VIOLATION OF CHARTER ONCE MORE IMMINENT

Illegal Disposition of Old Street Material Is Recommended.

Supervisors' Committee Would Authorize Board of Public Works to Turn It Over to Park Commission.

The Supervisors' Street Committee decided yesterday to recommend the passage of a resolution providing that the Board of Public Works be authorized to transfer all old material removed from public streets and unfit for further use to the Park Commission or any other department of the city government as the Board of Public Works may determine, in the face of the fact that this course is not in accord with the charter provisions. Commisioner Maguire and Attorney Gartland of the Board of Public Works stated that a lot of old street paving was being taken up from Sixth, Fourth and Spear streets, and, as most of it was worthless, it would be a useless expense to cart it to the Corporation Yard, as the charter required. Gartland submitted an ordinance providing for the transfer of the old cobbles and other street material to a central station on some unused street, such as Berry street, where it could be sold to any one desiring to purchase. Chairman Curtis opposed this plan as being in violation of the charter. He, however, favored the giving of the old material to the Park Commission or other departments, though the charter specifically provides that all old street material must be taken to the Corporation Yard and there sold at public auction. Maguire pleaded that the downtown Corporation Yard was too small and the one on City Hall avenue too far away to comply with the strict provisions of the charter.

C. G. Hooker urged the Street Committee to take steps for the immediate improvement of Bush street.

George Fletcher, W. C. Billington and H. W. Jaudin spoke in favor of reducing the width of sidewalks on Clement street in the Richmond district, while D. Daugers and F. I. Newberry argued against the proposition. Action on the matter was postponed.

CHANNING AUXILIARY INFORMED ON SLAVERY

Mrs. George Oulton Reads Paper Treating Topic From Historical Point of View.

Mrs. George Oulton read a carefully prepared paper on "Slavery" at the annual meeting of the Channing Auxiliary in the First Unitarian Church Wednesday night. Mrs. P. B. Cornwall presided. Mrs. Oulton has been a director of the American history section in the course of study of the Lansing History Club. Many of her facts and conclusions were derived from the study in that connection.

Mrs. Oulton held that the first slavery known to history was beneficial, for it saved women and children from death, they being, as an alternative, appropriated by foemen for wives and servants. The tendency to spare enemies spread through the "pastoral age." Slavery as an institution was created during the agricultural stage. Ancient slavery was a substitute for immolation and had its rise in clemency. In ancient times Christianity, inculcating love for the lowly, did much to improve the condition of the slave.

Mrs. Oulton traced the history of slavery on the North American continent. At the close of the reading Mrs. Cornwall invited the members of the auxiliary to personally meet Mrs. Oulton and discuss the subject over the teacups, at the same time praising the literary and historical merits of Mrs. Oulton's paper.

Physical Culture Meetings.

The Board of Education has issued a circular authorizing principals to dismiss classes one-half hour earlier on the day of the grade meetings to be conducted by Dr. Magnus, director of physical culture. The meetings will be held in the Lincoln Grammar School as follows:

Friday, November 9, at 2:45 o'clock, first grade; Monday, November 12, at 2:45 o'clock, second grade; Wednesday, November 14, at 2:45 o'clock, third grade; Friday, November 16, at 2:45 o'clock, fourth grade; Monday, November 19, at 3:15 o'clock, fifth grade; Wednesday, November 21, at 3:15 o'clock, sixth grade; Friday, November 23, at 3:15 o'clock, seventh grade; Monday, November 26, at 3:15 o'clock, eighth grade.

ADVERTISEMENTS.

Thoughts

wander when the brain is tired. Overwork, nervous irritation, worry and mental strain exhaust the brain forces and diminish their thought power. Feed the brain, strengthen the nerves and build up new vigor, vitality and mental power. The greatest of all brain foods and nerve tonics is Dr. Miles' Nervine.

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SKIN $500 if my Skin Ointment fails to cure any case of eczema or tetter, or if one application fails to stop the itching. Price 25 cents. All druggists, or sent post paid on receipt of price. DR. PAUL DE FORD, 175 N. Spring st., Los Angeles, Cal.

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CLUB RIVALRY FOR CUSTODY OF SILKEN BANNER

Republican Organizations That Seek to Be Guardian of Trophy.

Its Presentation by the Oakland Alliance Will Be Attended With Much Ceremony and Merrymaking.

The silken standard that has been the special pride and glory of the Oakland Republican Alliance and of Alameda County Republicans in general will have to be surrendered, and the Oaklanders are saying they will do it with the best possible grace, and about headquarters in San Francisco the question of the custody of the banner is an interesting subject of discussion.

San Francisco's majority of 9960 is so far ahead of Alameda County's majority that there is no possibility of the official count changing the rank of the counties in the Republican column. Alameda County added nearly 3000 votes to its majority of 1896, but San Francisco, which gave McKinley a majority of 457 in 1896, rolled up 9960 toward the splendid majority given the Republican standard bearer by California.

The banner was made in 1888. It was paid for by money raised by prominent Oakland Republicans, among whom were Warden Hale, then Sheriff of Alameda County, and Senator Eli Denison. Since Republican majorities first began to be given, Alameda had been the banner county until that year, when Los Angeles gave Harrison a larger majority than Alameda did. The Oaklanders spent $250 on a splendid silk banner and sent a committee to the orange belt to present it.

Noble Hamilton was then Superior Judge in Alameda County and he went with the committee and made the presentation speech. In the course of his speech he said that he hoped they would soon be compelled to return the banner to Oakland and that they would do it with as good grace as Oakland yielded it to them. The Los Angeles Republicans banqueted the committeemen and gave them the freedom of the city.

Four years ago Alameda County won the banner back and a committee of prominent Los Angeles Republicans brought the silken trophy up, and with much ceremony it was given into the keeping of the Oakland Alliance. Doubtless the alliance will hold it until the official count makes certain San Francisco's title to it, and until it is decided what organization on this side of the bay shall become its custodian.

The Union League Club, the Bear Club and the Phoenix Club have been mentioned as possible guardians of the banner. Whichever organization be chosen, it is certain that there will be such a merrymaking over the bringing of the trophy to San Francisco as will dwarf all past celebrations over its wanderings.

The Republican County Central Committee of Oakland decided last night that it would not hold any ratification meeting, but would wait until it surrendered the banner to San Francisco County, when it would have a little jollification.

LEAGUE OF THE CROSS CADETS GIVE A DANCE

Members of Company B Entertain Many of Their Friends in Mission Parlor Hall.

Company B, League of the Cross Cadets, entertained its friends in fine style Wednesday night with an entertainment and dance in Mission Parlor Hall. A large audience enjoyed a programme of interesting vocal and instrumental numbers and dancing to the music of an excellent band concluded a pleasant evening's entertainment. The programme was as follows:

Remarks, Captain T. E. J. Gardener; piano solo (selected), William McDevitt; soprano solo, Miss N. Monaco; recitation, Miss A. Conlin; tenor solo, William Ogilvie (A. L. Artigues, accompanist); cornet solo, Miss H. McLain; bass solo, Roy B. Kay; duet, L. Burris and H. Todd; specialties, George Hammersmith.

The committees having the affair in charge are:

Arrangements—Lieutenant J. C. Kindelon (chairman), Lieutenant E. F. Glennon, Sergeant G. J. McCarty, Sergeant D. Caldon, Corporal F. Koch.

Reception—Lieutenant E. F. Glennon (chairman), Sergeant J. McLellan, Corporal W. Johnson, Privates J. L. McWilliams, W. Carey, J. Carey, G. Carroll, John Lane, W. O'Connor, T. Quinn, J. Welton, J. Vetterlein, C. O'Hearn, R. Belinge, S. Piercy, H. Leahy, R. Kerwin, S. Bovo, T. J. Logue, W. Strickland, J. Gillespie, E. L. Marden, J. Griffin, A. Griffin, J. Eagan, D. Allwell, R. McCann.

REPORTS ARE RECEIVED IN ANNUAL MEETING

The nineteenth annual meeting of the San Francisco Mutual Loan Association was held at 518 Montgomery street Wednesday, Vice President C. A. Malm being in the chair. Secretary Andrea Sbarboro read his annual report, showing that during the last year more than $50,000 was paid for matured and surrendered shares, and the association has since its organization made 559 loans, amounting to $860,912, of which 493, amounting to $743,112, have been repaid, leaving 66 loans outstanding of the total amount of $117,800. The directors have only five pieces of property on hand, owing to the care in making loans, and these pieces cost the association only $7000, against which there is a reserve fund of $2700 to cover any possible loss. The directors voted to issue 1000 shares of stock of the nineteenth series.

The following named directors were unanimously re-elected: President, Thomas J. Welsh; vice president, Charles A. Malm; treasurer, A. Merle; secretary, A. Sbarboro; assistant secretary, A. E. Sbarboro; attorney, D. Freidenrich; directors—G. B. Cevasco, James H. Barry, R. Doyle, G. de Luca and P. C. Rossi.

Kelly's Bonds Are Fixed.

Judge Lawlor decided yesterday on the application of Thomas A. Kelly to be released from the County Jail to fix the bonds at $4000. The sureties must be approved by the District Attorney. He was induced to do this chiefly on the statement of Sheriff Lackmann that the County Jail was no place for a man in poor health. Kelly is awaiting the result of his appeal to the Supreme Court against his conviction on a charge of forging the name of a man named Riley to a bail bond he accepted while clerk in Judge Graham's court.

An Unwarranted Censure.

The Coroner's jury called to inquire into the death of R. W. Eagles, a railroad bridge carpenter, who was killed in an accident near Ripon on November 5, returned a verdict yesterday "holding the Southern Pacific Company responsible" for his death. Coroner Cole refused to approve the verdict, as the evidence did not warrant it. The jury accordingly retired and brought in a verdict of accident.

Eagles was at work with other employes of the company on a trestle and was knocked off the trestle by the giving way of a derrick carelessly handled by the crew.

New Examination for Painters.

The Civil Service Commissioners adopted a resolution yesterday canceling the examination for painters held on August 17 and ordering a new examination on December 28. The Board of Examiners appointed by the commission was unable to agree upon a uniform marking of the examination papers and it was impossible to grade the applicants properly. Those who took the examination will be privileged to participate in the one to be held on December 28 without filing any further application.

Something new in the spite fence folly is reported from Elizabeth, N. J., where an outbreak of virulent diphtheria in a family is attributed by the attending physician to the dampness caused in the house by a fence nearly sixty feet long and at one point thirty-six feet high, built by a next-door neighbor.

RELEASE RECEIVER McKENZIE AS MATTER OF LEGAL COURTESY

Let Go on Bail, While the Court Commissioner Takes Up Other Ends of the Case.

THERE has been a stay in the proceedings against Alexander McKenzie before the United States Circuit Court of Appeals as a matter of courtesy to the Supreme Court of the United States, which has now under consideration an appeal involving the jurisdiction of the intermediate court in the Nome litigation. The interest in the case has not flagged, however, for on motion of Mr. Pillsbury an order was issued allowing the taking of testimony in the Dubois case before Commissioner Heacock.

The Dubois case is one on an order to show cause why the defendant should not be punished for contempt of court. It was charged that Dubois, who, it is claimed, was acting as attorney for McKenzie, advised his client that the writ of supersedeas from the Court of Appeals was not valid and that therefore it need not be obeyed. When the order for the arrest of McKenzie went to Nome there went with it an order summoning Dubois to appear and show cause why he should not be punished for contempt for having advised against the writ of the court. The order was not obeyed, and the proceedings yesterday were to prove his contempt and have an order for his arrest issued.

Kenneth N. Jackson, an attorney for one of the Andersons, defendant claim holders in the principal suits, was examined first. His testimony went to show that Dudley Dubois had announced publicly that he had advised McKenzie to disregard the writs of supersedeas. He also related the events of the litigation and the struggles between the claim holders and the officers of the law, and how the gold was secured by its rightful owners after the officials had refused to assist in the matter. He was examined closely by Thomas Geary, who is McKenzie's attorney, and the cross-examination was all the more searching because Geary's name had been mentioned as one of McKenzie's attorneys in the litigation in the north.

William H. Metson was the second witness examined, and the proceedings have gone only so far as his direct examination. In his testimony Mr. Metson said that McKenzie several times stated that he would follow the advice of his attorneys in the matter of the writs. Dubois announced that he had advised his client to disregard the writs, and Metson said he knew an opinion by Geary had been rendered and that a copy of it had been given to the military authorities. McKenzie always declared he would follow the advice of his attorneys, and he continued to disregard the writs. As an excuse for his course he said he had been advised that the writs were not good, not valid, and it was not proper for him or for his to turn over the gold dust. The mine owners had in the meantime taken possession of the mines by force, and they were fighting to secure the gold dust that the receiver had taken from them.

When the second writs arrived, the writs ordering the arrest of McKenzie for contempt, the marshals who took the writs to Nome took forcible possession of the gold, breaking open the boxes in which it was stored. They did this after Woods, the United States District Attorney, had refused to deliver up the keys. Metson said he understood that the District Attorney was in Geary's office when he refused to give up the keys, but Metson did not know if Geary was present also.

After the writs of arrest had arrived Metson had a conversation with Dubois, in which Dubois said he had made a mistake in advising his client against the writs and he was sorry for it. He said it would be a great hardship upon him and particularly for some of his clients for whose interests he is caring, and he hoped the proceedings could be laid over until next year anyway. He said he would advise McKenzie that the writs should be obeyed, and Geary also said he would advise McKenzie to the same effect, but nevertheless the miners had to break open the boxes and the vault to get their gold.

The reason assigned by Dubois for the invalidity of the writs was that they were signed by Judge Morrow only, and that he was but one of the three Judges; also that the Court of Appeals had no jurisdiction.

McKenzie was admitted to bail in the sum of $5000 yesterday morning. His case will not be taken up until the first Monday in December at the earliest, to which time the Court of Appeals has adjourned. In the case of Dubois, if the testimony is held sufficient to show contempt, he will probably be brought out of Nome overland.

Thomas Geary and Mr. Gunn represented McKenzie and E. S. Pillsbury, Sam Knight and W. H. Metson represented the miners in court yesterday.

SOME OF THE PRINCIPAL FIGURES IN THE PROCEEDINGS BEFORE COMMISSIONER HEACOCK, WHO IS TAKING TESTIMONY IN ONE OF THE ISSUES OF THE NOME MINING LITIGATION.

MR. ROBSON'S IS A BADLY ACTED FARCE

"She Stoops to Conquer" but an Extract From Goldsmith's Play.

Mr. Robson has been advertising that he would present Goldsmith's delightful comedy, "She Stoops to Conquer." What he really gave us last night was only a mangled farce which had better have been entitled "Tony the Lout Up-to-Date." For the first ten minutes after the curtain rose I thought I must have strayed into the wrong theater, for the opening dialogue in Mr. Robson's farce I found to be not written by Goldsmith, but by some person unknown, who mistakes vulgarity for wit. After the assembled Hodges had finished their stupid tale the play proper began with what is really the second scene of act one. This inversion entirely ruins the development of the action, which Goldsmith has arranged in a manner that Mr. Robson is quite incapable of improving on.

When we did get Goldsmith's first scene we found it cut up, boiled down and torn all to pieces. Coming where it did, it lost all point and relevancy.

Mr. Robson set his fellow actors the bad example of introducing gags and all manner of irrelevant horse play. With such an exemplar they can hardly be blamed for doing even worse than he did. Mr. Weaver was the only one who preserved the spirit of the comedy. Mr. Grattan was absolutely the worst Marlowe I have ever seen. Such meaningless laughter and such purposeless rushings around the stage! Has nobody ever told him that repose of manner was the most obvious trait of an eighteenth century gentleman?

Of the ladies, Miss Mortimer was the only one who knew her part, and the result was just what might have been expected from such evident lack of preparation.

Taken on the whole, the performance was ill-considered, ineffective and disappointing. Thus to ruin a masterpiece is little less than criminal.

L. DU PONT SYLE.

THE CUT-OFF LINE TO BE STARTED AT ONCE

Preparations are being made by the construction department of the Southern Pacific for pushing work with vigor all winter, or at least until bad weather sets in, on the cut-off extension at Ogden. Heavy timbers are being sent to Ogden for the Weber River bridges and one gigantic steam shovel has already arrived. Two others are on the way. The piles and other timber for the Salt Lake trestle are now being loaded preparatory to shipment.

A feature of the building of this new line will be the little cut work that will be required. At the promontory a dug way will be made to skirt the hills, while on the west side of the lake the route will be over ground almost as level as a floor from a little beyond the water's edge direct to Lucin.

The heavy part of the construction work will be the getting out, transportation and handling of the immense quantity of rock which will be used.

MRS. GRACE CLARKE IS NOT PROSECUTED

She Was Arrested for Shooting Her Husband About a Month Ago.

Mrs. Grace Clarke, who shot her divorced husband, Elmer F. Clarke, at her house, 445 Noe street, October 13, because she imagined he had called to take away one of the children, was discharged from custody by Judge Mogan yesterday, as Clarke refused to prosecute the case. They were the only witnesses, he said, and she was the mother of his children. The Judge made Mrs. Clarke promise that she would not molest Clarke again.

Charles A. Bailey, druggist on Grant avenue, who had demanded a trial by jury on the charge against him of selling morphine without a physician's prescription, waived a jury yesterday and pleaded guilty. He will be sentenced Monday.

Edward Fogarty, who hired two horses, one from Powers' stables on Mission street and the other from Gilmore's stables on Twelfth street, and sold them, and also stole a horse from George Ruitz, baker, Valencia street, was sent to the County Jail for fifteen months by Judge Cabaniss yesterday, the charges having been reduced to petty larceny.

Mrs. Juanita Thompson, who cut her husband's throat on Kearny street because he had scolded her for getting drunk, was held to answer before the Superior Court by Judge Mogan yesterday on $2000 bonds on the charge of assault to murder.

Matthew Collins, the special officer who while drunk Saturday night beat S. G. Kellogg, a merchant on Clay street, over the head with his revolver and was charged with assault with a deadly weapon, failed to appear in Judge Mogan's court yesterday and a bench warrant was issued for his arrest.

A warrant was sworn out in Judge Fritz's court yesterday for the arrest of Peter Harkins, a bill poster, for battery upon Mrs. Lizzie Evans, landlady of the house, 823C Sutter street, where his wife lives. He has been in court several times recently for threatening and annoying his wife. He was arrested on the warrant.

Where the Chinese language—written or spoken—came from nobody knows, any more than they know where the original Chinese themselves came from. But it is probable that the primary Chinese characters existed 5000 years ago pretty much as they do to-day.

The second installment of that splendid serial, "In Male Attire," will appear in next Sunday's Call. If you missed the first chapters do not overlook this number, for the story promises to be extraordinarily interesting. A synopsis of the preceding chapters will be given at the beginning so you can catch the thread of the romance and begin to read it now.

DOMESTIC TROUBLES CAUSED HIS SUICIDE

Julius Berenson Ends His Life With Carbolic Acid While in a Lodging House.

Julius Berenson, a tailor 25 years of age, ended his life by drinking carbolic acid in the Saratoga House at 118 Sixth street. Domestic troubles caused the man's rash act. He had had considerable trouble with his wife, and when a separation was imminent the blow was too great for him to bear.

Berenson was married about four years ago. He resided at 2213 Taylor street. Infelicity commenced early in his married life, and recently matters came to a climax and a divorce suit was spoken of. The husband received a note Wednesday from his wife saying that she was going to work for herself and that he would be no longer welcome in her presence. He went to the Saratoga House and secured a room soon after 1 o'clock yesterday morning. The bedmaker could receive no response when he knocked at his door in the afternoon, and upon investigation Berenson was found dead in his bed, with two empty carbolic acid bottles beside him.

On a table close to the corpse were two letters. One was addressed to Mrs. Berenson. The other was to Samuel Nebren, a butcher at Howard and Ross streets, and a cousin of the suicide.

The body was taken to the Morgue by Deputies Flynn and Smith, where an inquest will be held. Berenson's mother resides in Boston.

Says She Deceived Him.

J. W. E. Allen has sued Clara H. Allen to annul their marriage, which was solemnized at San Jose, July 28, 1900. Allen says his wife fraudulently represented that she was the widow of William Nichols, who, she claimed, was killed on his way to the Klondike. Her child, whom she represented to be that of William Nichols, was not begotten in lawful marriage, Allen claims, and hence he asks that his marriage be annulled on the ground of fraud.

Christian Workers' Apron Sale.

The members of he Society for Christian Work at the First Unitarian Church will hold a sale in the church parlors, corner of Geary and Franklin streets, on Saturday, November 10, from 2 to 5 in the afternoon and 7 to 10 in the evening. Aprons of all styles, fancy and useful articles, dolls and home-made candy will be for sale. There will be a social and short musical programme in the evening. The proceeds are to be used in the charity fund.

Silence in the Court!"

"Silence!" said the usher at Bow-street upon hearing somebody say, "Well, what about it? It's all right." Then came the words: "It's a glorious day, ain't it." "Silence," repeated the usher, looking round the court for the offender, but no one seemed to have spoken. "I think there are workmen above," said Mr. de Rutzen, looking up at the glass roof of the court. He was right, it was the voice of the painters that had been heard.—London Chronicle.

OPERATE WITH THE SKILL OF WHITE CROOKS

Work of Clever Mongolians Who Prey Upon Their Countrymen.

A Brace of Chinese Burglars Enter Several Houses and Get Away With a Considerable Amount of Plunder.

A brace of Chinese burglars, with the skill and cleverness of up-to-date housebreakers, have for the past week been operating with considerable success in the Chinese quarter. Several nights ago they entered the Globe Hotel on Jackson street, and with the aid of a "jimmy" forced an entrance into several rooms. In one of the rooms, which was occupied by a Chinese gambler, they got away with a gold watch, $40 in money and a pair of trousers. The following night they forced an entrance into a house on Pacific street, near Stockton, and stole some inexpensive jewelry and a valuable opium pipe. While leaving the place they were discovered by one of the occupants, who attempted to stop them. One of the burglars whipped out a long Colt revolver and struck the man on the head, inflicting an ugly scalp wound. His screams attracted the attention of a special policeman, but before the policeman reached the scene the Mongolian crooks had disappeared, leaving their "jimmy" behind.

Detective Ed Gibson, who has been detailed to run down the burglars, is satisfied that they are accomplished housebreakers. Yesterday he found in a pawnshop on Clay street the watch that had been stolen from the Globe Hotel.

JOCKEY BULLMAN MAY WIN DIAMOND RING

Lively Contest for Jewel at Bazaar Being Held at Native Sons' Hall.

The bazaar being held at Native Sons' Hall in aid of the Star of the Sea Church will close next Monday night. Those who have not visited it will miss the opportunity of attending one of the handsomest affairs of this kind ever held in this city. The attendance last night was very large. From early in the evening until late at night large throngs of parishioners of the church and friends of Father Coyle, the popular pastor, visited the bazaar and spent their money liberally in aid of charity.

The Oriental booth is one of the most attractive in the fair. It is presided over by Miss Mamie Coyle and Miss Elsie Moraghan. The booth is stocked with fancy sofa pillows, hand-painted chinaware and beautiful lamps. The young ladies were kept busy all last night taking in the money. The "Star of the Sea" booth is well looked after by Mrs. Shaughnessy, Miss Barry, Miss Marie Kerwin and Miss Richards. It is beautifully decorated for the occasion and contains many handsome articles which are to be sold.

In the contest for the scholarship it looks from present indications as if James Riley will be the lucky boy to win the handsome prize. In the jockey contest for the most popular knight of the pigskin Bullman is in the lead, running easy, but last night Jockey Logue was at the fair and made such a deep impression on the ladies that it is more than probable that by to-morrow night he will be a very close second. The most popular jockey will be presented with a very handsome solitaire diamond ring, that has been kindly given by Hammersmith & Field.

Every day until the fair closes, next Monday, there will be a business men's lunch served in the basement of Native Sons' Hall from 11:30 till 2 o'clock by the young ladies of the Star of the Sea parish, the price of which will be only 25 cents.

REFUSES TO VOUCH FOR DEAD HUSBAND'S WILL

The will of John Brown, who died in the Napa Insane Asylum on August 6 last, was filed for probate yesterday. Brown was committed to the asylum in May of this year, and although the will bears date of February 19, 1898, having been executed more than two years prior to his commitment, in the petition accompanying the will Mary A. Brown, decedent's widow, says she will not vouch for the testament, and, in fact, believes that her husband was insane when the will was executed.

Decedent's estate, which is valued at $10,000, is devised to the testator's widow and children, Mrs. Sarah Jane Walker and William C. Brown. The will is witnessed by George T. Hatton, Aylett R. Cotton and Aylett R. Cotton Jr.

The will of John Hammond, who died October 30 last, leaving an estate exceeding $10,000 in value, was also filed for probate. Decedent bequeaths one-half of his estate to his widow, Mary E. Hammond, and the residue in equal shares to his children, Manton E., Effie I. and Mabel H. Hammond.

By the terms of the will of the late Louis Schallich an estate valued at $5000 is bequeathed to his widow, Sophia Schallich. Joseph Vincent de Laveaga has applied for letters of administration upon the $40,000 estate of his deceased mother, Marie de Laveaga. Decedent's heirs at law are the petitioner, a son; Miguel A. de Laveaga, her husband; Julia de Laveaga, a daughter, and Edward I. J. de Laveaga, a son.

ACTION ON POOL CASES TURNED INTO A FARCE

District Attorney Threatens to Repudiate an Agreement.

Feels Annoyed at Not Being Consulted, and if He Presses His Objection the Appeal Cases Will Be Withdrawn.

The position of the cases against the poolsellers for violating the ordinance against poolselling has developed into what the attorney for the defendants characterizes as a farce, with the District Attorney as the chief comedian.

When the seven cases were again called yesterday in Judge Mogan's court Mr. Collins, counsel for defendants, explained that a stipulation had been made between himself and Mr. Coffey, special prosecutor, that all technicalities would be waived and a jury trial would also be waived, so that the points in dispute could be tested in the Superior Court as speedily as possible. If adverse to his clients they would plead guilty in the Police Courts and go out of the business. With that understanding he said three cases, each having a distinct point, were tried and were now on appeal. If, as he was led to understand, the District Attorney was to insist on the cases before his Honor being set for speedy trial, thereby repudiating the agreement, he would insist upon his clients being placed in statu quo by the withdrawal of the cases now on appeal and their being tried over again by a jury.

District Attorney Byington said he did not know of any stipulation till the previous day, and he did not consider himself bound by it, as he had not been consulted in the matter by Coffey. He would insist upon a speedy trial of the cases now on the calendar.

Attorney Coffey, who had refused the previous day to take any further charge of the cases, was asked by the Judge if he had notified the District Attorney, and he replied that he had done so some time ago.

"You are mistaken," retorted Byington, and Coffey was quick to reply, "You are mistaken, Mr. Byington."

"Mr. Coffey," said Collins, "was associate counsel in the cases and any stipulation made by him is binding upon the District Attorney, who cannot repudiate his acts. Besides, the District Attorney had his representative in court when the agreement was mentioned at the time the cases now on appeal were heard."

"Legally," said Byington, "I am not responsible for the agreement of Mr. Coffey. As a matter of courtesy to the other side I might take it into consideration."

The Judge suggested that the District Attorney and Collins should wait upon Judges Lawlor, Cook and Dunne and endeavor to get them to set an early date for hearing and deciding the appeal cases, which would end the matter, and they agreed to do so. The cases were meantime continued until this morning.

Later Byington saw Judge Lawlor and he agreed to see the other two Judges personally and urge them to join with him in giving the appeal cases a speedy hearing.

THOUSANDS OF DOLLARS TO BE GIVEN IN PRIZES

National Schuetzen Bund at Meeting Hears Reports on the Coming Shooting Festival.

The National Schuetzen Bund held a regular monthly meeting last night at its headquarters, 620 Bush street. Reports were presented by various committees who are preparing for the great shooting festival that will take place in Shell Mound Park next July.

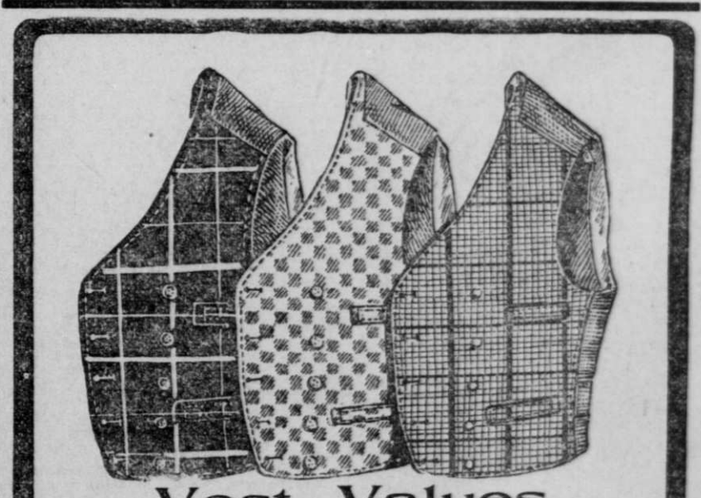
Communications from the San Jose Rifle Club stating that the members were taking a great interest in the affair and that the club had voted $100 toward the cause were read. William Glindemann and N. Ahrens donated $250 and $100 respectively for the general prize fund. The prizes thus far determined on consist of money that will amount to $16,500 in cash, 150 gold medals, 200 silver medals, 150 gold cups and a large number of valuable trophies.

JOBBERS HAVE NOTICE FROM COMMISSIONERS

Tribunal Fixes Date for Hearing Arguments at Washington Affecting Coast Trade Interests.

At last a date has been fixed by the Interstate Commerce Commissioners for the final hearing and arguments in the suit brought by the jobbers of the Middle West to force unwelcome and damaging conditions in transportation upon the Pacific Coast for the advantage of St. Louis and Chicago. Secretary Smith of the Pacific Coast Manufacturers' and Jobbers' Association was notified yesterday by the secretary of the Interstate Commerce Commission that arguments will take place in the city of Washington on December 10.

It is supposed here that there may be some rebuttal testimony that the Middle West jobbers will put in prior to the arguments, but there is no positive information on that point. Attorney E. S. Pillsbury will represent the Pacific Coast Manufacturers' and Jobbers' Association at the proceedings and the Southern Pacific Company and Santa Fe will have their attorneys, who were at the hearing in this city, to look out for their interests.



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