

VIRTUES OF CHIEF TAMMANY HELD EVER IN REMEMBRANCE

Members of San Francisco Red Men's Lodges and Those of Other Bay Cities Will Elaborately Celebrate His Day.

THE local tribes of the Improved Order of Red Men, the local councils of the Degree of Pocahontas and those of Oakland, Alameda, Fruitvale and Elmhurst will celebrate Tammany day by an elaborate literary and musical entertainment and



RED MEN WHO ARE PROMINENT IN ARRANGEMENTS OF TAMMANY DAY CELEBRATION.

of '76. The Improved Order of Red Men has written his name on its calendar, and on the 12th of the Flower Moon each tribe which, during the preceding year, has had Tammany's virtues and good qualities extolled sits around the council fire to sing his praise. The committee of arrangements is composed of the following named:

- President, P. S. Seymour; vice president, Emil Lastreto; secretary, J. H. Hutaff, and treasurer, Henry A. Chase; Manzanita Tribe No. 4, Henry A. Chase; Miantonomah No. 9, G. Cutler; Pohontas No. 10, C. Jones; Pocahontas No. 11, T. M. Seary; Wotomone No. 12, P. Petersen; Seminole No. 14, J. Arees; Modoc No. 17, E. H. Culver; Winemucca No. 61, A. Dawson; Tecumseh No. 62, C. A. Kalkbrenner; Ocoela No. 71, P. R. Seaman; White Eagle No. 72, L. J. Fortro; Bald Eagle No. 73, H. C. Wehr; Arapahoe No. 74, L. Graywall; Montezuma No. 75, G. S. Graham; Oshone No. 78, M. Bloom; Comanche No. 79, W. F. Kruser; Ahwahnee No. 80, F. Mason; Altamaha No. 81, J. H. Hutaff; Washoe No. 83, F. D. Ritchie; Monadnock No. 100, W. C. Rowley; Yosemite No. 108, E. Lastreto; Seneca No. 104, C. de Cleer; Blazing Arrow No. 107, J. W. Kelly.

dance in Native Sons' Hall to-morrow night. The Improved Order of Red Men has selected Tammany as its patron, and yearly honors his memory. He was the Delaware tribe chief who went to the spirit land at the close of the seventeenth century, after having attained a great age. He was one of the chiefs with whom William Penn treated. He was famous for his wonderful exploits as warrior and hunter, and what he did was told at every council fire

of his race. History has it that he fought and triumphed over the evil spirit and made his people happy. His decisions were wise and just and he was called the "savior of his people." Heckwelder, the Moravian missionary, wrote of him: "He was in the highest degree endowed with wisdom, virtue, prudence, charity, meekness, affability, hospitality—in short, with every good and noble qualification that a human being may possess." As a remarkable leader and patriotic aboriginal American he was immortalized by the patriots

PUPILS EXPOSED TO CONTAGION

Noe Valley School Boy Is Stricken With Disease.

Little Johnny Sheehan, a pupil in the Noe Valley Primary School, which is located directly over the rooms of Grocer Nicholas Twitman, who is ill with scarlet fever, as published in The Call yesterday morning, has been stricken with the dread disease and is confined to his home at 1488 Church street. The Board of Health declines to admit that the 150 children attending the school are in any danger from the contagious disease and the Board of Education declines to close the school on its own responsibility. The parents of about fifty of the children, warned by the published account of the matter, refused to allow them to attend school yesterday and, although the usual exercises were carried on, some of the classes were much depleted. Dr. James Seymour, who is attending the cases of both Twitman and the Sheehan boy, informed Miss Agnes G. Regan, principal of the school, on Wednesday morning that a case of scarlet fever existed in the lower portion of the building in which the school is located. Miss Regan at once notified the Board of Health, which had been informed of the presence of the disease, but was not aware that there was a school in the same building. Yesterday morning Dr. Keenan of the Board of Health went and made an investigation. He said that, in his opinion, there was little danger of a spread of the disease if proper care were taken. The entrances to the school rooms and the grocery are separate, but the children play all about the building, including that portion of it where the patient is confined. Dr. Keenan admitted that there was possibility of contagion on account of the proximity of the respective rooms and the number of children, but said he did not feel warranted in making such a report to the board as would necessitate the closing of the school. In a similar position as regards the possibility of contagion and says the Sheehan boy may have caught the fever from a child living next door, whose illness bears some resemblance to scarlet fever symptoms. However, it is quite possible, he says, that the disease may have been contracted from Twitman. There are two entrances to the school, one on Twenty-sixth street and one on Coe street. The quarantine card is on the Twenty-sixth street side and that entrance is now closed. The grocery and the other school entrance front on Castro street and there is no sign there to mark the presence of contagious disease. The sign is being run by the son of the sick man. Director Mark of the Board of Education says no action with a view to closing the school can be taken until a recommendation to that effect comes from the Board of Health. The parents attending the school are much alarmed and after making a personal investigation of the premises have declined to allow their children to return until the danger is past. Others are still in doubt as to what course they shall pursue. Dr. Seymour says that both cases are progressing well at present, and he does not apprehend serious results. Through an error in the information given out by members of the Health Department, the account published yesterday morning stated that the school at that location was called the James Lick School.

HOLDS WILLEY TRUST INVALID

Supreme Court Declares Deed Fails in Its Purpose.

A judgment was handed down yesterday by the Supreme Court declaring the deed of trust executed by the late Amassa P. Willey null and void. The decision was reached in the case instituted by E. W. Carpenter et al, trustees, against E. V. S. Cooks, in which the plaintiffs sought to quiet title against the defendant to certain real estate. Plaintiffs claimed a legal title to the estate as trustees—first under the deed of trust just declared invalid, and, secondly, as trustees under the will of Amassa P. Willey, by the terms of which he devised to them the property in question upon the trusts declared in the deed of trust, which was executed prior to the will. By its judgment the Superior Court decreed that the trusts created by the deed of trust were void and that consequently the deed of trust was null and void. The Supreme Court held yesterday that the trial court was correct as to its ruling regarding the deed. The court, however, did not pass upon the validity of the trust established in the will, holding that the matter as to whether or not the trustees had title by virtue of the will was a question to be resolved by the court in which administration of the Willey estate was pending. The lower court will now be called upon to again pass upon the deed of trust. In August of 1898 ex-Judge Charles W. Slack presented his points against the Willey deed of trust. After disposing of a primary trust, established in the deed of trust, Judge Slack attacked the trust established by the deceased for the care of his grave. The fact that this trust was for a charity and in direct terms a perpetuity rendered the same invalid, counsel held. A perpetual trust for other than a charity has been declared invalid, and, casting aside the objection to the primary trust, it was contended that Willey's effort to keep his grave forever green defeated the whole scheme of his deed of trust. These contentions have been sustained by the Supreme Court, and as the provisions of the will are almost identical with the provisions of the deed of trust, counsel are confident that the trust established in the will will also fail. In this event Mrs. Louisa M. Muirhead, sole devisee under the will of the late Charles Walter Willey, will come into possession of his deed of trust. This estate is valued at about \$80,000. Mrs. Muirhead has carried on litigation over this estate for three years. Mrs. Muirhead befriended young Willey when he had no other friends left. Consequently when he won a judgment against his father's estate he forthwith made her his beneficiary. The decision of the Supreme Court yesterday now opens the door for her to receive that reward which young Willey wished she should have in return for her kindness to him when he was in need of a friend.

O'HARE GIVES UP A BIG SUM

Transfers \$45,254 42 to Thomas G. Jacques in December.

There was a sensational development in the case of Thomas G. Jacques and his wife Caroline E. Jacques charged with kidnaping old Joseph O'Hare, in Judge Cabanis' court yesterday afternoon by the discovery that O'Hare had transferred, on December 22 last, \$45,254 42, which he had on deposit in the San Francisco Savings Union, to Thomas G. Jacques. It was thought that the only money the old man had on deposit in banks was about \$18,000 in the German and Hibernia banks, which the defendants and their son are accused of stealing, and the disclosure of the fact of the large amount in the other bank was a revelation to the relatives of the old man and their attorneys. Every one is wondering if any more money on deposit will be discovered. The first witness called yesterday afternoon was F. W. Russell, paying teller in the London and Lancashire Bank. He testified that on his credit on December 22 last O'Hare had closed his account at the bank and had transferred the amount of \$45,254 42 to his credit to Thomas G. Jacques and an account was opened in Jacques' name, with that amount to his credit. Jacques closed his account on April 15 by withdrawing the amount. A. M. Whittle, paying teller at the bank, identified the receipts and the signatures of O'Hare and Jacques. He had known O'Hare for fifteen years and had always found him competent to transact business. He opened his account with the bank in 1877 and had not drawn any money out till November, last year, when he drew out \$50 and two other small sums up to December 22, when the transfer was made to Jacques. During the occasions on which the old man drew out the money he noticed nothing unusual in his manner. The only thing that was that the old man was getting older. Thomas G. Jacques Jr. was recalled and testified as to what happened prior to taking the old man to Oakland on April 12 and up to his departure with him the following evening for Cheyenne, Wyo. O'Hare Was Closely Guarded. Mrs. Margaret L. Gowdey, sister of the old man and the complaining witness in the case, testified to coming here on November 12. She saw her brother next day in the Jacques home, on Lombard street. She had no opportunity of seeing him alone till January 14, as one or other of the Jacques family was always present. She last saw him on February 26 and after that she did not see any members of the Jacques family as they had left the city. January 3 she showed her brother's photograph of his sister, Mrs. Lally, but she did not recognize her and said she must be a French woman. He would talk of people he knew when he was young, but spoke of those he knew in later years as if they were living, when, in fact, they were dead. She thought her brother was not of sound mind. Mrs. Gowdey was being subjected to a severe cross-examination by Attorney Knight when the Judge intimated it was time to adjourn. Attorney Cannon asked, in view of the developments, that the ball of the defendants should be materially increased, but, after argument, the Judge declined to do so. The case was then continued till Monday afternoon.

Grass Valley Mining Case. The Grass Valley mining case proceeded merrily yesterday in the United States Circuit Court before Judge Morrow. W. F. Englebright, surveyor; Bennett Ople and Joseph Bartel were the only witnesses. They began at the apex of the gold-bearing ledge within the surface boundaries of the Pennsylvania Consolidated mine and described its various dips, shafts and angles in its efforts to get away from its owners and but up against the shaft of the Work Your Own Digging Quartz Mining Company to pour the Pennsylvania Company's gold into the pockets of the Grass Valley Exploration Company. The trial will be resumed on May 23 at 10 a. m.

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