Interesting Report of Important Up-to-Date News Items in Alameda County

ONLY TWO DAYS MORE.

To-Morrow the Exposition Receipts Will Be Given to Charity.

HAYES' MARSH LAND SOLD

Preparations Being Made for the Coming Pigeon Show at the Tabernacle.

OAKLAND OFFICE SAN FRANCISCO CALL, 908 Broadway, Dec. 26.

The Oakland Exposition which has been such a success, will close Saturday evening. Those who have not yet visited the exposition and desire to do so should not delay it any longer. The receipts to-morrow will be divided equally between the Oakland Benevolent Society, the Women's Christian Temperance Union, the Society for the Prevention of Cruelty to Animals and for the Prevention of Cruelty to Children.

Saturday is to be given entirely to the Native Sons and they are preparing a programme of great merit. It is expected that the closing hours will afford any amount of fun and a general frolic. It has been proposed that the stopping of the machinery be the signal for all to join in singing "America" and closing with three cheers for "New Oakland."

This evening is military night and companies A and F of the Fifth Infantry, N. G. C., paraded the streets with the regimental band, after which they gave a very realistic display of life in camp. The California Mandolin Club, consisting of Messrs. George E. Lund, William T. Frost, Charles Lund, Albert Chase, Henry Duckworth and George Chase Jr., gave some very interesting selections.

A Sale Set Aside.

OAKLAND, CAL., Dec. 26.—Judge Ellsworth has set aside the sale of Louis Meyer's real estate, made recently by George H. Persy, who has been filling the double role of attorney for the insolvent and assignee for the creditors. Some time ago Meyer filed a petition in insolvency, hence the sale.

A lot and three houses, owned by Meyer and located on Eagle avenue, near Park street, Alameda, were sold to L. Fjord, an intimate friend of Meyer, for $70, subject to a mortgage. The houses produce an income of $45 a month. Fjord paid a deposit of $7 and holds the property. Meyer's homestead at Pacific avenue and Lafayette street, consisting of a large lot and a three-story dwelling which cost fully $7000, went to P. F. Fischer, his son-in-law, for $25, subject to a mortgage.

Judge Ellsworth was occupied for two days in hearing testimony in the matter. The plaintiffs have been granted until January 21 to file an amended complaint in opposition, at which time further hearing will be had. It was brought out that Fjord, who bought the Eagle-avenue property, did not know there was a mortgage on it.

Last of Hayes' Marsh Land.

OAKLAND, CAL., Dec. 26.—The 42¼ acres of marsh land on Union street, south of First, owned by Susan Hayes, was sold to-day by W. S. Harlow as commissioner under a decree of foreclosure in favor of the Oakland Bank of Savings. It was bought in by the plaintiff for $32,483 13. This is the property which it was proposed to secure for a site for the Fulton Iron Works when they talked of coming to Oakland.

It is one of the few pieces of property not in the hands of the Southern Pacific Railroad which would make a first-class terminal for an overland competing road. It lies along the north line of the estuary and just east of the Southern Pacific yards. The directors of the Valley road had it under consideration at the time when it was thought the line might come to deep water instead of tidewater, as at present. Mrs. Hayes has six months to redeem the land if she so desires.

Preparing for the Pigeon Show.

OAKLAND, CAL., Dec. 26.—The Pacific Poultry and Pigeon Association have secured the Tabernacle from January 16 to 22 and are completing arrangements for one of the largest and finest exhibitions of thoroughbred poultry, pigeons, and pet stock ever seen west of the Rocky Mountains. It is expected that there will be fully two thousand specimens on exhibit.

Isaac K. Felch, of Natick, Mass., who is a world renowed judge of poultry has been secured to make the awards. The opening will be made the occasion of a great demonstration, with music, fireworks and addresses by the leading fanciers. There will be an incubator contest with a suitable reward for the machine which hatches the greatest per cent of the eggs. Among the trophies offered are the American Buff Leghorn cup, the Oakland cup, the Duff medal, and gold and silver medals innumerable.

Suicide and Sudden Death.

OAKLAND, CAL., Dec. 26.—John Vanoli shot himself at Twenty-first street and San Pablo avenue to-night. Vanoli is a single man, 47 years of age, and has been sick for some time. He came here from Ouray, Colo., where he owned the Golden Belt Theater. From papers found in his room it is thought he owned considerable property. Nearly $200 was found on his person. No reason can be given for the suicide.

May Stanly, a middle-aged woman, was found dead at Lorin to-night. She was missed by neighbors and a search proved that she had died suddenly. As no physician had been attending her an inquest will be held.

Funeral of Gustave Mix.

OAKLAND, CAL., Dec. 26.—The funeral of the late Gustave L. Mix was held at 11 o'clock to-day from the St. John's Episcopal Church, Rev. Benjamin Akerly, D.D., officiating, assisted by Rev. F. G. Mynard. There were present a large number of the old-time friends of the deceased.

The pall-bearers were from among close friends of the deceased. They were Messrs. C. D. Haven, J. A. Britton, C. R. Jones, Dr. J. S. Adams, Dr. F. K. Adams and J. W. Tompkins. The music was by the full-vested choir of thirty voices connected with the church. The remains were interred at Mountain View Cemetery.

Wants Pay for Advice.

OAKLAND, CAL., Dec. 26.—Attorney G. Harding Tebbs has brought suit to recover $1700, the balance due on fees for services he claims to have rendered McKenzie Urquhart, C. Christian Russ, Charles E. Tebbs and C. E. Phillips. The attorney alleges that for two years past he has drafted agreements and given advice to the defendants regarding the location, acquisition and working of the mine now the property of the Mabelle Mining Company in Curry County, Or. These services he says are worth $2000, but he has only received 150 shares of the Mabelle Mining Company's stock, which he values at $300.

Bieler's Estate Distributed.

OAKLAND, CAL., Dec. 26.—The estate of Xavier Bieler was ordered distributed to-day by Judge Frick. Bieler left $7000 in gold to numerous nephews and nieces and a brother, Frank Bieler, who was to have $600. A will failed to mention three brothers in Switzerland. As they are direct heirs at law the omission might have proved fatal, had not Frank Bieler explained that his brother had instructed him that the other brothers were to share as Frank did.

Will Sue for Damages.

OAKLAND, CAL., Dec. 26.—The relatives of Michael Finnegan, who died in the Receiving Hospital Monday night after having been struck by an electric-car and then confined in the City Jail all day, have retained an attorney and will institute a suit for $50,000 against the Oakland Consolidated Railroad Company.

Gottschall's Fight for Life.

OAKLAND, CAL., Dec. 26.—Martin Gottschall was picked up in the bay off the narrow-gauge pier to-night. He said he had been pushed off Alameda Point and had been battling two hours for his life before assistance arrived. After having been attended to by the police he was taken home.

Muhlner Trial Ended.

OAKLAND, CAL., Dec. 26.—The arguments in the trial of Muhlner for murdering Jennie Lewis were concluded this afternoon and the case given to the jury at 6 o'clock. One hour after midnight they had not reported and it is supposed that there will be a disagreement.

HISTORY OF A DAY.

Alameda County Happenings Told in Brief Chapters.

OAKLAND OFFICE SAN FRANCISCO CALL, 908 Broadway, Dec. 26.

The Unitarian Sunday-school will celebrate its Christmas festival to-morrow (Friday) afternoon from 3 to 6 o'clock.

The Oakland Navy has elected its officers for the next year. The first race of the new season will be held on January 19.

The Acme Club will give an exhibition at the Oakland Exposition to-morrow evening. The baseball club is getting into shape.

J. W. Taylor has been awarded the contract for moving the Davie ferry-shed from the wharf at the foot of Franklin street. His bid was $498 for the job.

The rehearing of the charges preferred against ex-Officer William H. McCloud by ex-Chief of Police Schaffer will come up before the Police Commissioners at 10 o'clock to-morrow morning.

The Y. M. C. A. will play a game of football on New Year's day with a team composed of sailors on English ships now in the harbor. A second game will be played on Washington's birthday.

The Reliance Club will give a big society production of "7—20—8," Daly's great play, at the Macdonough Theater on January 27 and 28. The membership contest will not close before January 20.

The order of Judge Frick fixes the cost bill in the contest of the will of Mrs. Anna L. Murphy upon the contestants, Lady Wolseley, Daniel T. and Samuel J. Murphy. It amounts to about $25,000.

The Board of Police and Fire Commissioners held a meeting this morning and elected J. W. Peterson and J. F. Stahl for police officers to fill the positions made vacant by the discharge of Officers O'Hara and Brown.

The regular examination of clerks and carriers at the Oakland postoffice will be held at the Council Chambers, City Hall, on February 4, 1896. Applications will be received at the postoffice until 6 P. M. Wednesday, January 15.

C. R. Bennett's case has been continued to February 17, to be set for trial pending the determination of his appeal from the order of Judge Ogden granting him a new trial after conviction of an assault to murder George Gray.

The installation of Rev. E. E. Clark as pastor of the Prospect Hill Presbyterian Church, Fruitvale, took place this evening at 7:30. Rev. James Curry, D.D., of Temescal presided. Rev. H. A. Ketchum, D.D., of Berkeley preached the sermon.

The dedication of St. Mary's College will take place next Sunday at 3 P. M. The structure, which was so badly gutted by fire about a year ago, has been rebuilt and it now stands about as it did before the fire. No changes of any note were made in the building.

The defendants in the suit brought by Robert Smilie over the opening of Harrison street, below First, filed an answer Tuesday. In short, they admit that J. L. Davie, as Mayor, removed some lumber from land within the boundaries described, but assert that the act was done in a peaceable way in removing obstructions from a public street.

W. H. Ayers, an aged and old-time resident of the city, was taken to the Receiving Hospital yesterday morning in an exhausted condition due to a lack of proper nourishment. He will be sent to the County Infirmary. Ayers was once prosperous. He is 75 years old now and has been dependent on meager charity for sustenance for months.

DIVORCED AND MARRIED.

Mrs. Fred Sharon Wedded to Sergeant Reynolds in Alameda.

Had a Divorce but a Few Days Before the Wedding—Jack Tar Knocks Down Six Men.

ALAMEDA, CAL., Dec. 26.—Mrs. Fred Sharon, who a week ago thought she had been divorced from Sharon, but when she went to get a marriage license to marry another man found the knot had not been untied, got matters all straightened out in time to have a wedding on Christmas day.

Her divorce case had been heard by Commissioner Babcock, who reported his findings to Judge Ogden. The findings were favorable to a divorce. Judge Ogden had not entered a final decree, but his attention having been called to the matter he performed the judicial act that enabled the fair plaintiff to embark in matrimony again.

This she did at her residence, 1619 Pacific avenue, when she was married to Sergeant Reynolds.

A Bad Accident Recalled.

ALAMEDA, CAL., Dec. 26.—A bill recently introduced in Congress for the relief of the family of the late J. W. Gearing recalls a singular and shocking accident that happened in February last to a resident of Alameda. J. W. Gearing was a young machinist in the employ of the Government at the Mare Island Navy-yard. In February last he was superintending the placing of engines in the Monadnock when he met his death.

One of the engines was suspended above its bed and was being lowered with the huge tackle employed for that purpose when a chain broke. The enormous mass of iron swung around and pinned Gearing to a large three-inch bolt that protruded, driving it entirely through his body. He lived six hours afterward, making his will and arranging his earthly affairs. His widow lives in a cottage he built for his family on Louisa street, and Hilborn's bill, if it becomes a law, will give her a fund of $10,000 as compensation for the loss of her protector and support.

A Muscular Tar.

ALAMEDA, CAL., Dec. 26.—A young man by the name of Finnigan, in the employ of the United States Government on a revenue cutter, came to Alameda Christmas day to celebrate. While in a saloon on Park street several young men began to banter him by questioning the valor of Uncle Sam's tars in general and Finnigan in particular. One young man named Bachelder was particularly scornful of the bluejacket, whose anger was finally so aroused that he started in to show how he could fight. He knocked his tormentor down and then successively floored six of his companions, and by that times his prowess was conceded on all sides.

Bannen on Trial.

ALAMEDA, CAL., Dec. 26.—William Bannen, arrested at Stockton on a charge of embezzlement, was brought to Alameda Thanksgiving day and yesterday arraigned, when he pleaded not guilty. Bannen is charged with having embezzled money from a grocer named Martin Joost, whose clerk he was, but his mother swore to the complaint upon which the warrant was issued. She did that because, she claimed, her son left her without support and was not going to care for her any more. Bannen declares that he does not owe Joost anything, having settled with him in full, and that his mother must be out of her head.

Miss Caroline V. Bernard, whose mother, the late Caroline Richings Bernard, was a famous singer twenty years ago, is the contralto of the choir of the First Presbyterian Church of Philadelphia.

WRAPPED IN TARPAULIN.

How an Engine Is Kept in a Condemned Fire Building.

IS LIKELY TO DISAPPEAR.

The Board of Health Would Like to Better the Condition of Fire Laddies.

OAKLAND OFFICE SAN FRANCISCO CALL, 908 Broadway, Dec. 26.

The Health Office has once more condemned the historic Sixth-street engine-house, but still the firemen who inhabit the wretched quarters have no hope of relief. It has been pronounced unfit for habitation for many years, and still it is falling to pieces, is causing the wanton waste of valuable municipal property, and is actually endangering the lives of the firemen.

The Sixth-street engine-house was built twenty-three years ago, and has been allowed to decay ever since. It is without exception the most wretched building in this city, and no one who has not seen it will believe the horrible condition it is in. Two of the three ornamental pillars that originally supported the moldings of the entrance have long since fallen down, and have not been seen for years. Recently a portion of the ornamental head of a column fell down and seriously cut a fireman's hand. The doors are patched worse than any water-front rookery and the roof is like a sieve. Yet within this place eight men live, four horses are kept and about $8000 worth of valuable property is allowed to depreciate.

Said the driver to-day:

There is danger of the heavy engine and fire truck sinking through the floor at any moment. We have to keep moving the engine about to prevent its resting too long on one part of the floor. The edges of the boards are all eaten away and the wainscoting around the interior is in dust and splinters half way up from the floor. There is not a single inch of wall that is not rain-soaked and the roof is like a filter.

But where we suffer most is in the rooms. We live over the horses and that needs no explanation to express our discomfort. Whenever it rains the water comes in and we have to put the tarpaulins over the engine and truck. The place has been condemned many times before, but nothing has been done.

The fireman's description does not do the rottenness of the building justice. It is far worse than represented. There are many places in the floor where a foot can be pushed through within three feet of where the heavy engine is placed, and the walls are worse than those of thousands of deserted shanties. Should a fire alarm be turned in while the engine is in masquerading costume a couple of minutes would be lost in undressing it.

It is not likely that the condemnation proceedings will produce any marked improvement, as there is not any money available at present for repairing engine-houses.

A requisition for a few dollars was made to-day and two panes of glass were put in a leaky skylight. But the work done is simply farcical, as it is entirely lost on the old rattletrap of a building.

The only fireman who finds life tolerable is one who has built an airshaft from his room through the roof, and in other ways done what the city should do for its employes.

LADIES AS JOURNALISTS.

Will Issue a Paper on Washington's Birthday for the W. C. T. U.

The "Enquirer" Office Will Be Turned Over to Them and They Will Receive The Proceeds.

OAKLAND OFFICE, SAN FRANCISCO CALL, 908 Broadway, Dec. 26.

The Women's Christian Temperance Union of Oakland is to issue an edition of a paper on Washington's birthday. They will handle the issue of the Enquirer for one day to help them in their work.

The Women's Christian Temperance Union is composed of many ladies, who work on the lines of social purity and temperance. They also conduct a temperance restaurant, and, on account of the very tight condition of the money market, the ladies find their funds somewhat depleted. No attempt has ever been made by Oakland ladies to get out an edition of a regular paper, and it is hoped that as the proceeds are to be given entirely to the Women's Christian Temperance Union the venture will be a successful one. To-night the matter was the one subject of discussion in the various ladies' booths at the exposition.

"Mrs. Borland of the W. C. T. U. wrote to me," said Frank A. Leach, proprietor of the Enquirer, to-night, "asking me about giving over the paper to them for one day. Ordinarily we do not issue a paper on Washington's birthday, and so the ladies asked the privilege of the paper for that day. We decided to turn over the office to them, and I have no doubt the affair will be a great success, as there are some of the brightest women I know doing newspaper work in this city. They will get their own advertisements, do their own soliciting and will take the entire proceeds. It will have been the first time such a thing was ever done in Oakland, and I expect to see a very bright paper."

THE GREAT CHIEF.

Grand Incohonee Andrew H. Paton of the Red Men to Visit Alameda's Hunting Grounds.

OAKLAND OFFICE SAN FRANCISCO CALL, 908 Broadway, Dec. 26.

On Monday night next every member of the Improved Order of Red Men in the hunting grounds of Alameda County will don his war paint and feathers and proceed to the wigwam of Gray Eagle Tribe No. 65 in California Hall, on Clay street, between Tenth and Eleventh. The cause of the grand assemblage will be the arrival in these hunting grounds of Andrew H. Paton, grand incohonee of the United States.

This great chief, who is at the head of nearly half a million members of this fraternal society, is on an official grand tour of the great reservation of the United States, and as the order on this coast is seldom visited by a great incohonee, the Red Men here have decided to make the occasion, or the visit, one of a life time, which in reality it is, on account of the infrequency of the visits of so distinguished a chief of the order.

The officers of the Great Council of California will accompany the great incohonee on this visit, and will introduce him to the assembled chiefs and brothers of the local tribes, namely: Tecumseh Tribe No. 62 and Gray Eagle Tribe No. 65 of Oakland, Pawnee Tribe No. 67 of Alameda and Comanche Tribe No. 79 of Elmhurst.

On assembling at Gray Eagle's wigwam the order of the evening will be the official reception of the great chiefs, which will be followed by the adoption of pale-faces who have been found astray in the forest. A banquet will then be served.

The committee from the local tribes having the reception in charge are actively engaged in making preparation for the event.

Great Chief Paton is the first great incohonee to visit the reservation of California, and the desire is to so entertain him that when he returns to the reservations east of the Rockies he will give such a glowing account of his treatment by the local Red Men and of the resources of so fruitful a reservation that his successors will all desire to follow in his footsteps to the land by the sunset sea.

All Red Men residing in or visiting this reservation are cordially invited to be present.

WALES OBJECTS.

The Prince Will Not Give His Children's Pictures Except to His Intimate Friends.

OAKLAND OFFICE SAN FRANCISCO CALL, 908 Broadway, Dec. 26.

F. R. Porter of Echoes received a letter from the Prince of Wales to-day in which the future King of England declined an invitation to visit Oakland.

The correspondence between the Oakland editor and the Prince was not very voluminous. Mr. Porter wrote as follows:

OAKLAND, Cal., Nov. 19, 1895.

To Albert Edward Wettin, Prince of Wales, etc.—YOUR ROYAL HIGHNESS: You will oblige me should you direct your secretary to forward me at the earliest a late photo of your daughter, the Princess Victoria, also a late photo of the Princess Maud, likewise your daughter. There are many "Britishers" living hereabout, and I propose to publish, as of general interest, authentic likenesses of these two of your children.

Also, will you, personally, kindly answer this query: Is it in your mind to visit California during the year 1896?

I remain, with the greatest respect, your Royal Highness' friend, F. R. PORTER.

The letter received to-day was from Sir Francis Knollys, private secretary and close friend of Albert Edward. It was as follows:

SANDRINGHAM, Norfolk, Dec. 7, 1895.

Sir: I am desired by the Prince of Wales to acknowledge the receipt of your letter of the 19th ult. and to inform you in reply that it is contrary to his practice to give away photographs of the members of his family unless he is personally acquainted with the applicants for them.

His Royal Highness regrets, therefore, that he is unable to comply with your request.

The Prince of Wales has no intention of visiting California next year. I am, sir, your obedient servant, FRANCIS KNOLLYS.

F. R. PORTER ESQ.

Mr. Porter regrets that he is not personally acquainted with his Highness, as he had set his heart upon the Wales children to his gallery of celebrated men and women, actors, actresses and aristocrats.

BONDING BERKELEY TOWN

A Hot Political Fight Expected Over This Question of Finances.

Residents of the Place Petition for the Reappointment of Postmaster McCarthy.

BERKELEY, CAL., Dec. 26.—There is every indication of a hot political battle between the supporters and the non-supporters of the proposition to bond the town of Berkeley for $200,000, to be expended in the erection of four school buildings and a wharf.

It is estimated that the school buildings will cost upward of $120,000 and the proposed wharf in the neighborhood of $80,000. The general sentiment expressed at the several mass-meetings held in various parts of the town within the past two months for the consideration of the bonding scheme seemed to indicate that the propositions for building both the school buildings and wharf would easily carry.

There has recently developed, however, a feeling that the wharf is not a necessity, but more of a luxury, considering the present financial status of the town as compared with the population and the valuation of property.

As the wharf would, of course, be built in West Berkeley, the citizens in that immediate section seem to be almost unanimously in favor of calling for $80,000 to be spent in their vicinity, since they would be much benefited because of the manufactories which are located there.

It is among the East Berkeleyans that the sentiment against the wharf has arisen. They maintain that the commerce which would be consequent upon its erection would not be sufficient to justify the expenditure of such a large amount of money when other interests, such as the school system, are sadly in need of assistance. It is further asserted that the greatest benefit which would redound from the erection of the wharf would go into the hands of the few manufacturers in the West End, while the mass of the population in the First and Second wards would be required to pay for that which would afford them but little benefit.

The ordinance adopted by the Board of Trustees couples the wharf and the school propositions, so that the downfall of one means the overthrow of the other. Some of the citizens of the town are inclined to criticize the board for being so short-sighted in not making two separate and distinct ordinances.

The requisite petition, according to the new charter, for the calling of a bond election has been circulated in West Berkeley with the best of success. It has reached East Berkeley, but its reception is not so cordial, since the two propositions are coupled.

Want McCarthy.

BERKELEY, CAL., Dec. 26.—A petition is being circulated in Berkeley asking for the reappointment of Postmaster James McCarthy, whose term of office expires in March. The petition is addressed to President Cleveland, and states that Mr. McCarthy has carried on the work of the office in a business-like and non-partisan manner, and accordingly deserves a second term.

Orchestral Society Concert.

BERKELEY, CAL., Dec. 26.—Preparations have already begun for the second concert of the season to be given by the Berkeley Orchestral Society January 31. President C. S. Merrill and the many other musicians who constitute the society have already begun the work of outlining the programme. They announce that an unusual variety of selections will be rendered. Alexander T. Stewart of Oakland will direct the concert.

New Buildings.

BERKELEY, CAL., Dec. 26.—John M. Foy is about to commence the construction of four large stores on the northeast corner of University avenue and Seventh street, one of which will be occupied by the West Berkeley branch of the Public Library.

Sunday-School Festival.

BERKELEY, CAL., Dec. 26. — The Christmas exercises of the Presbyterian Sunday-school were held this evening at Shattuck Hall. The programme consisted of music, charades and recitations.

Codified the Ordinances.

BERKELEY, CAL., Dec. 26.—The Board of Town Trustees met as a committee of the whole this evening for the purpose of codifying the ordinances of the town, so that they may be put into book form.

Elizabeth Cady Stanton, whose eightieth birthday was recently celebrated, is learning to play on the piano.

HE GETS TEN THOUSAND.

D. M. Delmas Wins a Victory Over the Southern Pacific Company.

THE JANSEN DAMAGE CASE.

Railroads Cannot Allow Two Trains to Remain in the Same Station.

OAKLAND OFFICE SAN FRANCISCO CALL, 908 Broadway, Dec. 26.

The jury in the case of Robert P. Jansen against the Southern Pacific Company today gave a verdict against the company for $10,000.

This suit has been on trial before Judge Greene for the last five days, D. M. Delmas appearing for the plaintiff, and W. H. L. Barnes for defendant.

Mr. Jansen boarded one of the defendant's cars in Alameda, to go to San Francisco, and seeing his wife beckon to him from the sidewalk he understood that she wanted to speak to him. He attempted to leave the car on the same side on which he had boarded it, but being prevented from doing so by the people crowding to the train, he alighted on the opposite side and was struck and permanently injured by an incoming engine.

Suit was first brought in San Francisco, but the plaintiff consented to the motion for a nonsuit made by the railroad company and the same day recommenced the suit here. The railroad officials, believing the consent to the nonsuit to have been given through some feeling of weakness on the part of the plaintiff, permitted their mistaken belief to prompt them to force the new suit to trial. Within three days after the new suit had been commenced the railroad company, relying upon its fancied security, had answered to the complaint. Yesterday's verdict shows that never was fancied security less founded in fact.

It was proved that it is the custom of the Southern Pacific to permit one train to enter a station while another is receiving and discharging passengers, but that it is not the custom on any other railroad to do so; and, in fact, the courts have repeatedly decided that such practice in itself is gross negligence.

Before the defendant's testimony was given, General Barnes made the same motion that the plaintiff had consented to before, which, after argument, was denied by Judge Greene.

The defendant called thirteen witnesses, and after able arguments, in which the whole case was presented to the jury, Judge Greene delivered his charge upon the law of the case. The jury then retired, and after over an hour's deliberation returned a verdict for $10,000 in favor of the plaintiff.

DODGING SHERIFFS.

Lorin's Retired Saloon-Keeper May Yet Have to Answer to a Charge of Murder.

OAKLAND OFFICE SAN FRANCISCO CALL, 908 Broadway, Dec. 26.

Albert Menzenmeyer, who created consternation at Lorin with a pistol Christmas eve and seriously shot John R. Perkins in the lung, is still at large. Sheriff White is not satisfied with the efforts made to hold Menzenmeyer prior to the time he shot Perkins.

It has been shown by investigation that he was running about the streets in Lorin for four hours flourishing a pistol before he was taken in charge by his wife, at which time he shot Perkins. He first went into a saloon kept by one Lamm and there knocked down Albert Simon. After this he shot two bullets into the ceiling and ran out. Even after this affair an hour elapsed before the Sheriff's office was notified.

After shooting Perkins, Menzenmeyer went to his home at Lorin and has not been seen since. It was reported that he was in jail a few hours after the shooting, and much surprise was expressed yesterday when it was known that he was still at liberty.

Mrs. Menzenmeyer said this morning that she did not know where her husband was and had not seen him since the shooting. The Sheriff sent out two men to-day, but they have not located the man. He was for many years a saloon-keeper in San Francisco and kept the Fair Wind resort on the water front, and it is presumed he is in hiding over the bay, as he was reported to have been seen at Sixteenth-street depot after the shooting.

Perkins is in a critical condition and his lung is considered very weak through frequent hemorrhages. It is by no means certain Menzenmeyer will not have to answer a charge of murder.

TROUBLE IN A CHURCH.

Wholesale Resignations Because of Rev. M. P. Boynton's Election.

The Action of the Pulpit Committee of the First Baptist Church Ignored.

The members of the First Baptist Church have developed a feud of no small proportions. The bone of contention is the choice of a pastor.

There is a division and a very marked one on the question of Rev. M. P. Boynton's fitness for the conduct of affairs at the First Church. He is a bright young man of genial presence, who, during his tenure as acting pastor, strongly entrenched himself in the affections of the younger element of the church membership. Some of the older and more conservative parishioners felt that Mr. Boynton was too young for such a responsible charge. There was no doubt that he had conscientiously and ably discharged the duties of acting pastor since the resignation of Rev. J. Q. Henry, but it was thought by the pulpit committee, whose duty it was to provide a successor for Mr. Henry, that an older man and one of broader scholarship was necessary for the post. Accordingly the committee recommended that Dr. Cameron, of Chelsea, Mass., a scholarly divine of mature years, should be invited to the pastorate of the First Church.

It has been the custom in that church as in many bodies to accept the ipse dixit of the committee, hence it was a great surprise to the pulpit committee when the church not only rejected its candidate, but announced that the wish of the majority of the members was that Mr. Boynton be given the honors, emuluments and responsibilities of a full pastorate. It did not stop at the declaration, but proceeded to make it good by the election of Mr. Boynton.

This occurred at the regular business meeting last month. Mr. Boynton, it is said, waived the formality of a formal notification by the clerk, thanked the church for the honor done him and accepted the charge.

During the month that elapsed between that time and the succeeding business meeting the fires of indignation were smoldering in the bosoms of the members of the committee whose action had been ignored. "At least we might have been accorded the courtesy of having the choice of Mr. Boynton referred back to us," they argued.

The result was that at the business meeting on Wednesday evening the resignations of Deacons A. H. Flynn, H. L. Gear and J. G. Levensaler and Trustees William Chamberlin and A. B. Forbes were tendered and accepted. This action was regarded merely as a declaration of rights on the part of those officers, as the annual election was at hand and their resignation was a "work of supererogation."

W. A. Clark and J. A. Wiles were elected to fill vacancies that had existed for several months, but the general election was postponed.

The annual election should have taken place on Wednesday, but owing to the number of resignations it was decided that some quiet canvassing was necessary. The election will be held on January 1, or if it is concluded that an election on a legal holiday is null it will take place the following Wednesday.

Mr. Boynton presided at the meeting on Wednesday evening, and it would appear that he intends to hold the ecclesiastical fort.

NEW GRAND JURORS.

Thirty Names Drawn From the Box for Examination This Afternoon Before Judge Sanderson.

Thirty names from which to draw the new Grand Jury were drawn from the Grand Jury box before Judge Sanderson yesterday. They will all be cited to appear this afternoon before Judge Sanderson, at 2 o'clock, to be examined. The parties to be summoned are:

R. S. Davis, 1059 Market street.
C. O'Connor, Nevada block.
J. J. O'Farrell, 11 Montgomery street.
B. F. Garrett, 1307 Guerrero street.
Joseph Quay, Pacific Union Club.
Charles B. Stone, 405 Market street.
Arthur F. Price, 524 Sacramento street.
G. H. Umbsen, 14 Montgomery street.
F. H. Rathbone, 2215 California street.
D. V. Deming, 714 Ellis street.
Herman H. Hencke, 1707 Broderick street.
J. J. McKinnon, Pier 5, Steuart street.
Adam Grant, Bush and Sansome streets.
Louis Sloss Sr., 310 Sansome street.
Frank H. Vail, 741 Market street.
R. H. Pease, Sutter and Franklin streets.
Edward E. Clawer, 534 Bush street.
J. Downey Harvey, 916 Market street.
A. Roos, 27 Kearny street.
James Dunne, 1218 Hyde street.
Frank Maskey, 32 Kearny street.
C. F. Laumeister, 287 Mission street.
P. F. Nolan, 1428 Golden Gate avenue.
John Landers, 1111 Hyde street.
P. F. Butler, 818 Eddy street.
John H. Kline, 1414 Washington street.
Horace Davis, 41 Front street.
Charles L. Haskell, 10 Bush street.
J. M. Walter, 529 Market street.
Frank P. McLennan, 1515 Clay street.

The jury to be selected will begin operations at once.

POSTOFFICE CLERKS.

They Give an Enjoyable Banquet to Their Superintendent.

Superintendent J. L. Meares of the central Postoffice was the guest of honor at an enjoyable banquet and reception tendered him last Sunday night by the clerks of the department. The occasion was marked by an absence of formality, which rendered it more pleasant. Superintendent J. Mannix of Station D officiated in the capacity of toastmaster, and distinguished himself in that exacting position.

Mr. Meares made a short but taking speech, which was received with the most cordial expressions of applause, and Messrs. McGowan, Douglas and Maloney enlivened the affair with a number of well-chosen musical selections. Messrs. W. E. Morrison, F. Griffin, A. Imbre, C. Curry, W. F. Douglas and J. J. Carroll made short addresses appropriate to the occasion. The affair will be remembered with pleasure by all who took part in it.

THE STREET LAW ILLEGAL.

An Important Decision on the Subject Rendered by Judge Slack.

IT WILL NOT BE APPEALED.

No Special Classification of Cities Can Be Made by Legislative Enactment.

Judge Slack has given another blow at the power of the Legislature to specially classify this City for purposes of special legislation. The case of Robert R. Hinds against the City and County and Mr. Ashworth, the Superintendent of Streets, has been decided against the claims of the department.

The decision rendered in this way knocks out the street widening and extension act of March, 1893.

Hinds was the owner of two large tracts of land through which Potrero avenue was extended. The people protested earnestly against the assessment, and finally Hinds, the largest owner, brought suit to have the act construed by the court.

The defendant demurred, but the demurrer was overruled, and for a long time the City was undecided whether to appeal from the decision on demurrer or to make answer to the complaint and fight the case. The matter was submitted to City and County Attorney Creswell, and he advised the board not to appeal. It was further decided that no answer should be submitted, but that the City should default and allow judgment to be taken. This action was resolved upon by vote at the last meeting of the Supervisors, and judgment rendered for Hinds yesterday.

The particular point upon which the law was knocked out was upon a question of classification. The street act provides a certain method for opening, widening, extending and improving streets in cities of 40,000 inhabitants and more. W. A. Beatty, who has conducted Hinds' case from the start, argued that such a classification was illegal, as it made a special class for a special purpose. The classifications of cities is done under the constitution, and it must be general in its application and for all purposes. There is no constitutional classification of 40,000, and consequently when it was announced that the act of March, 1893, applied to cities with 40,000 inhabitants and over it created a class for a special purpose, which was illegal, and it made the limit of that class one at variance with the constitutional classification. The act, therefore, was declared illegal by Judge Slack. This is the act under which all recent street work has been done.

The principle involved is one similar to the principal contention in one of the fee-bill cases—the conflict of classifications by legislative enactment and by constitutional mandate. The constitutional classification is full and complete, and it was done for all purposes. No mere act of the Legislature can divide the classifications, nor can they make a law applying to certain classes of cities unless these classifications conform to the original ones made under the constitution.

The City will not appeal the case it has lost, but any citizen interested may take the matter up and bring it before the higher tribunal.

NEW TO-DAY.

MAN!

Are You Weak?

Some Points on the Development of True Manhood by Electricity—Reasons Why Dr. Sanden's Electric Belt Is the Only Sure Remedy for the Recovery of This Vital Power.

What a great amount of happiness is destroyed by this terrible drain which is called Nervous Debility! You see the evidences of it in the faces of more than half the people you meet.

This great country of ours is a nation of nerves; nerves which have been drained of their vital force; nerves which are crying out for help. And why don't we help them? Why don't we replace the energy which has been stolen from them?

Because the medical profession, to whom we always go in time of sickness, has no means at hand to restore nerve power. Drugs never build up weak nerves without taking the strength from other organs of the body.

That don't pay. You might as well be sick one way as another. If you are going to steal from your kidneys, your liver and your stomach the energy to give temporary nourishment to your nerves you'd better better let your nerves suffer and save your stomach anyway.

But you can't get help any other way as long as you stick to drugs.

"I'm tired of drugging." We hear that remark every day. It's the wail of the nerveless man who has lost all confidence in the old, worn-out system of medicine.

"I took barrels of medicine and got no relief. Dr. Sanden's Electric Belt cured me in three months of Nervous Debility," says William Dawson, 1422 Sutter street, San Francisco.

That shows you what Electricity does. Fowler, the noted phrenologist, says it's the instrumentality of all life. He ought to know.

Dr. Sanden'e Belt is a simple thing. You wear it about three hours at night. You feel electricity going into your nerves all the time. You can regulate it yourself; turn it on mild or strong. Every minute you soak up nerve power from it.

Even electricity is useless if not intelligently applied. Dr. Sanden has devoted twenty years to close study of the nerve and sexual forces, and even if other belts fail his treatment will cure.

Cheap, clumsily made electric belts are like cheap jewelry. You think you are getting a high-class article at a low price, but your experience tells you that you pay twice for what you get.

"Dr. Sanden's Belt cured me of Varicocele and Weakness of 26 years' standing." L. L. JACCARD, San Leandro, Cal.

A permanent cure is guaranteed or money refunded in all weaknesses of men. A pocket edition of the celebrated electro-medical work, "Three Classes of Men," illustrated, is sent free, sealed, by mail, on application. Every young, middle-aged or old man suffering the slightest weakness should read it. It will point out an EASY, SURE AND SPEEDY WAY TO REGAIN STRENGTH AND HEALTH WHEN EVERYTHING ELSE HAS FAILED. Address

SANDEN ELECTRIC CO.,
632 MARKET ST., OPPOSITE PALACE HOTEL, SAN FRANCISCO.
Office Hours—8 to 6; Evenings, 7 to 8:30; Sundays, 10 to 12.
Portland, Oregon, Office, 253 Washington Street.