Interesting Items From Important Points in Alameda County.

PUBLIC A. P. A. WEDDING.

To Take Place at an Open Installation of Officers Next Week.

POULTRY AND PIGEON SHOW.

The Rehearing of Ex-Officer McCloud Will Be Continued To-Day.

OAKLAND OFFICE SAN FRANCISCO CALL, 908 Broadway, Jan. 1.

Next Sunday night the American Protective Association and the Woman's A. P. A. of this city are to hold an open installation of officers at Masonic Hall. This is the first time an event of this kind has been held publicly, and it marks a distinct epoch in the history of the movement in this city. Although there have been frequent receptions extended to one lodge by another, the two branches of the organization have not hitherto united for the purpose of an open celebration.

The union of the two societies on this occasion is also to be marked by another innovation that will undoubtedly prove a big attraction. A member of the Woman's A. P. A. Council is to be wedded to a member of the original A. P. A. Council on the platform as the star feature of the evening's entertainment. The ceremony will be conducted by the Rev. B. Huddleston, state president of the A. P. A. The names of the parties interested is being kept a state secret, but it is understood that they consist of an officer from each of the organizations.

The entertainment will be provided by local talent, and the programme contains the names of many people with a high reputation on both sides of the bay. This will be the largest demonstration in this city, and all the councils from the A. P. A. and W. A. P. A. will be present at the Temple.

An Indignant Bicyclist.

OAKLAND, CAL., Jan. 1.—G. H. Manning, a San Francisco real-estate agent, was arrested to-day for violating the bicycle ordinance. He was taken to the city prison, and if his story and that of his witness be true, he did not violate the ordinance. The law requires that when riding on the sidewalk, cyclists must dismount when meeting a foot passenger. Manning says there was not a pedestrian in sight, and that the policeman arrested him because he was on the sidewalk. Patrolman Peterson was only appointed a week ago, and this was his first arrest. Mr. Manning is a member of the Athenian Club, and he says he will employ his brother Athenian, W. W. Foote, to defend him in the Police Court to-morrow.

Boys' Brigade Shoot.

OAKLAND, CAL., Jan. 1.—The annual shoot of the Second Regiment Boys' Brigade of California at Shell Mound resulted as follows:

Second Regiment Staff—Colonel E. J. Walker 5, Colonel L. N. Cobbledick 31, Major W. S. Boddy 32, Major M. S. Hauser 31, Lieutenant P. Ward 21. Second Regiment Non-commissioned Staff—Color Sergeant J. A. Gunter 12.

The following company scores were made, six men and one commissioned officer representing a company:

Company C, Colonel E. J. Walker commanding, 119; Company D, Colonel L. N. Cobbledick commanding, 172; Company F, Captain McBride commanding, 45; Company H. Captain Cleaves commanding, 71; Company I Captain B. L. Weymouth commanding, 23;, Second Regiment Hospital Corps, under command of Captain Bird, 90.

McCloud's Rehearing.

OAKLAND, CAL., Jan. 1.—The investigation of the charges for which R. H. McLoud was dismissed from the police force a year ago, will be resumed to-morrow by the Commissioners. Mayor Davie refuses to sit with the board, and says that if a policeman can get a rehearing a year after his discharge, and before a new Board of Commissioners, it means that every discharged member of the force will have the same privilege. He deprecates the precedent set, and declares that it will only plunge the department deeper into politics than it is at present.

To Recover Marsh Land.

OAKLAND, CAL., Jan. 1.—Suit has been commenced by Adrien J. Merchant to recover a one-third interest in 205 acres of marsh land lying on the shore of Alameda basin, now held by Thomas W. Mulford. Merchant explains that his father died while he was a minor. His mother and sister were for a while his guardians. It is claimed their attorney, Louis F. Dunand, secured Merchant's signature to a transfer of the property while he was in ignorance of having an interest in it. That was in June, 1887, and Merchant declares he only learned the truth of the matter last September.

The Poultry Show.

OAKLAND, CAL., Jan. 2.—Preparations are being made for the State Poultry and Pigeon Show to open at the Tabernacle on January 16, and continue for a week. The exhibition will be a larger one than was at first anticipated. The annex built to the Tabernacle for the purpose of the recent Industrial Exposition has been leased by the Show Association, and both buildings will be used. This is the first show of its kind ever held in this city, and many valuable trophies are offered for prizes. Large numbers of ornamental fowls will be placed on exhibition.

Cruelty to Seamen.

OAKLAND, CAL., Jan. 1.—At the last meeting of the Society of Applied Christianity, the subject of cruelty to American seamen was discussed. The "Red Record" edition of the Coast Seamen's Journal formed the basis of the discussion, and a committee was appointed to investigate the charges and report at the next meeting. The committee consists of A. A. Denison, A. Bretz, M. E. Hunter, Mrs. Emma Kelley, Mrs. Dr. Kellogg-Lane and Mrs. O. M. Sanford.

Y. M. C. A. Reception.

OAKLAND, CAL., Jan. 1.—The large parlors of the Y. M. C. A. building were thronged to-day with young people. The young ladies of the Christian Endeavor societies were the hosts, and served refreshments, and, as everybody was welcome, the New Year's reception passed very agreeably. Then came athletic exercises and basket-ball contests, and to-night a splendid concert was given.

Assessment Peculiarities.

OAKLAND, CAL., Jan. 1.—While making up the delinquent tax roll it has been discovered that Moses I. Frank and others are assessed for pieces of property near the foot of Commerce street in East Oakland that do not exist. They are all fractions of blocks, and when search was made for them it was found that it was on property belonging to others and to whose title there is no cloud.

Attends to G. A. R. Graves.

OAKLAND, CAL., Jan. 1.—The Grand Army of this city has tendered a vote of thanks to Superintendent Smith of Mountain View Cemetery for his active interest in keeping the Grand Army plat in such excellent condition in all seasons of the year, and for liberality in donating flowers. Every morning Mr. Smith raises the American flag over the plat, where it floats until sundown.

FOUR HUNDRED WERE FED.

Oakland's Poor Freely Patronize the Salvation Army Dinner.

OAKLAND OFFICE SAN FRANCISCO CALL, 908 Broadway, Jan. 1.

If anybody went hungry in Oakland today it was not the fault of the Salvation Army. From noon till late this afternoon the old barracks on Eighth street received the most pitiable lot of guests that have been gathered together since last New Year's day.

Tables were built wherever room could be found and the large floor of the hall was the busiest part of the city for several hours. For two weeks the Army people have been preparing for the New Year's dinner and during the past four days the tin boxes exhibited in various parts of town have been freely patronized. Contrary to the custom of former years the people seemed more willing to give money than donations of goods.

As soon as the doors opened a crowd was ready to sit down. It would have been sarcasm to have spoken to them of a "happy" New Year, for, judging by their looks, they knew but little of the elements of happiness. But they were all hungry and were anxious to be filled, and that was all the demand for admission required. The scene inside was a very busy one. Dozens of bonnetted lassies and men in red Guernseys flew around and waited on their guests.

The outside air was cold and the appetizing steam rising from scores of hot dishes looked especially attractive. One of the most thoughtful acts of the Salvationists, and one which won the admiration of the whole Police Department, was looking after the "lodgers" whom abject poverty drives to the City Hall each night. A lieutenant called at the prison at midnight, asked the number of lodgers and left a card of invitation to each to come to the free dinner at noon.

"That's what I call religion," said Captain Fletcher, "and it's the first time I ever saw anybody who cared about our poor lodgers." There were about fifty at the prison last night and they all were guests of the lads and lassies at the New Year's dinner.

About 400 people partook of the free meal, but this number does not represent all that was done. Many families were sick and others were too proud to be seen at the army tables. But they all had to be provided with a dinner and many errands of mercy were made by the cadets with well-filled baskets. Ensign Reed found that the contributions fell somewhat short of the necessary outlay, so there is still a chance to help.

SING LEE'S DAUGHTER.

Another Chinese Girl Seeks to Land by Her Certificate.

Contractors and Foundrymen Swarm to Alameda to Bid on Public Improvements.

ALAMEDA, CAL., Jan. 1.—Sing Lee, once an Alameda laundryman, went home to China some time ago with his family. A member of the family was a daughter, who was provided with a certificate against the possibility of her wanting to return. The girl was called Mary. Recently a girl, having in her possession this certificate but not answering the description in it, sought to land from a China steamer, but was detained at the San Francisco Custom-house. The assertion was made by Chinamen, palpably interested in getting her ashore and out of the trammels of the Custom-house officials, that the holder of the certificate was Mary, the daughter of Sing Lee, but she could not speak English as Mary could and had not the faintest idea of Alameda as Mary would have had, having been raised here. Some Alameda gentlemen who had dealings with Sing Lee and knew his family were summoned to see if the girl seeking to land was the original holder of the certificate, and invariably testified that she was not Sing Lee's daughter, and so she will be returned to China.

Electric Light Expansion.

ALAMEDA, CAL., Jan. 1.—The improvements contemplated in the electric plant will necessitate the erection of an additional building. Proposals for the work will be invited, to be opened January 13, and proposals for the new apparatus to be installed will be opened January 20. The considerable extent of the improvements to be made have attracted a swarm of electric-light men, foundrymen, boiler-makers and contractors. It is estimated by the City Trustees that the improvements to be made will cost $15,000, but judging from past experiences those who are keeping any account of it expect the sum to reach fully $20,000. The electrician claims that with the new works the city will be enabled to sell incandescent light enough to pay all expenses of operation and have a nice surplus besides.

Insuring the New City Hall.

ALAMEDA, CAL., Jan. 1.—The new City Hall is to be insured. There is an overwhelming number of applications for insurance, at the rate of 80 cents for three years, and the Municipal Board has decided to place $25,000, to be divided between a large number of companies. The building is more nearly fireproof than such public structures generally are, and there are no exposures, so that the risk is considered an unusually good one, and commands a very low rate.

Saw the New Year In.

ALAMEDA, CAL., Jan. 1.—New Year's watch parties were held in Alameda at the Park-street Methodist Church; by Company G, National Guard, at their armory; by Whidden Hose Company; by Rebeckah Lodge of Odd Fellows; by the Salvation Army, and by a private company at the residence of Mrs. Chas. Nathan, 1725 Everett street.

Broke His Leg.

ALAMEDA, CAL., Jan. 1.—Jacob Schick, a harness-maker, and at one time a driver in the Alameda Fire Department, fell and broke his leg Tuesday morning.

CHILDREN'S HOSPITAL.

Dr. Hutchings, Resident Physician, Leaves for Cleveland and Is Succeeded by Dr. Sperry.

The Board of Lady Managers of the Children's Hospital met yesterday and passed a series of resolutions in regard to the resignation of Dr. Fanny C. Hutchings, the resident physician, who has occupied that position for the past eighteen months.

In the resolutions the board spoke in the highest terms of her services at the hospital and of her unremitting attention to the patients. An embossed copy of the resolutions was presented to Dr. Hutchings, accompanied by a purse and a set of surgical instruments. The nurses at the hospital also presented her with a beautiful basket of flowers. Dr. Hutchings thanked the donors in fitting terms.

The physician left last night for Cleveland, Ohio, to engage in the practice of her profession. Her father is pastor of the leading Congregational church, and it was at his solicitation that she resigned her position at the hospital to be near him.

Dr. Hutchings was succeeded yesterday by Dr. Sperry, daughter of Mrs. M. A. Sperry, 2100 Pacific avenue. Dr. Sperry returned to the City a few months ago after undergoing a three years' course of study in the leading hospitals in Europe.

The late Sir Henry Ponsonby was a scion of an old Irish noble family, whose head is Earl of Bessborough—a peerage creation dating from 1721.

RECEPTIONS TO TEACHERS.

The Actual Work of the Annual State Association Begins To-Day.

MANY NEW YEAR REUNIONS.

All the Visitors Express Admiration for Oakland's New High School.

OAKLAND OFFICE SAN FRANCISCO CALL, 908 Broadway, Jan. 1.

Hundreds of schoolteachers from all parts of the State have been arriving in town to-day ready for the formal opening to-morrow morning of the California Teachers' Association. This is the twenty-ninth annual session of the association, and it is the first time it has been held in Oakland.

The hotels are nearly full, but all arrangements have been made so that there will be no inconvenience.

The delegations from Stockton, Mariposa, Gleen, Calaveras and other San Joaquin Valley counties have their headquarters at the Albany. The graduates from the State normal schools are at the Crellin, and to-day that hotel was a scene of life and gayety from morning till midnight. In two large parlors, very prettily decorated, the San Jose Normal School held two receptions. The Oakland alumni of the San Jose school are responsible for the decorations, and they did their work well.

There was vocal and instrumental music, and this evening over a dozen of the alumni from many parts of the State made short speeches, and all expressed their devotion and their regard for their alma mater.

Professor Earl Barnes, the president of the association, is at the Metropole, and with him are Professors Addicott, Keyes and Bush.

Professor P. M. Fisher, editor of the Pacific Educational Journal, kept open house at his offices in the Central Bank building and hundreds of teachers called on him.

"The magnificent High School building is the admiration of every teacher that sees it," said Superintendent McClymonds to-day. "This convention will be of great benefit to Oakland, because when it closes fully a thousand people will go into all parts of the State and each will be a living advertisement.

"I have heard nothing but words of commendation for our new schools, and this is nothing surprising when it is considered that within the past three years more than half a million dollars has been expended on permanent improvements."

To-day has been a day of entertainment, but to-morrow the institute proper will be called to order. President Earl Barnes will take up the gavel at 9 o'clock sharp. The forenoon sessions will be held at the High School and the afternoon and evening sessions at the First Congregational Church.

The programme for the opening day (Thursday) is as follows:

Thursday morning, January 2, 1896.
(Council of Education.)
9:30 A. M., organization.
9:45 A. M., course of study.
Superintendent, J. W. Linscott, Santa Cruz.
High School certificates.
Professor Fernando Sanford, Palo Alto.
Review of report of committee of fifteen.
Professor George H. Howison, Berkeley.
Thursday afternoon.
2 P. M., president's address, Earl Barnes, Palo Alto.
Some remarks on the professional course.
Professor Wayne P. Smith, San Jose.
The poet as a pilgrim.
Elizabeth A. Packard, Oakland.
The new psychology and its pedagogical significance.
Professor F. B. Dressler, Los Angeles.
Thursday evening—Entertainment of the association by the teachers of Alameda County.

TRYING TO OUST RAWSON.

George Schmidt Says the Deputy Marshal Is Not Eligible to Office.

The Berkeley End of Some Marin County Practical Politics—Injunction Served.

BERKELEY, CAL., Jan. 1.—George Schmidt has served upon Town Treasurer Squires an injunction to prevent him from paying the salary of Deputy Marshal Rawson of West Berkeley.

Mr. Schmidt claims that Rawson has not been a resident of Berkeley for a sufficient length of time to qualify him to hold office in the town, the claim being based upon section 8 of article III of the new charter which declares that no person shall be eligible to hold any office in the town unless he shall be a resident and elector therein and shall have resided within the town for three years prior to his election or appointment.

According to a letter received by Mr. Schmidt from the Deputy County Clerk of Marin County Rawson was registered in that county on September 19, 1894, thus becoming a citizen of Marin County. The entry of Rawson's name in the register of Marin County was canceled on April 10, 1895, and in May of that year Rawson was appointed Deputy Marshal of Berkeley by Marshal Lloyd, who took office at that time.

Rawson claims that he is a victim of a Marin County political deal. He has been a resident of Berkeley for about twelve years, but spent about ten months in Marin County during 1894-95.

"During my stay in Marin County my vote was solicited for certain measures," said Mr. Rawson, "and I made the reply that I was a citizen of Berkeley and could not vote in Marin County. I was told that it would be all right, no one would know the difference and I might as well vote anyhow, but I did not do so, neither did I register. If my name appears on the Marin County register it was placed there by political schemers who wanted a vote, and if any vote was cast under the name of Rawson I did not cast it.

"I took no oath of registration and never in any way relinquished my citizenship in Alameda County. During all the time of my stay in Marin County my wife and family remained in Berkeley and I was and am a citizen of that town."

Town Treasurer Squires says he will follow the advice of the town attorney and trustees in the matter of the injunction served upon him by Mr. Schmidt.

The matter will be considered on Friday evening, when Rawson's salary as deputy marshal for the month of December becomes due.

The Building Boom.

The Berkeley Herald to-day issued a twenty-eight page "Improvement Edition," giving a review of the building and other improvements that have been made in Berkeley during 1895. The figures show that over $325,000 has been expended on building in Berkeley during the year just closed, about $260,000 of that sum having been spent on residences.

Died in His Prime.

Shortly before 5 o'clock yesterday morning William Maybe, a washer in the United Carriage Company's stables, died suddenly. He was 35 years of age and had been in apparently good health. His disease is attributed to natural causes, presumably heart disease.

A FOOLISH BET.

M. B. Troy Swallows a Bottle of Whisky Which Nearly Kills Him.

M. B. Troy, 909 Geary street, made a bet yesterday afternoon in a saloon on Geary and Larkin streets that he could swallow a bottle of whisky without taking the bottle from his mouth. He been celebrating New Year's previous to that and had enough whisky already. He won the bet, but it nearly cost him his life. He fell into a stupor and was placed in a chair in the cigar-shop next door to sleep off the effects. Toward evening his condition became so alarming that the ambulance was summoned and he was taken to the Receiving Hospital.

Drs. Bunnell and Ruine worked on him for several hours. At one time his breathing was hardly preceptible and it was thought that the whisky had killed him. The doctors redoubled their efforts and gradually his breathing became stronger and they now expect that he will recover. He is about 23 years of age.

FREEDOM OF THE NEGRO.

Afro-American League's Celebration of Emancipation Day.

Names of Abraham Lincoln, John Brown and Frederick Douglass Are Honored.

"All the great scandals are not on negro preachers."

This was the utterance which came from the lips of Bishop Alexander Walters, D.D., at the African Methodist Episcopal Church last night in his impassioned eulogy of the negro race, and the effect upon the audience was electric. The response to his stentorian tenor tones was a mighty shout of exultation and a wild outburst of laughter and applause.

There was a great deal of meaning in this under the circumstances, for it was the celebration of Emancipation day by the Afro-American Leagues of this City and Oakland, and among the speakers whose names were down on the printed programme was that of Rev. C. O. Brown, D.D. Dr. Brown was not present.

Bishop Walters was dilating upon the moral advancement of his race. He is a born orator and knows how to strike the proper chord at the right time. He said much more than this anent the subject of morals, but of course no personal allusion was made to the man who says he is a victim of blackmailers.

The church was crowded for the celebration. Above the platform were the stars and stripes, surmounted by a crayon portrait of Abraham Lincoln on a shield. Similar portraits of Lincoln adorned the walls of the church at intervals, and the ceiling was festooned with the National colors. About the altar were also portraits of John Brown and Frederick Douglass. Lincoln, John Brown and Douglass were the bright stars of liberty to which the jubilant Afro-Americans were doing honor. There was also a copy of President Lincoln's proclamation in a frame, and another picture that was an allegorical representation of the overthrow of slavery.

Occupying the platform were: Bishop Walters, Rev. E. T. Cottman, Rev. George E. Jackson, Rev. J. L. Allen, Rev. Robert Bardwell of Paso Robles, Allen A. Connor, John J. Sullivan, W. J. Oglesby, W. G. Maddox, Mrs. Ada L. Ballou and Miss Lizzie Jackson, besides the president of the occasion, Hon. T. B. Morton. The chairman of the committee was William E. Henderson of this City, and the secretary, George E. Watkins of Alameda.

There was music and singing, of course, as well as good speaking—music and singing of the most patriotic kind by the full choir—and the Battle Hymn of the Republic was sung by the entire audience. The Battle Hymn was a surging wave of grand harmony.

After Rev. E. T. Cottman's invocation, President Morton made the introductory address and W. G. Maddox read the Proclamation of Emancipation signed by President Lincoln on January 1, 1863. Mr. Morton took care to give the Republican party credit for the liberation and enfranchisement of the negro race. Then eulogies of John Brown and Frederick Douglass followed, and Bishop Walters delivered his oration.

The Bishop—he is the youngest of colored bishops of the Methodist church—gave a resume of the abolition movement, and then extolled the progress of his race from 1863, when their financial condition was "without a cent," until the last United States census was taken, when it was shown that the property owned by the negroes of the United States amounted to almost $300,000,000. He gave a table of States to show how the negroes had prospered in a financial sense. He spoke also of the intellectual progress. There are now 25,000 colored teachers and 1,520,800 colored pupils preparing to become teachers. He provoked much laughter by observing: "Why it was predicted that we would all die out, but I am told that 700 negro babies are born every day."

Alluding to California in the great struggle he said: "The fight that staggered the brain of Calhoun and nerved the arm of Zachary Taylor was whether California should be admitted as a slave State or a free State, but thank God it was admitted as a free State."

Before Bishop Walters' speech Miss Lizzie Jackson delivered an original poem appropriate to the occasion.

Collections were taken up for the John Brown and Frederick Douglass Monument funds.

CAME FROM COLMA.

Patriotic Party That Drove to Town With Flags Flying to Serenade "The Call."

A patriotic party of young men came from Colma to the City yesterday in a vehicle that attracted general attention. They drove six dashing horses all bedecked with evergreens and completely filled a big wagon that was also gayly decorated, and it was quite evident that the jolly fellows were having a merry celebration of New Year's day behind the green boughs and American flags.

Their original ideas in the way of decorations caused these Colma boys to be heartily cheered until their passage through the City streets seemed like a great ovation. Their wagon was lined with the stars and stripes, while along the railings on each side were written the words, "Monroe doctrine." And with this enthusiastic display of patriotism went the music of fife and drum, which sounded in many a martial and National air. The boys, too, had a yell: "'Rah, 'rah, Colma. First in peace, first in war. Monroe doctrine!"

They serenaded THE CALL at the business office and the editorial rooms late in the evening, when Thomas Naylor, the leader, said they had left their ladies at home and come from San Mateo County to wish THE CALL a happy and prosperous New Year. The party consisted of William Fay, Ben Greene, James Oakes, John Conway, Patrick McCabe, Hugh Rodgers, Joe Cannon, Thomas Kelly, John Rodgers, Thomas Naylor, James F. Rodgers, Vasila Semanoff, Daniel Desmond, James Kerr and Frank Kelly.

MILITIA IN A MUDDLE.

Complications Arising From the Recent Election of Colonel Macdonald.

ACTION OF GOVERNOR BUDD.

The Protest Submitted Before Election Cannot Be Withdrawn—Armory Question Unsettled.

The officers of the National Guard in this City are still awaiting the action of Governor Budd on the protest submitted at the election for colonel held December 19th, and they also wish to know what course the Governor will pursue in regard to the lieutenant-colonel and the three majors.

At the time of the election and just before balloting commenced a protest signed by a number of line officers was submitted in the interest of Colonel Macdonald, objecting to the six assigned field officers voting. This was predicated upon it becoming known that an opinion had been furnished to Colonel Giesting, the presiding officer, to the effect that these officers were entitled to vote under the provisions of section 1984 of the Political Code, and that he would so rule, based upon the construction placed upon the words, "The field officers of a battalion, when composed of less than six companies and more than three, are one lieutenant-colonel and one major," ignoring the fact that this only applies to separate companies and not to any organization consisting of more than one battallon when formed into a regiment, and was a forced construction in direct conflict not only with this section, but with the laws of the State. The field officers of a regiment are designated as "one colonel, one lieutenant-colonel and one major for each battalion."

The protest was filed by the friends of Colonel Macdonald to lay the grounds for an appeal in case of his defeat, and if decided adversely to him at headquarters to commence proceedings in the civil courts. The result of the election being favorable to Colonel Macdonald, his friends sought to withdraw the protest, but the presiding officer refused to permit that, holding that under the provisions of paragraph 326 of the regulations it had become a part of the record and must be forwarded with the returns of the election.

This action places the Governor and the brigadier-general in a rather anomalous position. If they ignore the protest they recognize the election of Colonel Macdonald, and recognize that at least two more officers voted at the election than were legally entitled thereto in the face of the fact made manifest by the protest and establishes a precedent for future elections. Recognizing the protest overrules the opinion that was given at the time and will require a new election. It is a well-settled rule that on review cognizance will be taken of all irregularities.

Conceding the consolidation of the three battalions, there being a lieutenant-colonel serving with each at the time, upon the same being carried into effect, paragraph 381 of the regulations prescribes: "Should the consolidation create supernumerary officers the commander-in-chief will designate such as are to be mustered out of service."

This consolidation, or whatever it may be termed, by virtue of general orders No. 18, brought three lieutenant-colonels into the new organization, whereas a regiment can only have one, and the commander-in-chief failing to designate the supernumeraries intended to either recognize the three in violation of the provisions which prescribe, "No person shall be appointed or elected to any commissioned office, not created by law, in the military force of the State," or by failing to specify did not consider either as entitled to hold and consequently not entitled to vote.

That the three majors were not legally field officers of the new regiment and not entitled to vote must also be apparent. Under the provisions of paragraph 381, for the consolidation of companies and regiments, if made to apply to battalions, all the field officers of these battalions would become supernumerary, for under section 1982 of the Political Code the battalions of a regiment are not formed until after the regiment has a designated number of companies, and then only "as the commanding officer of the regiment shall direct."

General orders No. 18 simply organized the Fourth, Fifth and Sixth Battalions into "one regiment, to be known as the First Infantry"; thus up to the time of the issuance of that order they had been separate battalions with certain field officers asigned to them for duty (vide general orders No. 17), these field officers serving and holding their commissions and qualifications in the old regiments and assigned to such duty thereunder, and not under any new commission and qualification as required by the regulations. That the battalions to which these officers were assigned were formerly a portion of the command in which they held commissions may be a coincidence; lieutenant-colonels on the Governor's staff might have been assigned, as was done with the Naval Battalion.

That they were not considered as officers of the new regiment is shown by the clause in general orders No 18. "The permanent assignments of the lieutenant-colonels and majors to duty with their respective regiments will be announced in future orders."

If General Orders No. 18 organizes a new regiment, the field officers should be elected by the commissioned officers of the different companies, as provided by section 1985, and not appointed. The election must be held under the provisions of that section, the officer detailed to preside, among other matters, to give notice "of the office to be filled." As this was not done, neither Colonel O'Connor nor Captain Tilden can be considered as elected, and as neither of them was connected with the bodies organized or consolidated into the new regiment, they cannot be considered as transferred officers. The entire matter makes a very pretty muddle with no early improvement in sight.

In the meantime the armory question is still in a chaotic state. A few days ago a meeting of captains was held under the auspices of Captain Cunningham, the Warwick of the old Second, to ascertain what arrangements could be made to settle this matter. One of the propositions submitted was asking for two companies to volunteer to remove their quarters to the armory of the Nationals on Ellis street, the other eight companies to be quartered at the Page-street armory, but as none of the companies appeared to be willing to incur the expense of removal for the benefit of the others the matter is still in abeyance. The companies of the Third prefer the Market-street armory on account of locality and accommodations, the companies of the First still there refuse to locate on Ellis street and decline to move to Page street on account of the expense of removal unless all are ordered there.

The indications are that to settle this matter the entire regiment will be ordered to the Page-street armory, particularly so as it is the only armory where sufficient accommodations can be furnished, the owner of the property having expressed a willingness to build necessary additions.

As the regular company drills will commence next week, company commanders are worried over the requirements of General Orders No. 11, directing that the attendance at weekly drills shall not be less than fifty men; not knowing what will be the result of inability to comply therewith as it is well known that but few companies have been able to obtain such attendance during the past year. If, as was intimated at the time that the order was issued, companies unable to comply therewith would be mustered out, the chances are that there will shortly be but one battalion in this City and a few unattached companies throughout the State.

BURGLARS CAPTURED.

They Broke Into the Residence of Joseph Nash on Pacific Avenue.

The residence of Joseph Nash, 3100 Pacific avenue, was entered by burglars last Sunday night while Mr. Nash and his family were at church. The thieves thoroughly ransacked the house and carried away $1000 worth of jewelry and other articles.

The burglary was reported to the police next morning, and on Tuesday Detectives Egan, Silvey and Crockett arrested Robert Powers and William Smith on Pacific street, and last night they were booked at the City Prison for the burglary.

Powers was wearing a pair of shoes stolen from the place, and the detectives recovered most of the stolen jewelry in the room occupied by Powers and Smith in the Olympic lodging-house on Kearny street. Powers is an ex-convict, having served a term in the penitentiary at Seattle.

MEXICAN LAND GRANTS.

How the Spanish Law Affects Some of the Big Litigation.

A Bret Harte Fiction Learned to Be Only the Record of Truth.

Bret Harte, in one of his typical California novels, furnishes a graphic pen-picture of the delegation which went to Washington, D. C., in the early fifties to lobby the passage of a bill through Congress operative on the head of the Mexican treaty and land grants. The story has often been recalled since then.

Lawyers who have had occasion to interest themselves in litigations anent the grants held under the treaty with Mexico have discovered that what the literary world has regarded as fiction, or facts focussed for fiction's purposes, are legal matters of record. In their turn the Spanish-Mexican dons have learned that the delegation of 1850 succeeded in securing the passage of laws that transferred the titleship of much valuable land from their hands to the new-comers from Eastern climes.

The erudite of the legal profession are acquainted with the story. Many have profited by their knowledge, but the early Spanish settlers have lost. Their knowledge came too late.

The recent land-title suits, involving millions of dollars, have revived the public interest in Spanish law and the provisions of the treaty following the Mexican war in 1847.

"Very few persons are familiar with the provisions of that important treaty, or the Spanish law that is back of it," said a prominent attorney yesterday.

"When the Mexican citizens came to the Territory of California and settled upon lands granted to them by the Government they felt perfectly safe in making whatever improvements they thought fit, for they had good grounds for believing the title by which they held their ranches to be absolutely perfect. When the Mexican war came they were, of course, uneasy and did not know how long they would hold their property.

"When, however, in 1847, the treaty of Guadaloupe Hidalgo was ratified, they again were reassured, and diligently set to work to improve the holdings and till the soil. Why did they feel so reassured? Because that treaty guaranteed to them the full and complete enjoyment of the property granted to them by the Mexican Government.

"Was it by chance that this article was incorporated in the treaty, or was it by design? If by design it must have been suggested to the Mexican Government by some person or persons familiar with the condition of affairs existing in this State at the time the treaty was proposed. It was clearly the intention on the part of the Mexican Government to ask, and on the part of the United States to grant, full, complete and unqualified protection to the holders of land by Mexican grant and give them an absolute title thereto.

"The Mexican settlers were chiefly of an uneducated class, many being unable to either read or write. Their magnificent holdings, instead of being a comfort and pleasure to them, were a menace to their happiness, for among the thousands who came from the States in the late forties were many unscrupulous men with slippery tongues and well-filled purses, who played upon their credulity and unsophisticated honesty. Not satisfied with private robbery, or robbery of one Mexican at a time, these landsharks conceived the great and patriotic idea that these vast tracts of land should be taken away from the Mexican settlers and given to the first person who could secure a patent for it from the United States Government.

"It would not do, of course, to effect a public and wholesale robbery without at least an apparent sanction of law, so to accomplish their purposes they sought to make and succeeded in making the United States Government, or rather the members of Congress, a party to the crime. How did they do it? They organized what should properly be called an anti-Mexican movement, and selected the most unscrupulous and cold-blooded of their members as a committee to go to Washington and lobby through a bill declaring the lands held by Mexican grant to be public domain and subject to settlement and patent.

"This, however, was rather a bold step to take, and Congressmen did not have the courage to provoke another war with Mexico by enacting such a law. They endeavored, however, to accomplish the same ends by attempting to cover up their real intention, which resulted in the legislation of March 14, 1851, entitled 'An act to settle land claims in California.'"

"The act provides that all those who hold by Mexican title shall present their claims to a board to be appointed and known as a Board of Land Commissioners within five years from and after the passage of the act. If the Land Commissioners found that the grantee had a just and legal claim by Mexican law to the property it was the duty of the Commissioners to confirm the title of the trustee and he would then be entitled to a patent from the Government. If the Mexican grantee did not so present his claim within the five years specified, then his property should become the property of the Government, unless, perchance, some one of the land sharks or their tools did not seize it.

"When the treaty was ratified and the Mexican people knew their Government had provided for their protection they little dreamed that the other party to the treaty would so basely betray them. Many an old Mexican living to-day in this State cannot understand how it was that the Yankee settlers could take possession of their property, drive them out of their homes, seize their growing crops and make beggars of them. They cannot understand how a body of lawmakers 3000 miles away could pass a law authorizing such a wholesale theft.

"The Spanish and Mexican residents, as has been evinced by the recent suits, are beginning to revive the old laws, and with the assistance of able lawyers are seeking to regain some of their former possessions. When that law was passed the day of the newspaper on this coast had not arrived and the mail coach was intermittent. Instead of five years, the limit prescribed by Congress, it was ten, fifteen and twenty years before the Spanish and Mexican land-owners learned that they had to present their claims to the commission.

"By the law of 1851 each pueblo could present its grants to the Land Commissioner for confirmation the same as might an individual. Several of the pueblos of California were never so presented. You ask me why? I can only answer why by presenting the theory that the officers of such pueblos were interested in the successful operation of the law of 1851, and that there were numerous squatters around ready to do their bidding.

"The land sharks are not all dead yet. It was only a short time ago I had occasion to investigate the title to a large ranch in Monterey county. I found that the grant to the land had never been presented for confirmation, and consequently not patented to the Mexican grantee."

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