors and windows, and breathed a sigh of relief as he said, "Proceed, gentlemen."

The witnesses showed the lack of decision usual in opium fiends, but they nearly all agreed that it was impossible to determine whether there was any Victoria or Hongkong opium mixed with the domestic article. One man said that he thought there was a little, but he could not make the case of the prosecution strong enough to suit Commissioner Heacock, and the case was ordered dismissed.

It was brought out in the testimony, however, that at the time Wong Yon was taken into custody he offered the officer who arrested him $20, and later $100, to let him go free, and he may be rearrested on a charge of attempting to bribe the inspector.

A Methodist Rescue.

The Methodist Mission is becoming very active in the rescue of Chinese female slaves. The number of girls in the home is rapidly increasing. Yesterday Mrs. Hull returned to the City with a girl whom she rescued on Sunday from a disreputable house in the Chinatown of Pacific Grove. The girl, whose name is Ma Choy, had expressed a desire to escape from slavery. Advantage was taken of her owners' absence from home. Mrs. Hull met her near the station and they took the train without molestation, as Ma Choy's absence was not discovered immediately and it was not known that she had gone with a teacher from the mission.

TERRY'S SPICY ARGUMENT

IT PRODUCED A SMALL SENSATION AT THE BOOGAR MURDER TRIAL.

HE REFERRED IN SLIGHTING TERMS TO A SAN FRANCISCO SUPERIOR JUDGE.

For spicy argument on the part of opposing attorneys, and the resentment of any improper insinuation on the part of those attorneys by the bench, the trial of Theodore Durrant has had an able ally during the past few weeks in the trial of Michael Collins for the murder of Henry Boogar, which occurred in Oakland a few months ago.

The latest instance of this spice and sarcasm which has been manifest throughout the trial occurred last Thursday. Reel B. Terry was making the argument for the prosecution and incidentally paid his respect to the press in general and female reporters in particular. He said: "Mr. Knight has been from the beginning of this trial harping on the fact that Mrs. Boogar, daughter of Collins, the defendant, had at various stages of the Boogar litigation and in the collateral cases, mostly criminal, opposed her thirteen lawyers.

"It has also appeared in the testimony that Mrs. Boogar and her advisers had at one time enlisted in her behalf the columns of an influential paper in San Francisco and also some of the papers in Oakland.

"If I had the newspapers on my side she could have the thirteen lawyers or thirteen hundred lawyers if she wished them, as the press controls the country and can ruin any man.

"The public men of the States are afraid of the papers, and only a few days ago the people of this State witnessed the spectacle of a Judge of the Superior Court in an important criminal trial defied by a female reporter, who when ordered to answer a question positively refused, and the Judge, after threatening to fine her for contempt of court, took the matter under advisement and conveniently found that he was in error in ordering her to answer."

At this Judge Frick, who was trying the case, called Mr. Terry to order and said "he would not have a Judge of the Superior Court reflected upon."

Mr. Terry therefore said: "Well, gentlemen, you can consider the remarks formally taken back and apologized for, but it is true just the same."

NEW TO-DAY—DRY GOODS.

AN EXTRAORDINARY OCCASION!

The MARVELOUSLY LOW PRICES that have concentrated the bulk of the Dry Goods and Cloak trade of the city to our mammoth establishment ever since the opening of our MAGNIFICENT AND UNEQUALED NEW FALL AND WINTER STOCK are this week reenforced by a special offering of THE MOST STYLISH LINES OF OUTER GARMENTS and THE MOST STAPLE LINES OF HOUSEFURNISHINGS at

PRICES THAT MEAN A GREAT SAVING TO BUYERS!

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LADIES' DOUBLE-BREASTED JACKETS of black and navy Berlin twill, coat backs, notched collar, tailor pockets, bone buttons, worth $10, will be offered at $7 50 each.

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LADIES' DOUBLE-BREASTED JACKETS, of black and navy boucle cloth, lined throughout with twilled silk, mandolin sleeves, ripple skirts, large bone buttons, worth $15, will be offered at $10 each.

At $12.50.

LADIES' DOUBLE-BREASTED JACKETS, of black boucle cloth, lined throughout with silk surah, full mandolin sleeves, notched collar, ripple skirts, worth $17 50, will be offered at $12 50 each.

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LADIES' DOUBLE CAPES of black and navy melton, trimmed all round with satin band with rows of silk stitching, rolling collar of velvet, worth $7 50, will be offered at $5 each.

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At $7.50.

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LADIES' PLUSH CAPES, full ripple, prettily embroidered with braid and jet and trimmed with thibet; worth $22 50, will be offered at $15 each.

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