

THERE ARE SOME GOOD PRECEDENTS.

Kentucky's Legislature Has the Right to Repeal the Charter.

CALIFORNIA'S CHANCE.

Should Lose No Time in Sending Material for the Fight Against Huntington.

HONEST MEN ARE FOR REFORMS

But the Southern Pacific Lobby Will Rally for a Most Determined Struggle.

FRANKFORT, Ky., Jan. 27.—It is now certain that Senator Goebel's bill, for the repeal of the charter granted to the Southern Pacific in 1854, will be taken up next week. The bill will probably be reported back by the Judiciary Committee on Thursday, but the calendar is crowded and its consideration will be postponed for a few days.

Until the Senatorial contest is settled there is but little prospect of the Legislature getting down to its regular work, and until it does there is but little probability of the Goebel bill to repeal the charter of the Southern Pacific Company being reported by the committee having it under consideration, unless special efforts are made to bring it forth.

That strong efforts will be made to keep it in the committee until Huntington's henchmen and lobbyists have completed their preparations for its final defeat goes without saying, and it will take active and vigorous work to secure its passage. Many of the members of both houses of this Legislature, as with those of the past, are the regularly retained attorneys of the several railroad corporations whose interests are likely to be affected by legislation, and, as a rule, all such men stand together in a case like this or can be easily persuaded to do so.

From the western section of the State, from Louisville to Paducah and Fulton, through which the Newport News and Mississippi Valley Railroad and its several branches run, Mr. Huntington will have some strong supporters and some strong opponents, and so from the section east of Lexington along the line of the Lexington and Big Sandy division of the Chesapeake and Ohio Railroad. Though the people in general in these parts of the State are bitterly hostile to his system, he usually manages to secure the election of candidates friendly to his interests, and so thwart the plans of his opponents.

This year, however, is California's golden opportunity. At the last election the tidal wave of Republican success which so unexpectedly swept over the State of Kentucky carried down before it many of the railroad attorney members and others who looked upon the seats in the Legislature as their own personal property, or places to which they had a lifelong lease. New and better men have taken their places—men who were elected on pledges to reform the abuses of their predecessors, and unless a sufficient number are promptly persuaded over to Huntington's side there is danger in store for him—not on account of the Southern Pacific charter alone, but from a desire to correct many other abuses which his management is perpetuating upon the people who from lack of competition are at his mercy.

It may be said that the temper of the people of Kentucky and of their Legislature is more favorable now to the correction of corporate abuses than it has been since the war will never be again. An unlooked-for combination of circumstances has made it so, and California should not lose the opportunity that will probably never be within reach again. Indeed, it may pass beyond her reach even now unless prompt measures are taken. All the pertinent facts bearing on the history of the Southern Pacific Company, and the status of the fight that has been made against it, should be laid before the several members of the Legislature in printed form and also by a strong and capable committee without loss of time. Delay will almost insure a defeat, as it will give Huntington time to fix things to his own liking.

That the Legislature has the power to repeal the charter of the Southern Pacific Company, or any other like charter, in whole or in part is now generally conceded. Many cases have arisen in the past six years in which that power has been tested in the highest courts and in every instance affirmed. Several of these were from the City of Louisville. The old constitution provided in a measure for the exemption from taxation of property devoted to religious or educational purposes. To avail themselves of this privilege a number of schools in Louisville secured the passage of acts making them corporate bodies, such acts containing a clause exempting them from taxation.

In 1890 the Legislature passed an act amending the charter of the city of Louisville, and by this act virtually, if not in so many words, repealed so much of the school charters referred to and others as exempted them from taxation. The schools combined to test the case, and were beaten in the Louisville Law and Equity Court. The Kentucky Medical University, however, carried their own case, which had some special features, to the Court of Appeals, which decided against them, saying that they acquired no vested rights under their charter from the State that the State could not take away.

The fight was a long and a hard one, and the case was well presented and fully discussed. The opinion of the court was unanimous as to the power of the Legislature to repeal the exemption clause.

HUNTINGTON IN WASHINGTON.

On Hand With His Retainers to Back Up Projects.

WASHINGTON, D. C., Jan. 27.—C. P. Huntington arrived this morning accompanied by Charles H. Tweed, an attorney for the Southern Pacific, and whose office is in New York. Huntington spent considerable part of today at the Capitol. John Boyd, his faithful retainer, had him in town. Huntington held a veritable state reception in the marble room of the Senate. The Senators came out singly and in pairs and groups to worship at his shrine. They seemed proud to do him reverence. Huntington bore himself with the dignity

of a king receiving his loyal subjects. One of the California Senators said to-night:

"I saw Huntington and John Boyd together in the rotunda of the Capitol to-day and stopped to observe them. There stood Huntington, a conspicuous figure, the attraction for all eyes. He was being pointed out by Capitol guides as the great millionaire and railroad magnate, and seemed to enjoy the sensation he created. But what amused me most was his man Friday, John Boyd. He stood by his master, rubbing his hands together with great satisfaction and evident enjoyment. Boyd's face was wreathed in smiles, and he was apparently very proud of his exalted station in Huntington's employment."

Huntington is here in New York. He has several big schemes on hand besides the funding bill. One is the Santa Monica deep harbor project; another is to urge an appropriation by the Government to pay the Southern Pacific's claim of several million dollars for hauling troops, mail, etc., which has always been defeated heretofore. He will also endeavor to secure a right of way through the San Carlos (Ariz.) Indian reservation for a branch railroad from Bowie to Globe.

The sub-committee of the House Indian Affairs Committee to-day reported favorably upon several recommendations contained in President Cleveland's message transmitted to the last Congress, vetoing the bill granting the Southern Pacific a right of way through San Carlos without the consent of the Indians. The committee is in favor of limiting the amount of land to be set aside for depots, yards and terminals, as well as the land for right of way for the railroad, and also requiring the railroad to file in advance a plan of its proposed route and the land it wants, but the sub-committee is adverse to the President's recommendation that no rights-of-way be granted any railroad without the consent of the Indians.

The full committee meets Thursday and will probably adopt the report of the sub-committee, but if it passes in that shape Cleveland will probably veto it.

REQUEST TO POWERS

Continued from First Page.

the plan first set forth by Peter the Great for the partition of Turkey between the powers, Russia taking Armenia and Constantinople, France taking Syria and Palestine and England taking Egypt and the eastern shores of the Persian Gulf, the remainder of the Turkish empire to be divided among the other powers.

The Daily News also has a dispatch from Sebastopol asserting that secret preparations are going forward there for vessels and armaments for a volunteer fleet.

IN THE DISTURBED DISTRICTS.

Great Disturbance Follows the Raids of the Kurds.

BOSTON, Mass., Jan. 27.—The following letter from Constantinople, under date of January 4, surveys the general situation in the disturbed districts of Turkey:

"On December 31 a terrible slaughter of half of the Christian inhabitants of Biridjik took place. It is said that the Kurds did these things. Panic prevailed at Angora and all along there to Nicomedia last week. Some new danger has threatened Sivas. At Marash the situation is not good. Mr. Terrell has been promised that regular troops shall replace the Redif Guards there and has had new cautions given the Governor. At Cesarea the situation has improved, though confidence is weak. At Harpoot destitution is terrible beyond all comparison with other places yet heard from."

"The total killed known is 12,078, and 5064 houses have been burned. The area here included is about one-fifth of the whole devastated, but it seems likely that the losses are one-third of the whole. At Mardin it is still impossible to go outside of the walls of the city. At Bitlis there is more security for the missionaries who will probably remain there all winter. Adana has suffered a good deal from panic. Hadjin is still safe, but reports are now circulating of trouble there."

"The college (male) of the American Board of Harpoot has commenced its classes. At Sivas the missionary schools have been reopened, and the people are venturing out freely. There has been a season of fasting and prayer at Mesovian. The people say that even the nursing babes were made to fast until noon."

"Relief work grows apace. The Duke of Westminster's committee has sent \$25,000 more. In Van about 9000 people are being helped with funds sent Dr. Grace Kimball of Bangor, Me., who has rented two public ovens for feeding the poor. Consul Hapson at Moush has the Hassoun villagers still safe, and is furnishing them with grain. "In Trebizond about 5000 people are being helped. At Harpoot relief work has been authorized after pressure from the English and American legations and the first \$1000 has already been distributed. At Constantinople missionary rooms are transformed into a clothing warehouse. The clothing and bedding go mainly to near points, Trebizond and Cesarea. "The Embassadors have intervened to save the populace of Zeitoun and a consular commission has been accepted to go there and mediate and prevent massacre when the place surrenders."

SATISFACTORY RELIEF WORK.

Thousands Depend Upon the Anglo-American Fund for Bread.

LONDON, Eng., Jan. 27.—The Daily News will to-morrow say that satisfactory reports have been received of the relief work in thirteen centers in Anatolia. In the district covered from these centers there are 120,000 persons depending upon the Anglo-American fund for their daily bread.

MISSIONARIES NOT DISTURBERS.

Denunciation of Charges Made by the Turks.

BOSTON, Mass., Jan. 27.—The American Board to-day received a cablegram from the Turkish Government had refused permission for Rev. H. S. Barnum, editor of a missionary paper, to go to Erzerum to engage in relief work among the Armenians, on the ground that missionaries are proven disturbers. The dispatch adds that Minister Terrell denounces the charges as calumny.

A Cigar-Dealer Assigns.

PHILADELPHIA, Pa., Jan. 27.—Henry B. Grauly, one of the largest, if not the largest, cigar-dealers in Philadelphia, doing business at 327 Chestnut street, this city, has made an assignment. No statement of liabilities and assets is given.

A Receiver Appointed.

OTTAWA, Ill., Jan. 27.—The Marcellus Manufacturing Company, which is the principal industry of that little town, operating a large implement factory in Central Illinois, failed for \$200,000 today. Its creditors are scattered from the Mississippi to the Atlantic seaboard.

FLOODGATES OF THE SKIES AJAR,

California Again Deluged by a Heavy Fall of Rain.

DAMAGE AT WOODLAND.

Tracts Bordering on Swollen Streams Washed Away by the Torrents.

STOCKTON IS THREATENED.

Rapid Rise in the San Joaquin and Mormon Channel—Other Sections Under Water.

SACRAMENTO, CAL., Jan. 27.—The steady storm of the past twenty-four hours is beginning to be noticeable in many of the newly reclaimed districts, and it is feared that within the next twenty-four hours almost incalculable damage will occur.

On Androus Island, some distance below this city, the lower levee has crumbled away, and one small reclaimed district is entirely under water. As yet the levees on the other two districts have held, and the owners are laboring night and day to strengthen them. A break is also reported in the levee on Ryer Island, which has done great damage, and breaks in the bank of the Sacramento River are reported from various localities, many small holdings being under water.

In the southern portion of this city considerable difficulty has been experienced owing to the overflow from the sewers, which are too small to carry off the great amount of water that has fallen. Streets and yards are flooded, and in several instances the water has entered the lower floors of the residences. Especially is this the case in dwellings which were erected before the adjoining streets and lots were filled in, but as far as the levees are concerned there is no symptom of danger.

Railroad traffic on the northern road by way of Willows has been abandoned for the present, as the creeks from the coast range have overflowed their banks and caused numerous washouts, and several landslides are reported on the Shasta division. These have been removed, however, and the authorities are laboring hard to restore the Willows road.

WOODLAND REPORTS DAMAGE.

Land on the Wolfskill Rancho Is Being Washed Away.

WOODLAND, CAL., Jan. 27.—Cache Creek was rising rapidly this afternoon, and if it continues at this rate the track north of the woolen mills will be washed out. Late to-night a report reached this city that the bulkhead at Moore's dam had broken out, and that the ditches on this side are all running full and threatening a large scope of country west and north of Browns Corner with overflow.

At 9:30 o'clock the tide-driving crew returned from the Yolo bridge and reported that no further work can be done before to-morrow. The country is flooded within a half mile west of town. Country people cannot get into the city. "An immense tract of land in the Wolfskill rancho is washing away. Colonel Taylor spent a fortune last fall in the hope of preventing a repetition of last winter's washout, but his efforts have been without avail. Some of the best land was gone down the stream to fill in the tules, and the creek is changing its course."

At Winters the rainstorm precipitated 19.43 inches of water from 4 or 5 o'clock yesterday afternoon until 8 o'clock this morning. Putah Creek did not reach high-water mark and at 9 o'clock it was reported to be at a standstill. No bridges or culverts are reported washed away, and the damages to the country roads are not of a very serious character.

At Capay there is no rain-gauge, but one correspondent is confident that the rainfall during the afternoon and night was more than two inches. There was a report early this morning that some small culverts in Hungry Hollow had been carried away by water from the old abandoned ditch.

STOCKTON IN DANGER.

Mormon Channel May Overflow and Inundate the City.

STOCKTON, CAL., Jan. 27.—It began raining heavily again this afternoon and the already swollen streams are to-night assuming a dangerous aspect. Manufacturing institutions located along Mormon Channel expect to have to shut down in a few hours. The water is running through the streets of Linden to-night, and it is feared that Mormon Channel will leave its banks in this city before morning. The channel was high to-day and it is probable that the result of last night's rain has not been seen here yet.

At Linden a heavy rain fell last night and to-day. The San Joaquin River at the country bridge is but a foot and a half below the high-water mark, but the water is rising rapidly. At Lockeford the Mokelumne River was reported very high. The water ran over the levee into the J. C. Kerr ranch, flooding the tract, which is bottom land. At Farmington it was said that Littlejohn Creek could stand a whole lot more rain.

A farmer who came to town this morning on the Cherokee, reported that water from the Calaveras River was running into North-street canal, near West winery. An authentic report was received here to-day that Ryer Island was being flooded by a break in the levee. The island is but a foot and a half below here by steamboat and is on the Sacramento side of the San Joaquin's channel. It is all reclaimed, and thousands of acres of grain are threatened.

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LOS ANGELES NOT SLIGHTED.

Denizens of the Angels' City Find Use for Their Umbrellas.

LOS ANGELES, CAL., Jan. 27.—The Los Angeles water is again under an umbrella. The streets are running with the down-pour of another storm, which is in a fair way to be a heavy one for the season. The rain commenced at 8 A. M. to-day, and up

to noon it had registered .11 of an inch, making 3.42 inches for the season.

At 1 o'clock the downpour had become something terrific. The storm drains in a half hour had become unable to care for the water and the streets became impassable for pedestrians. This heavy shower continued for about half an hour, and in that time over an inch of rain fell, making the total up to to-night .23. Rain ceased falling this afternoon, but the skies are black to-night, and the weather bureau announces the indications are that another inch will fall before morning.

KNIGHTS LANDING THREATENED.

Backwater From the Broken Levees Encroaching Upon the Town.

KNIGHTS LANDING, CAL., Jan. 27.—The water is still pouring into the break in the Lippincott levee, two miles below town, but the backwater is a quarter of a mile below town, and has not perceptibly risen since yesterday. It now seems that unless there is a big rise in Cache Creek, the water over the Lippincott break will not make any further encroachments upon the town territory.

Advices from down the river are to the effect that the break on the Hershey place is now about 700 feet in width and much deeper than it was last year. As a result, while the river is not as high by four or five feet as the residents of Knights Landing in the Yolo basin is a foot deeper than it was ever before known.

There was a terrific storm late yesterday afternoon, during which an inch of rain fell over the entire section. The water during the night, and to-day the weather has been very showery. At 8 o'clock this morning the rain for the twenty-four hours amounted to 1.50 inches.

The Hays & Garrott tract is flooded. When the Lippincott levee broke the backwater swept over the Wright farm and attacked the north levee, on the Hays & Garrott tract. It soon gave way, and a great volume of water ran in. The tract comprises about 2000 acres, and was guarded on all sides by what were supposed to be secure levees. Nearly all was under water to-day. Mr. Hays moved his family to the residence of Mr. Brownell and his household effects to Woodland yesterday afternoon.

This afternoon the water from the Lippincott break was reported to be gradually creeping in this way. A force of men has gone down to see if anything can be done to avert a flood. The wind has subsided, but the river has risen three inches since morning.

SANTA BARBARA FLOODED.

State Street Becomes an Impassable Sheet of Water.

SANTA BARBARA, CAL., Jan. 27.—Santa Barbara has within the past twelve hours been treated to the fiercest downpour of rain ever experienced here. About 4 o'clock this morning the deluge began, and at 11 o'clock this forenoon 2.11 inches had fallen, fully half of the precipitation occurring within two hours. The effect of this great flood, falling upon the already saturated ground, was to cause the actual damage was done, however, beyond the gully of a few ill-graded streets and the caving in of an occasional sewer.

State street, the one business avenue of the city, was completely separated in length, covered with concrete and lined by business houses throughout the better portion of its course, was selected by the little rivulets in the upper part of town as a consequence a torrent poured down the street at a furious rate, filling it from curb to curb with a sheet of water seven inches in depth. The two sides of the street were for a time completely separated.

The cellars of Fithian block, now under erection, were filled with water and the city fire engine was brought into requisition to pump them out. The railroad cars, all of which are now on the ground, and washouts have occurred between here and there. There is some hope that the southern train due here at noon may meander in before to-morrow morning. The channel was so rough this morning that the gasoline schooner Santa Cruz, belonging to Justinian Caire and plying between Santa Barbara and the island, which left port, was obliged to turn back.

DAMAGE AT BLACKS.

Large Warehouse Stored With Wheat Razed by the Wind.

BLACKS, CAL., Jan. 27.—On Saturday there were strong hopes that the backbone of the storm had been broken. These hopes were dispelled yesterday afternoon. About 2:25 inches of rain fell from 4 o'clock last evening until 8 o'clock this morning, and a greater part of this fell in a few minutes during the afternoon. The rainstorm was accompanied by a high wind from the south.

Thomas & Hunt warehouse here, which was built in 1875 and was a structure 435 feet in length, was blown down. All except about twenty feet is flat upon the ground. The part left standing was protected by boxcars standing on a sidetrack. The wind contained a large amount of wheat, which is more or less damaged. It was placed under cover as soon as possible. Within a few hours after the cloudburst yesterday afternoon all the creeks and arroyos in this neighborhood were running bankful. The water now appears to be at a standstill.

DOWNPOUR AT NAPA.

Streets of the Town Converted Into Miniature Rivers.

NAPA, CAL., Jan. 27.—A terrific rainstorm set in late yesterday afternoon, and for several hours rain fell in torrents. The sewers were not equal to the task of carrying off such a large amount of water, and the streets were therefore soon converted into miniature rivers. Napa River and Creek became raging torrents and overflowed their banks at some points. The rain was accompanied by a heavy wind, which did some damage to fruit trees and vines. There were several deaths by heavy thunder and flashes of lightning. The latter interfered greatly with the fire-alarm system in Napa and several false alarms were turned in.

Grain is not high enough in this valley to be greatly damaged by the wind, and the only fear is that much of it may be washed out. The water has gone down considerable during the day and the river is now running inside its banks.

IN SANTA CLARA COUNTY.

Nature Sheds Copious Tears Upon San Jose and Los Gatos.

SAN JOSE, CAL., Jan. 27.—It rained heavily in this vicinity all last night, the rainfall in this city for the twenty-four hours ending at noon to-day being 1.38 inches. This makes a total rainfall of 8.54 inches for the season, against 17.13 to the same date last season.

In Los Gatos the storm was even heavier. 1.85 inches having fallen between 9 o'clock last evening and 6 o'clock this morning. The streets and creeks in that place are flooded.

MERCED WIND-SWEPT.

Slight Damage Done by a Stiff Breeze From the South.

MERCED, CAL., Jan. 27.—A stiff wind from the south set in yesterday morning and continued with increased velocity until noon to-day. It felled a few fences and here and there a few weak roofs on barns suffered, but otherwise no damage resulted. About 9 o'clock last night a driving rain set in, and continued with brief intervals until 10 A. M. to-day, the down-pour measuring one inch for the few hours it continued. Big pools of water stand in all the low places, and the ground everywhere has received a thorough soaking.

Yolo Bridge Loses a Pier.

YOLO, CAL., Jan. 27.—Cache Creek was higher this morning than it has been at any time this season. The levees were all right, however, and would have stood four or five feet more of water. The center pier of the Yolo bridge was carried away this morning and no more trains

will be permitted to run over the structure until it is repaired. The creek has receded two or three feet since noon, and the worst results of the storm are believed to be over.

Redding Lemmed In.

REDDING, CAL., Jan. 27.—Rain began falling again Saturday and continued Sunday and to-day. The river has raised to such a height as to make it impossible to cross either by bridge or ferry. There is no mail communication from the east side of the city or from the south on account of washouts on the railroad and high water. The rain has ceased for about four hours and the indications are to-night that the storm is at an end.

San Joaquin Valley Benefited.

FRESNO, CAL., Jan. 27.—The fruit and grain prospects of the center of the great San Joaquin Valley were never more promising than at this time. The sharp rise in wheat will have the effect of greatly increasing the acreage of the valley. Nearly an inch of rain has fallen here during the past twenty-four hours, making over four inches for the season, against eight inches for the same time last year.

It Falls Upon Newcastle.

NEWCASTLE, CAL., Jan. 27.—A brisk wind prevailed here all yesterday, closing with the heaviest rain known here for years. About three o'clock this afternoon it continued throughout the night, and this morning all of the streams are swelling to their utmost and the ground received a thorough soaking. No damage has been reported as yet.

Santa Rosa Deluged.

SANTA ROSA, CAL., Jan. 27.—Rain has been falling in this section almost constantly for the past ten days. Yesterday afternoon it came down in torrents, and with loud peals of thunder and blinding sheets of lightning, combined to make the severest storm of the season. The fall for the past twenty-four hours was 1.31; for the season, 17.64.

Pacific Grove's Moist Visitant.

PACIFIC GROVE, CAL., Jan. 27.—A storm that promises to rival in magnitude and duration the one of a few days ago began here about three o'clock this afternoon, and rain has been falling continuously since. Grass and grain are springing up rapidly and wheat prospects were never better.

Ventura Receives a Wetting.

VENTURA, CAL., Jan. 27.—Three inches of rain has fallen here since 7 o'clock this morning. The Southern Pacific track at Saticoy was covered with water so trains could not cross it. It is raining very hard to-night, and much damage is likely to result.

Furious Downpour at Blacksburg.

BLACKSBURG, CAL., Jan. 27.—The worst storm of the season has just visited this section. A southeast gale drove a furious downpour of rain before it, the rainfall for the storm being 18.25 inches. The mercury is at 50 degrees above zero.

Salinas River Booming.

SAN MIGUEL, CAL., Jan. 27.—It is raining in torrents; 1.91 inches of water has fallen in the past twenty-four hours. The Cholame and Parkfield stages were unable to make their trips. Salinas River is booming.

CHAMPIONS OF SUFFRAGE.

At the Annual Congress All the Officers Were Re-elected.

Sarah B. Cooper of this City Selected as an Auditor of the Association.

WASHINGTON, D. C., Jan. 27.—The Woman Suffragists re-elected the following officers for the ensuing year: Honorary president, Elizabeth Cady Stanton, New York City; president, Susan B. Anthony, Rochester, N. Y.; vice-president-at-large, Rev. Anna H. Shaw, Philadelphia; corresponding secretary, Rachael Foster Avery, Philadelphia; recording secretary, Alice Stone Blackwell, Boston, Mass.; treasurer, Harriet Taylor Upton, Warren, O.; chairman committee on organization, Carrie Catt, New York City.

As under the constitution auditors of the National association must be changed every year, Miss Loury Clay of Kentucky and Miss Sarah B. Cooper of San Francisco were elected to those positions. To-day's sessions were devoted to reports of various committees and memorial addresses. During the afternoon the members, upon the invitation of Mrs. John R. McLean, attended a reception, where they were presented to Mrs. Julia Dent Grant. To-night the new star to the woman-suffrage flag, the State of Utah, was the most important feature, and a cordial welcome was extended the Senators and Representatives in Congress from that State.

SANTA CRUZ'S BIG LAND SUIT.

Defendants in the Soquel Rancho Litigation Demur.

FIGHTING FOR HOMES.

Scores of Land-Holders Whose Title to Property Has Been Questioned.

FIVE TOWNS ARE INCLUDED.

Heirs of Don Castro Seek to Recover the Vast Tracts Formerly in His Domain.

SANTA CRUZ, CAL., Jan. 25.—The defendants in the big land suit which covers all the property on the Soquel rancho and Soquel augmentation have begun to take action. One hundred of the many land-owners interested have filed a demurrer, declaring the court has no jurisdiction of their persons nor of the subject of the action, and that the plaintiff has no legal capacity to sue; that the complaint does not contain sufficient facts; that the alleged cause of action in the complaint is barred by the provisions of sections 319 and 343 of the Code of Civil Procedure of California; that it is not alleged whether any person is interested in the estate of the deceased, or was or was not in the possession of the real estate, or whether this action was commenced for the purpose of enabling the plaintiff to take the charge and management, and of entering upon and preserving from damage, waste or injury, the real estate in the complaint described. And, finally, the defendants say that it is not alleged whether or not the decedent, Martin Castro Depeaux, left a child or any other heir.

This suit has become known since the complaint was filed some six weeks ago as the Soquel augmentation suit, or, locally, the big land suit of Santa Cruz County. It is brought by Mrs. Elizabeth Peck, the executrix, and the heirs of Martina Castro Depeaux, the widow of Don Rafael Castro, who, after his death, had married Mrs. Depeaux. She had sold large tracts to F. A. Hihn & Co., and this firm sold in turn to the present holders. The heirs claim the titles of the latter are defective. Many of the two hundred defendants have declined to join those who filed the demurrer, claiming that they had not been properly served, and they take no judicial notice of a suit having been brought. Others say that if their deeds, which they obtained through the F. A. Hihn Company and other original purchasers from Don Castro are not good, they are ready to surrender title.

Besides the defendants named in the complaint there are some 200 or 300 owners of lands that were originally of the Castro estate, but they obtained their deeds directly from Don Castro in his lifetime. The plaintiff has acted on the theory that if a deed from the original owner were necessary in their cases, it would be also necessary to the title of the defendants. The lands embrace a section of country from the Santa Cruz Mountains to the sea, some fifteen miles broad, including the towns of Highland, Soquel, Capitola, Aptos, San Andreas and some of the finest farms and orchards in the county, on many of them handsome residences and fine homes having been built. Plaintiffs in this suit claim that Martina Castro Depeaux was not mentally sound, having been for some time in an insane asylum, and that she was incompetent to give deeds to the property in question. The land was originally a grant from the

MAY SUCCEED RUNYON.

Potter Palmer Mentioned as an Active Candidate for the Embassadorship to Germany.

CHICAGO, ILL., Jan. 27.—A morning paper prints the following: Potter Palmer may be the Embassador to Germany to succeed the late Theodore Runyon, who died Sunday.

It is said that an active movement in Mr. Palmer's favor has been started among influential Chicago politicians, among whom the name of W. K. Carlisle is mentioned as being particularly interested, but the latter maintained a frigid reserve when called upon last evening. Potter Palmer is one of the most distinctively Chicago men in the city and his career during his forty years' residence here has been not unlike that of the city itself. Starting in a small dry-goods store on Lake street forty years ago he soon built up a business which had the largest retail trade enjoyed by any house, not in Chicago alone, but of the entire West. He is probably as well known as any man in the city, and his successful business record is one of the most remarkable in the West.

ROYALTY SENDS CONDOLENCES.

Emperor and Empress Remember Mrs. Runyon in Her Sorrow.

BERLIN, GERMANY, Jan. 27.—The Emperor and Empress have sent their condolences to Mrs. Runyon to-day. The room in which the body of the Embassador lies contains a large number of wreaths sent by friends. All receptions in the American colony have been postponed. The Rev. Mr. Dickie will officiate at the services that will be held at the Runyon residence to-morrow, at which only members of the family will be present. At the services which will be held at the Episcopal church Thursday the Rev. Mr. Dickie and the Rev. Mr. Fry will officiate. WASHINGTON, D. C., Jan. 27.—It is said at the State Department that no request has been made by Mrs. Runyon for a war-vessel to convey the remains of her deceased husband to America. Should such a request be made and granted, considerable time must elapse before it can be carried out.

The three United States vessels attached to