

DISMISS THE CASE OF DURRANT

Fitzgerald Petitions the United States Supreme Court.

MOVE TO END THE SUSPENSE.

Also Wants the Allender Matter Out of the Way.

ADVANCE WORDEN ON THE DOCKET.

Justices Asked to Take Like Action in the Case of Murderer Hill.

Special Dispatch to THE CALL.

CALL OFFICE, BIGGS HOUSE, 1 WASHINGTON, D. C., Nov. 1. The case of Theodore Durrant, the murderer, was again before the United States Supreme Court today.

When Judge Fitzgerald said a week ago to THE CALL correspondent, after moving to advance the Durrant case, that he had "two strings to his bow," he contemplated making his motion to dismiss the case.

"The motions submitted to-day were expected to be made by Judge Fitzgerald tonight," they were taken under advisement by the court. I do not know when to expect a decision, but would not be surprised if it would be handed down next Monday.

NEAR A RUPTURE.

The University of Princeton and the Presbyterian Church on Bad Terms.

PRINCETON, N. J., Nov. 1.—The discussion over Princeton Inn, the consequent condemnation of Princeton University and several of its professors by various presbyteries and synods throughout the country, and the action taken by Rev. Mr. Shields in announcing that he would sever his connection with the Presbyterian church, has caused a breach between the university and the church which is now believed to be rapidly approaching an open rupture.

On Thursday, November 11, the New Brunswick Synod of the Presbyterian church will convene in the First Church here. A resolution will be introduced condemning Professor Shields for signing the petition for a liquor license for Princeton, which will be followed by Professor Shields' resignation as a minister of the church.

"GROVER CLEVELAND JR."

The Youngster is Rapidly Gaining in Weight and Will Soon Be Christened.

NEW YORK, Nov. 1.—A Princeton special says: "Grover Cleveland Jr." is as well and as lively as a boy of his days can be. He has already added a couple of pounds to his weight.

KUTNER GETS A PASSPORT.

Given Permission by the Russian Embassy to Spend One Month in Warsaw.

FRESNO, Nov. 1.—A Kutner, the well-known merchant of San Francisco and Fresno, who was several months ago refused a passport by the Russian embassy at Washington to visit a relative in Warsaw, Russia, on the ground that he was "not a Christian," has received through the Department of State a passport giving him the privilege of spending one month in Warsaw.

LARGE OUTPUT OF SUGAR.

Los Alamitos Sugar Company to Enhance Its Factory.

LOS ANGELES, Nov. 1.—A contract was signed here by representatives of E. H. Dyer & Co. of Cleveland, Ohio, and the Los Alamitos Sugar Company of this county for the immediate enlargement of the latter's refinery to 1000 tons daily capacity.

seasons run. It exceeded the expectations of its designers by 100 tons a day.

LEADING CHIEFS CAPTURED.

Sadda Khan and his Brother Have Surrendered to the British.

SIMLA, Nov. 1.—Sadda Khan and his brother, leading chiefs of the Maddakheis, have surrendered to the British. This is an important step in the settlement of the Tochi difficulty.

A letter to Lord Elgin, Viceroy of India, from the Amir of Afghanistan, says that he is trying to arrange with the British that if he succeeds he will expect the priest from Afghanistan, who take refuge in the territory, from interfering with British territory.

The Amir has been thanked by the Government for both these friendly communications, and has been furnished with a copy of the proclamation which General Sir William Lockhart issued to the tribesmen prior to beginning the advance of the punitive expedition.

Stamboul as a Star.

NEW YORK, Nov. 1.—E. H. Harriman's famous stallion Stamboul (2:07 1/2) will be one of the attractions at this year's horse show in Madison-square Garden.

He won the two first prizes at Madison-square Garden in 1894, repeated this performance last year, and in addition captured the stallion championship. During his racing career he won, among other events, the \$20,000 stallion race in California in 1888.

Pacific Coast Penitents.

WASHINGTON, D. C., Nov. 1.—Penitents have been issued as follows: California—Fayette W. Omstead, Pomona; Walter Nichols, San Jose; Alfred P. Hills, Cambell; Henry L. Bond, Santa Barbara; minor of Charles Judd, National City; Letitia Lovell, San Diego; Emline Fisher, San Jose.

King Christian Seriously Ill.

NEW YORK, Nov. 1.—A Copenhagen special says: King Christian was attacked by a chill while driving yesterday and his physician says his condition is somewhat serious. His Majesty is 70 years old.

General Von Bulow Dead.

BERLIN, Nov. 1.—General von Bulow, brother of Baron von Bulow, Secretary of State for Foreign Affairs, died here today as the result of injuries which he sustained by being thrown from his horse while out riding.

The Grip at Berlin.

BERLIN, Nov. 1.—Four deaths from influenza were reported here today.

LAVIGNE AFTER RYAN.

Also Willing to Fight Hawkins at One Hundred and Thirty.

Still Sore From the Effects of Joe Walcott's Terrible Right-Handers.

Now that George Lavigne has begun to recover from the effects of his recent battle with Joe Walcott, the sabre-hued boxer, who was thought by many to be invincible, he is casting about for new laurels, and is figuring whether to return to the class from which he rose to fight Walcott or go higher and enter the welter-weight class.

Out of his class he must, and it is simply a question of which will bring him the most honor and pecuniary benefit. Lavigne understands that after his defeat of the dusky demon of the O'Rourke stable he will have a hard time getting matches in the lightweight class and he is prepared to fight anything that is eligible to enter a ring at from 130 to 140 pounds, age or color not barred.

He has become a great admirer of Dal Hawkins since the local man fought his draw with Dixon, and is ready and willing to make a match with Hawkins at the latter's own weight, 130 pounds. If this cannot be brought off he wants a match with Tommy Ryan, and is willing that the latter should weigh 140 pounds, which is said to be the welter-weight champion's best fighting weight.

With Ryan, however, he will ask that the match be to a finish, as he has a great idea of the Easterner's cleverness and thinks he would have the best chance in a limited-round contest.

"If I go out of my class to give him a fight," says Lavigne, "he ought to be willing to give me the point and make the question as to who is the best man beyond the shadow of a doubt. I have boxed with Ryan, and I feel sure that I can give my friends a run for their money."

"Hawkins I consider a coming man in his class, and I believe that it would add to my laurels should I succeed in beating him."

Lavigne is still very sore about the body, where Walcott's terrific right-handers landed. A spot as big as a soup plate over his heart is black and blue, and just under his ribs, on the right side, is another tender place, where three hot rights jarred his internal arrangements.

"I know I have been in a fight" is all he says about his injuries, but he put in several hours yesterday walking and exercising to limber up the sore muscles.

Lavigne let out yesterday the reason why he almost failed to get within the weight at which he signed to fight, 135 pounds.

In the morning he stepped on the scale at the bath and found the weight at 132 1/2 pounds. Instead of getting into the ring well under weight the champion indulged himself a little, taking a couple of glasses of snerry and a hearty meal some hours before going to the Pavilion.

He was him, surprised as possible when the bar trembled before slowly rising and showing that he was within the limit.

"The kid" is the constant amusement of his friends with his quaint and original sayings. He was talking the other day of his many battles, and was asked who of his opponents he considered the cleverest.

"Griffio, by all means," he replied. "After he got going I thought the audience was knocking gloves at me, they came so fast."

Regarding Walcott he had another humorous remark to make.

NO TRACE OF MODOC'S DEFAULTER

Half-Hearted Search for Ex-Treasurer Madden.

HAD NO TROUBLE IN ESCAPING.

County Officials Have Not Even Sent Out Circulars Describing Him.

SETTLERS FIND THAT THEY ARE LOSERS.

Money Paid for School Lands Was Never Covered Into the Public Exchequer.

Special Dispatch to THE CALL.

REDDING, Nov. 1.—Late advices from Alturas, the county seat of Modoc County, where a disgraceful stabbing affray between District Attorney Raker and ex-

Atty and Notary Changes. WASHINGTON, Nov. 1.—Major James Chester, Third Artillery, is at the Ebbitt



JOHN MADDEN, Modoc's Defaulting Treasurer.

Judge Harris recently took place in the county courtroom, picture a state of affairs bordering on chaos.

On the 23d of last July John Madden, Treasurer of Modoc County, left Alturas for Sacramento, giving out the information that the object of his trip was the settling of accounts with the State. He promised to bring back some money with which to pay outstanding warrants, as it was impossible to pay the necessary amount of coin in Alturas. The public funds were kept in the California State Bank at Sacramento, and the Treasurer issued his checks against the money in bank.

On the 30th day of July, seven days after the County Treasurer had taken his departure, a number of checks drawn against the public funds were returned from the bank dishonored. On the morning of July 31 papers were filed by which John Madden deeded to his wife the principal part of his remaining real estate. Already attachments were being issued for the balance of his property.

The news spread quickly. Many were at first incredulous, but others divined the truth at once, that John Madden was a defaulter and had fled to escape arrest.

Right here is where one of the most surprising features of the case crops out. Two months were allowed to elapse after the Treasurer had fled before the safe was opened, but it was guarded night and day at an expense of over \$300. When the county strong box was finally opened it was found to contain the glittering sum of 6 cents.

It has been openly charged that no effort was made to procure the apprehension of Madden, and to this day no warrant for his arrest has been issued. On August 6, when it was known to a certainty that Madden was short in his accounts \$30,000, the Board of Supervisors made a rental allowance of \$600 to the District Attorney with which to effect the capture of the absconder. Weeks lapsed into months, and in the meantime public sentiment was running high. The District Attorney was forced into asking for another appropriation, and the Board of Supervisors allowed him \$2500. According to the Plaindealer, Supervisor Aubie at this time introduced a resolution asking the District Attorney for an accounting of the \$1000 which he had received verbally allowed him some six to eight weeks before. Citing the same authority, "This Mr. Raker flatly refused to give."

It is charged that not even descriptive circulars were engaged by the proper officials to trail the fugitive from justice.

Another feature of Madden's defaulting which will probably swell the amount considerably above \$30,000 has just come to light. Innocent purchasers of school lands had been in the habit of going to Treasurer Madden, making their payments and simply taking his receipts. The law provides that these receipts should pass to the County Auditor, whose duty it is to make the proper charge to the Treasurer. Not being familiar with the law these innocent purchasers simply made payment to the County Treasurer, took his receipt and he pocketed their money without ever making any return to the county. A large number of citizens are sufferers in this respect, but now much it all will amount to has not yet been made public by Experts Fitzgerald and Bieber, though it has been given out that it will aggregate a large sum.

The manner in which Madden managed to cover up his shortage reflects no credit on the officers whose duty it was to examine monthly the County Treasurer's office. Madden remitted various sums for largely to the California State Bank at Sacramento, and in acknowledging receipts of these moneys the bank returned a formal notification that the remittance made for the purpose he indorsed each worthless piece of paper with the magic words, "Not subject to draft." These valueless return slips were turned in as cash on hand, and were counted as such by the District Attorney, County Auditor and chairman of the Board of Supervisors. A disposition is manifested to exclude the latter two officials, but the District Attorney, it is contended, should have known that such paper was absolutely worthless.

The Board of Supervisors has refused to compromise with Madden's bondsmen, and it is likely if they are compelled to make up the enormous shortage that it will ruin them.

Stasta County proceeded in an altogether different manner, when it was found some time ago that Treasurer Jackson had defaulted in the sum of \$60,000. He was immediately arrested, pleaded guilty and was sentenced to seven years in San Quentin, where he is now acting in the capacity of bookkeeper in the commissary department. The Board of Supervisors of this county compromised with Jackson's bondsmen, as it was feared that the bonds could not be collected for the reason that it was impossible to confine the defalcation to any certain period. Jackson had been Treasurer for many years, and there were several different sets of bondsmen. The defaulter neglected to set down the date of each sum misappropriated, and therefore it could not be determined when the defalcation was committed or what set of bondsmen was responsible.

No clew as to the whereabouts of Modoc County's missing Treasurer has yet been unearthed, but the people of that county are determined to suit the matter to the bottom, and some sensational revelations are anticipated.

DIET MIES TO FORCE A RECOGNITION

Refuses to Withdraw Objections to Merry as Minister.

GREATER REPUBLIC IN DANGER.

People of Central America Are Becoming Very Weary of Dictators.

EXACTIONS BECOME TOO SEVERE.

In Nicaragua It is Believed That Zelaya is Slandring Ill-Gotten Wealth Abroad.

Special Correspondence of THE CALL.

MANAGUA, NICARAGUA, Oct. 14.—It is understood that the Diet of the Greater Republic of Central America, now in session, has refused to agree with the arguments put forward by Secretary Sherman in support of the appointment of Captain William L. Merry of San Francisco, as Minister of the United States to Nicaragua, Costa Rica and Salvador, while partly recognizing the Diet.

It is claimed here in certain quarters that this step was taken in order to force the United States Government, if possible, to fully recognize the Diet, although it is claimed that body may be overturned almost any day by a successful revolution in Nicaragua, Costa Rica or San Salvador, or by the withdrawal from it of any one of the Presidents governing the States represented. The reply of the Diet will probably be forwarded to the United States State Department on October 19 or 20.

It may be here pointed out that the feeling of opposition to the presidents or "dictators" of the states of the Greater Republic of Central America is steadily growing in bitterness and in this country the people are suffering greatly under the rule of their President General Zelaya.

Since the disbanding of the revolutionists of September last, who attempted to achieve political and personal liberty by attacking the forces of President Zelaya and failing in this effort, were driven to seek refuge in Costa Rica, the masses here have been made to feel the weight of the iron heel, and their resentment has been intensified by the mercenary acts of Zelaya and his followers. I. D. Gomez and M. C. Matusa, who, it is claimed, have acted like bandits, going so far as to shoot men who were accused of taking part in the revolution of September, and the decision of hastily formed courts-martial, composed of men of a lower intelligence, imprisoning hundreds of respectable citizens without trial on suspicion of being in sympathy with the revolutionists, and exacting large sums of money from others having valuable property, either as "fines" or "forced loans."

During the past two years, it is asserted, great authority, more than 10,000 native Nicaraguans have been compelled to leave their homes and country. Those who have left include representatives of some of the most patriotic and most distinguished families of the country. To make matters worse nobody seems to know where all the money collected by forced loans go, and the current belief is that Zelaya and his friends have been sending large amounts abroad in order to feather the nests to which they may eventually have to fly.

The Diet of the Greater Republic of Central America has recognized John Jenkins as the States Consul for San Salvador, capital of the republic of Salvador.

GOLDEN ARRESTED.

Charged With Being an Accessory to a Los Angeles Murder.

T. J. Golden was arrested last night by Detective Egan and is being held in the City Prison pending the arrival of an officer from Los Angeles.

Captain Bohon on Saturday received a dispatch from Sheriff Burr of Los Angeles to arrest Golden as he was wanted there on a charge of murder. It was stated that he had been a tallyman for the Binn Lumber Company.

Golden was surprised at his arrest. He said he was a witness in the case of Patrick Savage, who was on Saturday held in Los Angeles for the murder of Will Roach at San Pedro on October 6. That was the only murder he knew of, and he thought it possible that the police there might have come to the conclusion that he was implicated in the murder.

LOS ANGELES, Nov. 1.—Sheriff Burr to-night received word that T. J. Golden had been arrested in San Francisco.

Some two weeks ago at San Pedro Pat Savage shot and instantly killed William Roach, a boy about 18 years of age. Roach and Savage had had some words over a debt of \$90, which the latter claimed Savage owed him.

It is alleged that Savage called Roach into his room as he was passing and without warning shot him dead. At the preliminary examination which took place on Friday of last week the testimony showed that T. J. Golden, an intimate friend of Savage, was with the latter just before the shooting, and furnished him the pistol which did the work.

On this testimony the District Attorney swore to a complaint charging Golden with being an accessory to the murder of Roach, and on this complaint the warrant was issued upon which Golden was arrested to-night. Golden's home is in San Francisco, but for some time past he has been working for the Blinn Lumber Company at San Pedro as a tallyman. He will be brought here for examination.

Civic Rights Party.

A new party known as the Civic Rights party was formed last evening with the prime object of supporting the minority in the charter committee. This action was stimulated by the idea that there are many things which the people want in the new charter that are being omitted or coldly voted down.

It is the intention of the new party to hold a mass-meeting in the near future, proclaim its principles, and if necessary nominate and elect a board of freeholders who will draft a charter in keeping with the demands of its platform.

A Bold Burglar.

NEW TO-DAY CLOTHING.

WE MAKE OUR BOW TO-DAY.

Presenting for public approval that magnificent line of goods we spoke of yesterday.

No desirable fabric or style that will be worn this season will be found missing from the stock we have to show.

Our first presentations will be offerings of especial values. We will use no jugglery of words, no tricks or methods to induce you to buy.

We will state facts, saying as little as possible and making every word true—calling attention only to dependable purchases.

Our new Top Overcoats for men are something we can recommend very highly. All the style, all the workmanship and all the fitting qualities that it is possible to put in them has been done. We are world-beaters for Overcoats. Two Covert Coats at different prices we would like you to inspect. Both great bargains.

\$11.00 and \$16.50. The \$11.00 one is very swell and beautifully lined; made to wear well. The \$16.50 is handsome, lined with Covert Cloth and fashioned with great care. Both in all shades of tan and chocolate.

Cheviot, Tweed and Worsted Suits, \$10.00.

All the late shades of olive, tan and brown.

Reefer Coats, \$2.50.

In either blue chinchilla or astrachan. Have brass, pearl or bone buttons. These are as nobby garments for her small boy as any mother could want. All our Clothing is of a high grade, which we sell to you for little money.

Two small boys' items we want to mention here.

Middy Suits, \$3.50.

In blue, brown, gray and tan mixed; also in plain serges.

Reefer Coats, \$2.50.

In either blue chinchilla or astrachan. Have brass, pearl or bone buttons. These are as nobby garments for her small boy as any mother could want. All our Clothing is of a high grade, which we sell to you for little money.

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Advertisement for Parson & Co. clothing, featuring illustrations of men in suits and coats, and text describing various garments like overcoats, suits, and reefer coats.

Advertisement for Joe Choynski, featuring text about his arrival from Chicago on Thursday evening, his participation in a pugilist match, and his status as a Knickerbocker and National Club member.

Advertisement for 'The Soft Glow of the Tea Rose' complexion powder, mentioning its popularity among ladies and its availability at Parson & Co.