

JUDGE HEACOCK CHARGES CONSPIRACY

President Merillon of the Box Factory Tells His Story.

Colonel Long Will Throw Open the Records of the Department for Use at the Trial.

United States Court Commissioner Heacock began yesterday morning the preliminary examination of J. W. Bartholomew and Ernest Merrick, charged with having conspired to defraud the United States Government out of \$223. The complainant is R. P. Merillon, president and director of the American Box Factory, of which Bartholomew is secretary and with which Merrick is engaged in litigation in the State Courts. Emmerick is a clerk in the quartermaster's department of the United States Army and was charged with conspiring with Bartholomew to pay out of Government funds a bill for \$24 presented by Bartholomew and Merrick to be for boxes and material furnished the quartermaster's department by the American Box Company, whereas only the worth of material had been furnished, leaving an overcharge of \$23. Bert Schiesinger and Henry C. McFie represented the defendants and the prosecution was in the hands of United States District Attorney Coombs and Assistant United States Attorney Bandy.

GOVERNOR MAY GRANT A JUBILEE HOLIDAY

Finance Committee Getting Ready to Secure Funds for the Big Celebration.

Past Grand President George D. Clark and the other members of the special committee appointed to wait on Governor Gage and obtain from him an expression of the possibility of making Tuesday, September 11, a legal holiday by proclamation, visited the officers of the clearing house and received the information that there would be no objection to the Governor declaring the day a legal holiday in view of the fact that it would help make the golden jubilee of California a grand success. The committee also expressed itself as being favorably impressed with the idea of granting an additional legal holiday.

Yesterday afternoon there was a meeting of many of the prominent members of the Finance Committee at the headquarters in the Palace Hotel for the purpose of selecting a finance committee whose duty it shall be to secure funds for the proper carrying out of the festivities. Police Commissioner George A. Newhall was named to act as chairman of the general finance committee. The following were named the general finance committee with full power to act: G. A. Newhall, Frank H. Vall, Henry S. Martin, Frank W. Marston, George D. Clark, Julius Kahn, W. W. Dinkelspiel, F. H. Dunne, S. V. Costello and P. G. Du Fay. A letter was read from Harbor Commissioner Rudolph Herold expressing his willingness to contribute a finance committee in any way he can.

Charles H. Turner, chairman of the committee on naval parade, announced yesterday that he had added to the auxiliary committee the following: Senator George P. Peckings, Representative Julius Kahn, J. T. McMillan of the hydrographic office, H. D. Hawks, commodore of the Corinthian Yacht Club, and Commodore of the Commodore of the San Francisco Yacht Club, and ex-commodore of the Corinthian Yacht Club.

The naval parade committee met last night and decided to have a grand illumination on the bay, a sham naval battle and an illumination of the front and of the hills of the city. Messrs. De-voto, Dryden, Pryor, James, Tracy, Leslie and McMillan were appointed to present the details of the plan. This committee will meet next Tuesday, at which time the regatta committee will meet with it.

The entertainment committee also held a meeting and decided to make the following recommendations: September 3, promenade concert in the park; September 4, regatta in the forenoon, sacred concert at the Presidio and at the park in the afternoon, baseball game; September 5, sacred concert in Union square, Lafayette square, Columbia square and Washington square; September 6, parade in the city, literary exercises in the evening and grand ball in the pavilion, also sessions of the Argonauts, Deacons, Georges, Curly Bears and other side degrees; September 11, bull-bait breakfast at the cliff in the afternoon, and in the evening visits to the headquarters of the patriots.

Inspector Clark Hammered.

The Secretary of the Treasury has declined to approve Collector Jackson's appointment of Frank A. Clark to be temporary inspector, class 2, vice Eager, resigned, under the laws of the Treasury. The reason for the declination is that Clark was recently disciplined by the department for misconduct.

Back to Health and Happiness.

Note these recoveries which show the curative power of Dr. McLaughlin's Electric Belt.

Your Belt has driven out every sign of rheumatism—Jas. Parker, 721 Green street, San Francisco, June 17. Eight years of suffering is now relieved. Dr. McLaughlin's Electric Belt, 2065 Summit street, Oakland.

Woman is prone to pain and weakness, and nearly every man is a victim of some ailment. The responsibilities of life carry with them mind-tension and bodily fatigue, which wear down the strength and encourage disease. For your Pain in the Back, your Rheumatism, Kidney Trouble or Nerve Weakness I offer you the grandest remedy in the world. My Electric Belt is better than the surgeon's knife or drugs. It feeds your nerves and gives you restful sleep. You then enjoy life and have fewer wrinkles of care. I've cured thousands of cases similar to yours. Call and see me, or write for my interesting book—free.

DR. M. A. McLAUGHLIN, 702 Market Street, Corner Kearny, San Francisco, Burdick Block, cor. Spring and Second Streets, Los Angeles.

FIREMAN SWEENEY IS A HERO

THE heroic act of John E. Sweeney, hoseman engine No. 29, in saving the life of Michael Coyne during a fire early yesterday morning at 430 Eleventh street, was a theme of praise in and out of the department yesterday.

Chief Sullivan was warm in his expressions of the bravery of Sweeney and has given instructions that no expense be spared to bring the gallant fireman back to life. Sweeney rallied somewhat yesterday morning from the effects of his terrible burns and there is a strong hope that he will recover, although he will be disabled for life. He was visited by his wife and other relatives and friends and bore up bravely. He was removed to St. Mary's Hospital and Dr. Bodkins, the department physician, will specially attend to his case. Acting Captain Thomas J. Bean of engine No. 29, in his report of Sweeney's heroic act, says: "Sweeney and Wallace Jamison attempted to enter the building, but the flames checked them. Sweeney said to Jamison, 'Can you make it?' and Jamison said, 'No.' Sweeney ran to the wagon and getting a coat threw it over his head and rushed upstairs through the blinding smoke and saved Michael Coyne's life. Sweeney carried him to the fire engine, which he is 31 years of age and a marble cutter by trade. He joined the department December 16, 1884, being assigned to engine 1, but the following year was transferred to engine No. 29. His name is in the 'book of meritorious acts' of the department. On the morning of August 15, 1896, while going to his home at 212 Sheridan street, he saw flames issuing from the rear of a building at 1014 and 1015 Bryant street. He sent word to a milkman to the engine-house and rushed into the building to alarm the firemen. An old couple, John and Maria Brodie, were unable to look after themselves and Sweeney carried them to the fire engine. The only means of escape, but it had been burned away. He carried them to a front window and by the aid of a rope which was

FUSION PARTIES ON THE BALLOON

Political Divisions Which May and May Not Be Recognized at the Primaries.

Attorney General Ford Renders Opinion in Response to Question Submitted by Secretary of State Curry.

Section 118 of the Political Code provides that in order to create a new political party its candidates must poll "an average of 3 per cent of the entire vote at the election at which they are voted for."

"If this election be the last election prior to any ensuing primary election, the opinion continues, there would then be one test applied to parties already in existence and another and severer test applied to parties to be given."

"That is to say, the candidates of the party already in existence, in order to secure a place and designation upon the official primary ballot must have polled 3 per cent of the entire vote of the State at the election prior to the election held in August, 1900, entitled to a designation and place on the official ballot to be used at said primary election."

"Second—If a political party polled 3 per cent of the entire vote of the State at the election prior to the State primary to be held in August, 1900, but failed to poll 2 per cent of the votes cast in any Railroad Commissioner, Congressional, Board of Equalization, Senatorial or Assembly district, is such political party entitled to a designation and place upon the official ballot to be used at the election held in August of this year?"

"Third—If at the last general election neither the Democratic party, the People's party nor the Silver Republican party presented any candidates for the office of Governor, Secretary of State, Controller, Treasurer, Attorney General, Surveyor General, Clerk of the Supreme Court, Superintendent of Public Instruction, Superintendent of State Printing or Associate Justices of the Supreme Court, but that one or more of the political parties named either nominated or endorsed the same person for each of the offices mentioned under these circumstances how am I to ascertain how many votes were polled by each of the political parties named or which party or parties are entitled to a designation and place on the primary election ticket to be voted for at the next primary election to be held on the second Tuesday in August of this year?"

"With relation to the first question, Attorney General Ford says in substance that under section 137 of the Political Code, which is a portion of the new primary election law, it is provided that to qualify for nomination at the election held prior to any ensuing primary election herein provided for, at least 1 per cent of the entire vote of the State shall be entitled to a designation and place upon the official (primary) ballot."

"The voter does not cast his vote for any political party, but for candidates nominated by that party. Therefore, in order to give meaning to this section of the code, it should be made to read as follows: 'All political parties whose candidates at the last election polled at least 3 per cent of the entire vote of the State shall be entitled to a designation and place upon the official ballot.'"

"In computing the 3 per cent of the entire vote of the State polled by the candidates of the State, the vote of the candidates on the basis, numerically, of the average vote for the candidates of the respective political parties, which fact strengthens the opinion pointed out that any other construction would make the primary election law operate unequally, for the reason that

section 118 of the Political Code provides that in order to create a new political party its candidates must poll "an average of 3 per cent of the entire vote at the election at which they are voted for."

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RENOCED DECISION PLEASES ADLER

He Files Ready Answer to Wife's Divorce Complaint.

BEN ADLER, a Powell-street clarinetist, is the first person to take advantage of Judge Belcher's now famous "Reno decision." In June of last year Adler was married to Mrs. Fredericka V. Dunbar, who was divorced from R. H. Dunbar, the husband being the plaintiff and the ground adultery.

A few days ago Adler was sued by his Reno wife for divorce on the grounds of extreme cruelty. They had been living at the Marchal Niel Hotel, and on June 9 had trouble, of which the two give different versions. The lady says that Adler bent her without provocation, and while in his arms, she fled yesterday, says that Fredericka drew a razor on him, and that he was compelled to use considerable force in order to get the weapon away from her and protect his life, which he says, was in great danger.

GRAND GROVE OF ANCIENT DRUIDS DELIBERATING

Reports of Officers Are All Most Satisfactory to the Membership.

Hopes of the Noble Grand Arch Are Exceeded by More Than One-Half-The Bard's Degree.

The Grand Grove of California, United Ancient Order of Druids, opened yesterday morning in its thirty-sixth annual session in Druids' Hall on Sutter street with James F. Martinioli, noble grand arch, presiding. There were present all the grand officers, and one hundred and eighty-four representatives from the seventy-nine subordinate groves in the jurisdiction.

After the usual impressive ceremonies connected with the opening of the grand body the grand officers were conferred upon sixty representatives who were entitled to it.

A congratulatory letter from Supreme Arch M. A. Beckman of Minneapolis was read and received with applause.

The report of the grand officers were after presentation referred to the committee on distribution.

The report of the Grand Arch Martinioli is a lengthy and able review of the work done during his administration and of the condition of the groves and of the membership of the order. In relation to the press he says:

"During the year the press wherever there are Druids has done much to attract public attention to Druidism by publishing notices of elections, installing meetings and official visits. I desire to call special attention to the San Francisco Call, which has given in its editorial department a series of articles to the proceedings of the order. These notices have done the order much good."

The Grand Secretary Graves' report is a concise account of the condition of the order, stated principally in figures. In his report he says:

"The noble grand arch, announced at the beginning of the year that he intended to make a gain for every two hundred votes of the average vote cast for Republican State candidates in 1898, and one for a remainder of one hundred votes or over. This would make the membership of the State convention 92, and the delegates from San Francisco 120.

There is talk that Sacramento will not make an effort to secure the convention of the order, but the delegates to the State Fair if used on August 21 by the delegates from San Francisco, Sacramento and San Jose will each put up a strong contest for convention honors.

The Republican State Executive Committee yesterday arranged many of the details of the ratification meeting to be held on Tuesday evening. The pavilion was engaged in order to afford space for the multitude of citizens that will assemble.

The Grand Opera-house could not be obtained for the literary exercises in the afternoon, so Metropolitan Hotel will be secured.

Charles Sweigert, a young politician and law student, has been invited to serve as C. A. Glover, John McPadden, John McPherson, Philip McManis, Thomas Senneker, and Frank Ridney, W. A. Gibney and D. J. Barry.

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Accuses Her Sister. Mrs. Norah Nickells, 423 Oak street, swore to a complaint in Judge Fritz's court yesterday for the arrest of her sister, Mrs. Annie Crosby, on the charge of felony embezzlement. Mrs. Crosby is employed at 8 Mason street. Mrs. Nickells alleges that she sold out the insurance on her life with a company in Melbourne, Australia, and ordered that in the event of her death her sister, Mrs. Crosby, should get the money. She was very sick at the time, but recovered. A draft for \$1000 was received by Mrs. Crosby, but she refused to hand it over to her sister, hence the warrant. Mrs. Nickells came to prominence over a year ago by having her husband, a horse trainer, arrested for threats to kill and later by bringing charges of crooked work at the racetrack against him and others. She was then the owner of some horses. She died with Nickells from Melbourne, taking considerable money with her, and when

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Rev. Dr. Sweeney, an old friend of the Merrill family, performed the ceremony. The bride was attended by Miss Gladys Merrill, sister of the groom, who officiated as maid of honor. Harry Holbrook was best man and the ushers were Ralph Merrill, Dennis Searles, Frank King, William Hazelton, Orlo Eastwood and Clarence Doane.

After the ceremony there was an elaborate wedding breakfast at the home of the bride's parents, 1722 Washington street. The elegant Merrill home was elaborately decorated for the occasion. In the main reception room, where the new bride and groom were seated, friends and relatives in the East.

Mr. and Mrs. Merrill left last evening for an Eastern trip. They will go to the White Mountains, the Adirondacks and the Southern States. The young couple received many handsome presents, quite a number being sent from friends and relatives in the East.

STATE CONVENTION OF REPUBLICANS

The Delegates Will Assemble on August 21 to Nominate Presidential Electors.

Proposed Ratification Meeting at the Pavilion. Headquarters of the Republican County Committee Opened in the Baldwin Annex.

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Charged With Embezzlement. Frank P. Noble, an insurance solicitor, was arrested last night on warrants sworn to by E. R. Smith charging him with embezzling \$4000 from the insurance company. Noble says he was employed by Smith in the insurance company, and that he pocketed a commission which was rightfully due him.