

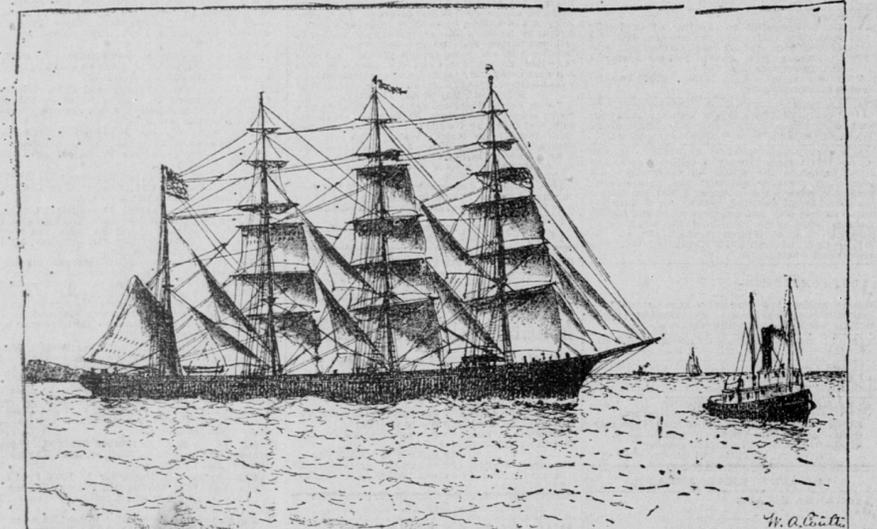
DELMAS SPRINGS ANOTHER SURPRISE

Deep Disappointment of Lawyers in the Fair Litigation.

Craven Ejectment Suits Dismissed as to the Daughters of Fair.

The Fight Now Confined to the Executors—The Suit to Quiet Title Set for Trial.

"Oh! d—! Go to heaven!" exclaimed George A. Knight in Judge Slack's courtroom yesterday afternoon.



Among the Fleet That Went to Sea on the Ebb Tide Yesterday Was the Big American Clipper Ship Shenandoah. Out of Half a Dozen Vessels She Was the First to Cast Adrift From the Tug and Get Under Way on Her Long Run to Europe.

to explain that he was speaking to Attorney Keuben H. Lloyd and that the words had been wrung from him by his impatience over the sudden and unexpected turn of affairs in the matter then under consideration.

Mr. Knight wanted to see the documents and was disappointed when he found himself and his associates in interest, for the attorneys of all the children of Mr. Fair join in opposing Mrs. Craven.

The chagrin of Mr. Knight over his defeat, joined with some suggestions whispered by Mr. Lloyd, caused the outburst of temper on Mr. Knight's part, for which he made the amend honorable not only in court, but afterward in a personal explanation to Judge Slack in his Honor's chambers.

It was evident that Mr. Knight also wished to set himself right before the community, for he explained to the reporters who remained after the adjournment of court that it was a case of undue exasperation when over the famous Uncle Toby, he greatly extolled by Lawrence Sterne in "Tristram Shandy," would have blurted out an oath equal to any heard in the army in Flanders.

"Lloyd has been making me tired for the last six months or a year," said Mr. Knight, "by his constant suggestions. My client, Charles Fair, and myself, should take the brunt of all the battle. When has he got in a cross-complaint or an answer all along the line? What has he done to bring any of the cases to an issue? What did he do in regard to the trust provision of the will? Look at us. We've got in our fighting papers all along the line, and he comes in under our proceedings because our clients happened to be named as co-defendants and demands an inspection of these deeds. If he had left it to us to make the application we would have been all right and no bowing out of court such as we have here-to-day could have happened."

"After Judge Slack's ruling that he had nothing more to do with the matter then on hearing, Lloyd began to tell me again what I'd better do to help him out, so I let slip an exclamation of impatience. I couldn't help it. But my client is all right. His cross-complaint is on file, and when we get ready we will ask in our own way for an inspection of the papers."

That the really important event of the day happened, when D. M. Delmas, by wholly unexpected move, outflanked and disappointed the army of lawyers engaged in the Fair estate litigation.

Judge Slack's courtroom was crowded with them at 2 o'clock, all eager to handle and inspect the two deeds under which

Nettie R. Craven lays claim to property of the late Senator's valued at \$1,500,000. A special order of the court had been secured by the counsel for Mr. Oelrichs and Virginia Fair requiring that the deeds be produced in court where, under the auspices of Judge Slack himself, they might be inspected.

But not only the attorneys for the Fair daughters, but the counsel for Charles Fair and all the other counsel, together with a small army of experts, were gathered there with microscopes and such other paraphernalia as might aid in dissecting the handwriting of the deeds. The army with their instruments waited patiently, confident in themselves, for the moment when the court should order the custodians of the deeds to hand them over. There had been some preliminary talk about the litigation and Judge Slack in response to a motion had set for trial on the 2d of February the case of Angus vs. Craven—the suit to quiet title.

When Judge Slack called the case of Craven against Fair and others and Craven against Oelrichs and others Mr. Delmas arose and handed two neatly typewritten documents to the clerk.

Judge Slack remarked that the examination of the deeds to the preliminary question would be in order, whereupon Mr. Delmas arose and said: "The case of Angus vs. Craven having been set for trial and is now at issue, and that case having the double advantage of including both pieces of property covered by the deeds in question, it is deemed by us unnecessary to prosecute any further the suits of Craven vs. Fair and Craven vs. Oelrichs as to certain defendants. I have filed dismissals of those cases."

This was the unexpected that happened, and that, when he realized what it meant, made George Knight say "d—n."

The dismissal of the suits under which the application for the inspection of the deeds was made and the order granted of course dismissed the order with it, and the whole matter ended there.

Mr. Delmas' remark explained the situation. When the deeds were brought forward Mrs. Craven began two separate suits in ejectment, one against Charles L. Fair and others for the Mission-street property, and the other against Teresa F. Oelrichs and others for the Sansome-street property.

The executors of the trust will—then the special administrators—began suit against Mrs. Craven to quiet the title to both pieces. This suit is known as Angus vs. Craven. It involved the same principle exactly as Mrs. Craven's suits—the title and ownership of the property.

In the suit of Craven vs. Charles L. Fair, Mr. Fair brought a cross suit in which he sets up that Mrs. Craven's deeds are not genuine. To this cross complaint Delmas & Shortridge have demurred, holding that such cross complaint cannot be made in a suit in ejectment. The filing of the cross complaint, however, made it impossible for the plaintiff's attorneys to dismiss the cause with regard to this defendant. No cross complaint had been filed by the daughters, and, on the other hand, no application to inspect the deeds had been filed by Charles Fair, so that when the cases were dismissed as to the daughters the order of examination fell.

The court examined the papers filed and remarked: "This disposed of the present matter. The cases, except as to Mr. Fair, will go off the calendar."

Mr. Wheeler asked to see the papers and Mr. Lloyd and Mr. Knight gathered about and examined them with great care.

Mr. Lloyd whispered something to Mr. Knight's ear which extorted that gentleman's "exclamation of impatience," as he so happily termed it.

"The case seems to be nothing more to be done," said Judge Slack.

Mr. Wheeler asked the court to order a judgment of dismissal entered as to Mrs. Oelrichs and Miss Fair, and it was so ordered.

Delmas then quietly took his departure, and the opposing attorneys watched his receding form far down the corridor before they appeared to realize the manner in which their fondest hopes had been dashed and blasted by a single turn of the wrist, so to speak—a surprise that for the nonce took away their breaths.

Speaking about the matter last evening Mr. Brittain, speaking for Delmas & Shortridge, said: "This move was made to simplify matters and to prevent at the same time every Tom, Dick and Harry pawing over those deeds. It is not attempted to prevent anybody seeing the deeds who has a right to do so. The experts of the executors, Messrs. Carrillo and Ames, have been given every opportunity to see the deeds. Some seventeen enlarged photographs have been taken for them and which they now have. The suit of Angus vs. Craven is a quiet title, will cover the same ground in a more ample way than would our two suits in ejectment. Therefore, as that suit has been set for trial, Mrs. Craven finds it unnecessary to go to the trouble and expense of pushing her suit, and so we dismiss them. That is all there is to it."

Wheat was burned in the Furnaces of a Big Norwegian Tramp That Broke Down.

Wheat is in demand in Europe, and in consequence the golden grain is pouring out of California. Yesterday three ships got away with full loads and half a dozen others are ready to sail. A big fleet went out on the ebb tide, among them being the big American ships Shenandoah and Cyrus Wakefield, the British bark Cambusdoon, the brig W. G. Irwin and the British ship Blairgowrie.

The Shenandoah made a pretty picture when the tug Vigilant cast her off. The wind was from the northeast, and therefore favorable for ships going to sea. Off Alcatraz Captain Murphy ordered the staysails set and off Fort Point the topsails were run up. Passing Point Bonita almost all the sails were in place, and as soon as the tug cast her adrift the Shenandoah was speeding on her way to England.

The Cambusdoon was towed out by the Monitor and the Blairgowrie by the Alert. All three vessels are bound for Europe, and considerable interest is taken in the outcome of the race. Captain Murphy is confident that his ship will make the run in 100 days or less, and if she does the Britishers will not be in it.

The tug Reliance took out the Cyrus Wakefield, bound for New York, and the W. G. Irwin for Hawaii. In spite of her double burden she raced the Monitor and the Alert, and beat her easily. Captain Brockway of the Reliance says the result is due to the new corrugated wheel, which was put in place a few weeks ago.

All the vessels that went to sea were fully loaded and their cargoes alone are valued at \$1,000,000. The Shenandoah took general merchandise and wheat and her consignments amount to over \$100,000.

The Norwegian tramp steamer Herman Wedel Jarlsberg was in greater trouble than the first cables told of. She was reported as having put into Yokohama with her shaft disabled, but later advices received by the Merchants' Exchange yesterday state that the Jarlsberg came near sharing the fate of the Linthow. In many respects she was almost in the same predicament as the R. de Janeiro when she ran short of coal. She ran into a heavy gale, and some sails that were set to steady the steamer were blown away, and two boats were washed out of the cabin. Coal ran short and the gaffs and booms and twenty tons of wheat were burnt up in order to get the vessel into Yokohama. It will be several weeks before the Jarlsberg is ready for sea again, and in the meantime her destination may be changed. The Jarlsberg was bound for Calcutta.

The ferry steamer Encinal was put on the narrow-gauge route again yesterday. The work of overhauling and putting her in good shape for the winter has been rushed, as the traveling public was grumbling over the accommodations afforded by the El Captain. The latter boat is too small for the business, but to please the people the Encinal has been put back on the run a week or ten days before she was ready. Now everybody is growing because the paint and varnish is now perfectly dry.

The Pacific Coast Steamship Company's Walla Walla got in about noon yesterday, about twenty-four hours behind time. Captain Wallace reports unusually heavy weather between Cape Flattery and the Golden Gate, and owing to the heavy head winds the vessel was hove-to several times.

Captain Thompson of the S. C. Allen is to take command of the R. P. Rithet. The former is now in Honolulu harbor loading for San Francisco and the Rithet is on her way from Newcastle, Australia, to Honolulu with a load of coal. The mate of the Allen will bring the vessel to this port.

Vallejo took as great an interest in the Pizazzino-Sharkey contest as San Francisco. Yesterday a band of enthusiastic sports came down on the Sunol and some of them went home sadder but wiser men. A big contingent came from the Navy Yard and every one of them was an enthusiastic Sharkey man. Henry Stahli, who with James Coskey owns and publishes the Vallejo Morning News, also came down. He proposed attending the fight in order that the people of Vallejo and Mare Island might get the contest round by round, as soon as the readers of THE CALL.

Two Insolvent Debtors. Geneva Groscup, milliner, has filed a petition in insolvency. Her debts amount to \$2432.43 and her assets, consisting of stock, fixtures and goodwill of millinery store, 927 Market street, are estimated to be worth \$500.

Albert Clayburg has filed a petition in insolvency, his only creditor being Morris Windt of 1424 Nebraska street, this city, to whom he owes \$1100. He avers that he has no assets and no business.

WATCHES, Diamonds, Jewelry, at greatly reduced prices; building to be removed, 5 and 7 Third st.

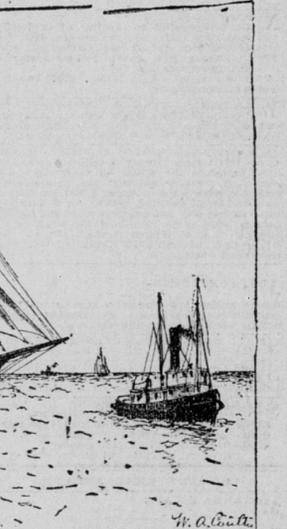
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WATCHES, Diamonds, Jewelry, at greatly reduced prices; building to be removed, 5 and 7 Third st.

HALE BROS. INCORPORATED. NOTICE TO ACCOMMODATE HOLIDAY SHOPPERS THIS STORE WILL BE OPEN EVENINGS UNTIL CHRISTMAS COMMENCING SATURDAY NEXT. ON WITH THE MERRY BELLS OF CHRISTMAS! Crowds swarming our big bazaar—great jolly crowds—crowds of early buyers and sharp-witted bargain seekers—crowds of friends and customers. CALL EARLY WHILE ASSORTMENTS ARE COMPLETE! DOLLS AND TOYDOM! Some Sensible Suggestions. Future worth and usefulness are to be considered in making presents. LADIES' WRAPS! BLACK FIGURED ALPACA SKIRTS, lined with rustle percaline and velvet bound, 5 yards wide and fit guaranteed Our price \$3.00 Each. LADIES' TAN JACKETS, slashed collar inlaid with velvet, pleated back, a nobby little affair, sizes 32 to 40. Our price \$7.00 Each. LADIES' BLACK BOUCLE JACKETS, buttons high to the neck, loose front, sizes, one of our leaders. The price instead of \$7.50 is \$5.00 Each. LADIES' BLACK BOUCLE CAPES, silk-lined, Thibet fur around collar and down front, 20 inches long. Our price \$6.50 Each. WHAT BETTER PRESENT THAN A NICE CHRISTMAS JACKET? DOMESTICS! WRAPPER FLANNELS—A wrapper pattern is always acceptable; one of our specials is 3 1/2 inches wide, fleecy on one side, dark stripes and Persian patterns. Our price 10c Yard. TABLE DAMASK, for Christmas gifts, bleached, 70 inches wide and all pure linen. Our price \$1.00 Yard. 3/4 size Napkins to match, \$3 dozen. PURE WOOL BLANKETS, selected fleeces of the highest grade, 72x90 inches, extra weight; this is a specially selected blanket, a grand present. Our price \$6.00 Pair. IRISH POINT LACE BEDSETS, for holiday presents, an immense line, ranging from \$10 to \$30 set. Ask to see the assortment. See the Big Airship Flying in Our Window Every Afternoon. FANCY WORK DEPARTMENT! SILK THROWS, made of fine Japanese silk, gold embroidered, silk fringed, assorted colors. Our prices 25c to \$4.00 Each. FIGURED DENIMS, for fancy work, 36 inches wide, assorted patterns. Our prices 15c, 18c and 24c a Yard. PLAIN DENIMS, very much used for fancy work, 36 inches wide, all popular colors. Our price 19c Yard. COLORED FRINGES, purchased especially to match the denims. Our price 8 1/2c Yard. 937-939-941-943-945 MARKET STREET.

SCHOOL DIRECTORS EXAMINE PLANS Designs for the Mission High School Under Discussion. Searching Questions Asked by Members of the Board of Education. Eleven Architects Explain Their Plans—No Decision Arrived at as Yet.

The Board of Education in special session wrestled manfully with the problem of selecting a design for the new Mission High School yesterday. All day they were entertained by architects who desire that their plans be accepted, and when the session was over the members had listened to eleven gentlemen, each of whom was sure that his design was the best. Those who addressed the board were: McDougal Brothers, Laist & Schwerdt, William Moore & Son, W. A. de Prose, Smith & Freeman, Thomas P. Ross, Powell & Wilson, W. O. Banks, Cahill & Condon, W. Jones Cutbertson and Charles L. Havens.

The design of W. O. Banks used favorable comment, the drawings showing a massive substantial looking structure. The interior was also carefully arranged with a view to the health and comfort of the scholars. The questions asked the architects were practically the same, the Directors inquiring into the ventilation, floor space per pupil, situation of toilets, the lighting and other arrangements of the basements, the number and character of the stairways, whether the same would be fireproof or not, the character of the roofing and flooring, the appliances for escape in case of fire and other matters. The Directors were particularly anxious to know whether the buildings designed could be built within the appropriation for the purpose. No decision was arrived at, the Directors desiring a full board present before arriving at a conclusion. The matter will be taken up at another special meeting.

SENATOR FLINT MARRIED. The Ceremony Took Place at Noon Yesterday at Woodstock, Vt. A dispatch from Woodstock, Vt., last evening to Dr. Thomas Flint of San Juan, now at the Grand Hotel, stated that Senator Thomas Flint was married at noon yesterday to Miss Ada Mary Fish of Woodstock. The ceremony took place at St. James Episcopal Church. Miss Bertha Fish was maid of honor. The bridesmaids were Miss Margaret Johnson, Miss Mary Greene, Miss Alice Jones and Miss Gertrude Dewey. The best man was William Hewett and the ushers were Charles Chapman, R. H. Flint, William Mitchell, Frederick Billings, Dr. Thurber and Dr. Logan.

Dr. Flint said his son and bride, the dispatch stated, would probably reach here in about a week. The bride is a native of Virginia and has never been in California.

TOOTHsome TABLE DELICACIES Our Three Days' Specials AT REDUCED PRICES. SARD DRESSING—25 cts per bot. It is Herrmann's Imperial and one of the most palatable of all dressings. 30 cts regularly. SEVILLE SARDINES—10 cts per can. These Spanish sardines are of a most delicate flavor and invariably sold for 15 cts. SCOTCH WHISKY—90 cts per bot. Just the thing for cold weather. It is the celebrated McAlister brand and for the rest of week cut from \$1.25 per bottle. ITALIAN VERMOUTH—50 cts per bot. Purest and best brand—reg. price, 60 cts. NEW YORK SWEET CIDER—50 cts gal. Made from apples and all elder. The most delicious drink in the world.

RATHJEN BROS. 21 Stockton St., Near Market. Telephone Main 5223. BRANCH—323 FILLMORE ST., cor. Lombard Telephone West 1522. Mail orders promptly filled. Have you seen our new Catalogue? Let us send it to you.

Get Your Christmas Gifts Free two ounce bag, and two coupons inside each four ounce bag of Blackwell's Durham. Buy a bag of this celebrated tobacco and read the coupon—which gives a list of valuable presents and how to get them.

ASTHMA HAY FEVER AND CATARRH Oppression, Suffocation, Neuralgia, etc. CURED BY Espic's Cigarettes, or Powder Paris, J. ESPIC; New York, E. FOUGERA & CO. SOLD BY ALL DRUGGISTS.

Bargains for Boys Reffer Suits for boys 3 to 10 years—neat and tasty. Worth \$3.00. \$1.60. Double-breasted Jacket and Pants Suit, 4 to 14 years, in handsome shades of Brown mixed. Worth \$3.00. \$1.60. Cape Coats—keep the boys warm and look dressty, too. Worth \$3.44 to 15.75. \$2.00. Guaranteed all wool by the manufacturer and by us. We want every mother in the city to come and see what we can do for her boy. We'll not urge you to buy—our goods and prices are silent but strong arguments. Great Bargains in Men's Winter Underwear. Men's Double-breasted and double back All-Wool Undershirts, worth \$1.50, for 80c. Men's Gray and Camel's-hair Wool Socks, 10c.

ADOLPH SCHOENFELD, 1316 Market Street. Opposite Seventh St. Open Evenings.

Many thousand dollars worth of valuable articles suitable for Christmas gifts for the young and old, are to be given to smokers of Blackwell's Genuine Durham Tobacco. You will find one coupon inside each

Blackwell's Genuine DURHAM Tobacco

BLOOD POISON HAVE YOU Core Tumor, Pimples, Copper-colored Spots, Acne, Old Sores, Itching in Mouth, Hair-falling? Write FREE BEMEDY CO., 907 Masonic Temple, Chicago, Ill., for proofs of cure. Cost, \$500,000. Worst cases cured in 16 to 25 days. 100-page book free.

FINE CARPETINGS, ELEGANT UPHOLSTERY, RICH FURNITURE! We are now receiving new lines of Carpetings, Furniture, Upholstery Goods and Novelties in new designs at reasonable prices. Agents for John Crossley & Son's English Carpetings. CHAS. M. PLUM & CO., UPHOLSTERY COMPANY, 1301 to 1307 MARKET STREET, CORNER NINTH.

THE WEEKLY CALL It Publishes the Cream of the News of the Week and MANY ATTRACTIVE AND ORIGINAL FEATURES. IT IS THE BEST WEEKLY PAPER ON THE PACIFIC COAST

Always Republican, but Always Fair and Impartial in Its Rendering of the Political News. It's the Paper to Send East if You Want to Advertise California.

The Best Telegraphic Service on the Coast Mining News That Is Accurate & up to date A PAPER FOR THE COUNTRY RESIDE.

A CALIFORNIA NEWSPAPER ALL THE TIME. IT ADVOCATES HOME INDUSTRIES SENT BY MAIL, \$1.50 A YEAR. THE CALL SPEAKS FOR ALL

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