

THE NEWS ABOUT THE BAY

RECEIVES DECREE

Judge Ogden of Alameda Superior Court Takes Stand That Surprises Attorneys

HE INVITES MANDAMUS

Denies Rufus B. Page Separation From Wife Because He Is Defendant in Case

OAKLAND, July 13.—Notwithstanding that the law says that either party to a divorce may ask for the entry of a final decree after the required year has elapsed after the granting of the interlocutory decree, Judge Ogden this morning refused to sign a decree for Rufus B. Page of San Leandro, stating that he was opposed to make entry at the request of the party against whom the decree has been entered.

"The man must come into this court with clean hands before I will give him a decree and I will suffer mandamus proceedings before I will sign it," was the reply he expressed himself this morning.

The unexpected action of Judge Ogden in this matter has brought about a peculiar state of affairs. He is the only judge on duty at the present time, and the court vacated and Page is an old man and seriously ill and he is anxious to have the final bonds holding him to his wife severed, for should he die she could claim a widow's share in his estate.

She is at present in Alaska. An effort was made to get City Attorney McElroy, her representative, to ask for a writ of habeas corpus, but the attorney is in a quandary the attorneys for Page must either make Judge Ogden sign the decree by Supreme Court mandamus or wait for one of the other judges to return from his vacation.

GRASSHOPPERS ARE CAUSING DAMAGE

Hundreds of Thousands of Dollars Lost as Result of Plague.

BERKELEY, July 13.—Professor C. M. Woodworth, entomological expert of the agricultural college, today returned from the district of the coast infested by grasshoppers. He has worked unceasingly for a month in an endeavor to check the ravages of the pest and has met with a measure of success. He reports, however, that the damage done by grasshoppers to crops in the district extending from Hopland to Hollister and Tehama to Merced will aggregate hundreds of thousands of dollars.

Never in the history of the State, says Professor Woodworth, has such a plague of grasshoppers visited the region in question. Entire vineyards, orchards and growing crops have been ruined by the army of "hoppers." Professor E. W. Hillgard's theory is that the excessive rainfall of the last winter made it possible for the insects to propagate in greater numbers than before.

CONTINUE THE FIGHT OVER NIGRO ESTATE

Arguments Heard as to Validity of Injunction Staying Distribution.

OAKLAND, July 13.—Arguments attacking the injunction staying the distribution of the estate of the late Fabrizio Nigro to the widow and Madeline Breling, an adopted daughter, were made today in Judge Ogden's court by Attorneys Sullivan and Allen & Walsh for the heirs under the will and Samuel Shorridge and Walter Linforth for Fabrizio Nigro, Rufina M. Capozzi and Maria Nigro, a nephew and niece of the deceased who are asserting their right to a share in the \$500,000 estate.

The arguments were not concluded and the matter went over until August 9.

APPRAISERS DISAGREE

OAKLAND, July 13.—Appraisers of the estate of the late Meadell Welcker of Berkeley filed a report today, in which two of the appraisers, who were \$1,750, while the third files a report of his own and says the estate is worth \$23,700. The property consists mainly of a piece of land on the water front in Stockton known as the Terminal Tract, and it is upon this tract that the main disagreement comes. It is valued by the majority at \$40,000 and by the third at \$23,700.

The appraisers are Otto Grunsky, R. E. Whitcomb and Frank H. Powers, and it is upon the valuation of the Terminal Tract that the great discrepancy between the value placed on the land by W. T. Welcker said to-day: "Mr. Powers has been closely connected with the estate for years, and knows the real value of the land, and the valuation placed upon it by the two appraisers looks to us as ridiculously low, and I cannot imagine upon what sort of a basis they arrived at such a figure."

WILL DISCUSS IMPROVEMENTS

OAKLAND, July 13.—Mayor Frank K. Mott will meet the members of the advisory committee, appointed by him some time ago, at 4 o'clock to-morrow afternoon in his office at the City Hall, to discuss the best methods of improving the dredging of Lake Merritt and the acquisition of property near the lake for a public park. It has been suggested that the names of Edison Adams, E. W. Bilger, Judge John Yule, C. T. Rodolph and W. W. Garthwaite be added to the committee, and it is expected that the gentlemen will be present at the conference to be held to-morrow.

SPIRITUALIST LEADER DIES

OAKLAND, July 13.—Sol Palmbaum, one of the leaders in the spiritualist faith and one of the organizers of the First Spiritual Church of Oakland, died to-day after an illness of more than a year. He was 61 years of age and leaves a widow, Mrs. Rachel Palmbaum, and a brother, J. L. Palmbaum. He was a member of the Odd Fellows and Good Templars.

OAKLAND PARISH TO PICNIC

OAKLAND, July 13.—The annual picnic of St. Francis de Sales parish will take place next Wednesday at El Campo. The steamer H. J. Corcoran has been secured and will take the Oaklanders over. Father Cantwell has charge of the programme of games and amusements and an excellent list has been arranged.

FREE TRIP TO EUROPE AS REWARD FOR B. B. BOWEN FRIENDLY KNOWS GARMENT

R. J. Holmes Says Supposed Bay Suicide Had No Known Cause for Act.

ALAMEDA, July 13.—That it was Benton E. Bowen of this city who committed suicide by jumping from the top of the ferry-boat Oakland was established to a certainty to-day by Robert J. Holmes, who identified the coat picked up on the steamer's deck as having belonged to the missing man and worn by him Tuesday evening at 9 o'clock, when Mr. Bowen left the family residence at 1525 Chestnut street, saying that he was going to visit friends in Oakland.

Holmes was a personal friend of Bowen and his engagement to the latter's sister was recently announced. He states that when he last saw Bowen on Tuesday evening he was in good spirits and is at a loss to account for the rash act of the young man. Bowen returned a week ago from Raymond where he spent three months with his grandfather, who is the proprietor of a hotel at that place. He was the son of Charles E. Bowen, of the firm of Wirtmore, Bowen & Company, and Mrs. Trasco and Mrs. Margaret Bowen of this city, and was 27 years of age. His parents were divorced some years ago, their separation attracting much attention because of the social and business prominence of the family. Mr. Bowen, another son of the household, wedded Miss Susie Darnell here four years ago and their recent separation was a society sensation.

B. Bowen followed the occupation of a miner at different times. It is not known that he had a love affair and his relatives deny that he was addicted to drink. After leaving the family residence Tuesday evening Bowen was seen in a local saloon in company with a friend, a barkeeper employed in Oakland, and he at that time informed Fred Bormann of Park and Bank streets that he was going to Oakland.

ENJOY HOT WEATHER IN COOL CAMPS

OAKLAND, July 13.—Some of the most complete and comfortable camps are situated along the Russian River in Sonoma County. The Otter car Lunings and the J. Walter Scotts have dived up delightful outdoor homes there, and every year parties of friends are invited to enjoy "roughing it" with all the comforts of a modern camp.

Yesterday Mr. and Mrs. Scott and little Adele Scott left for Sonoma County, and next week Mrs. H. B. Robinson and Miss Helen Mehrmann will enjoy them there.

The Mehrmanns and the Abs Leaches are now camped at the Otter car. They are very comfortably established. Every Sunday this hospitable camp is the scene of a jolly gathering, a merry party of twenty-seven being seated at the dinner table last Sunday. A recent card party given in honor of Mrs. Hamner. The games were won by Mrs. Hamner and Mr. Currier. Among the winners were the J. B. Scotts, the W. A. Schrocks and a dozen or two others from Oakland.

Dr. and Mrs. E. L. Dow returned yesterday from Seattle by way of Portland and the exposition.

Mr. and Mrs. W. A. Houts leave this week for Portland.

Mrs. I. A. Beretta is visiting friends in Chico.

H. Marston Davis, third officer of the United States army transport Thomas, who has been discharged from the service, will be in Oakland today for Llagas, where he will join a camping party.

Mrs. D. W. Gelwick, the well known artist, is summing at Ben Lomond.

Dr. and Mrs. Fred Morse spent the Fourth in Los Gatos.

Mrs. F. O. Hinn, who has been visiting her sister, Mrs. J. C. Moore, returned yesterday to her home in Santa Cruz.

The Outdoor Art Club of Mill Valley gave a delightful luncheon in honor of Mrs. James Sydney Peck of Milwaukee to-day. Mrs. Peck was dining here with her daughter, Mrs. H. B. Hubbard, and this week will be the guest of Mrs. Carol George Camblon.

DR. WARD DISCUSSES CONDITION OF COWS

Expert Makes Statement Regarding Tuberculosis in Dairy Herds.

BERKELEY, July 13.—Dr. A. R. Ward, of the agricultural department of the University of California, to-day issued the following statement in reply to a question put to him by the health officer, Reinhardt's attempt to make the dairymen of Berkeley submit their herds to the tuberculin test:

Dairymen in general labor under the impression that the physical appearance of a cow is a reliable index of the health of the animal. From time out of mind dairymen have judged the health of their animals by the appearance of the cow. It is a well known fact that a cow which is in poor health will not give as much milk as a cow which is in good health. It is a well known fact that a cow which is in poor health will not give as much milk as a cow which is in good health. It is a well known fact that a cow which is in poor health will not give as much milk as a cow which is in good health.

ALAMEDA COUNTY NEWS

MANY BICYCLES STOLEN

Oakland, July 13.—Reports of stolen bicycles were made at the police station at the rate of several each day. J. G. Reed and Howard Osgood lost wheels to-day.

RETIRES HOME

Oakland, July 13.—C. E. Palmer, formerly cashier of the Union National Bank of this city, has returned to his home in Santa Cruz after a year's absence.

MARRIAGE LICENSES

Oakland, July 13.—The following marriage licenses were issued to-day: Charles M. Rankel, 30, and Marie E. Grandadam, 30, both of Oakland; William J. Lauer, 27, and Katherine E. Ellis, both of Berkeley.

VETERAN MUSICIAN'S DEATH

Alameda, July 13.—Professor Leonard Schumann, formerly a leader in the orchestra of the University of Oregon, died at the Veterans' Home at Yountville. He was a native of Munich, Bavaria, and a violinist was widely known for his talent.

ECHO RALLY PLANNED

Oakland, July 13.—The Christian Endeavor of East Oakland will hold an "echo rally" at the Pilgrim Congregational Church on Sunday evening next. The object of the rally is to raise money for the building of a new church at Santa Barbara will tell of that event.

FUNERAL OF YOUNG LADY

Oakland, July 13.—The funeral of a young lady, daughter of the late John H. Haves, the daughter of former Public Adm. J. C. Haves of San Leandro, who died yesterday, will be held at the residence of the late John H. Haves, 1525 Chestnut street, to-day at 2 o'clock.

WEST END WANTS A BANK

Alameda, July 13.—Residents of the West End have organized a bank in that section of the city. Representatives of the United Bank and Trust Company of San Francisco are expected to open a branch of their institution at the West End if \$25,000 is subscribed to the capital stock. W. A. Lauer and C. G. Volger have been named to canvass the situation.

SPEAKING FOR TEMPERANCE

Oakland, July 13.—Major C. W. Caldwell, a well-known character in Oakland, has been heard from in Ohio, where he is conducting a temperance campaign. Caldwell took a great interest in politics while in Oakland and he was anything but a temperance advocate until very recently. He is now in the service of the United States government and he has been traveling over the country speaking in support of the temperance cause.

Y. M. C. A. INSTALLS OFFICERS

Alameda, July 13.—The Y. M. C. A. has installed the following officers: Honorary president, Rev. J. C. Fogarty; first vice president, J. M. Goggin; second vice president, Frank Greaves; recording and corresponding secretary, G. E. Goggin; financial secretary, Joseph Krueger; treasurer, W. Goggin; outside secretary, H. C. Gallagher; marshal, A. Farschi; speaker, William Marshall.

SUMMER SCHOOL JINKS

Berkeley, July 13.—Plans for a summer school jinks and dance have been made by the students, committees having been organized as follows: Arrangements committee—L. E. Gray (chairman), Miss Florence Parker; Miss Florence Dodge, Jack Fletcher, L. R. Weinman; refreshments committee—Miss Amy Fischer (chairman), Chris Ostrander, Miss Marie Struve, Mr. Gibson; decorations committee—Vance McClendon (chairman), Scott Martin, Miss Alice Conlin, Miss Bliss Patton, B. Head; reception committee—Miss Isabel Stearns (chairman), Miss Isabel Hetherington, Carlos Newberry, Albert Solinsky, Will Stone. The dance and preliminary jinks will be given in Hearst Hall on July 21.

ESCALLE WILL CELEBRATE THE FALL OF THE BASTILLE

Extensive Preparations Made to Entertain the People Who Will Attend the Celebration.

LARKSPUR, July 13.—The annual celebration of the Fall of the Bastille, which will take place at Escalle to-morrow evening, promises to surpass the celebrations of former years in every respect. A dancing pavilion has been erected and the grounds strung with electric lights. There will be a display of fireworks and an excellent brass band will render French and American national airs during the evening.

The following are in charge of the celebration: John H. Curley, Daniel Ostrander, William F. Fisher, William B. Short, Fred Shrober and Edward F. Sagar.

MILL VALLEY, July 13.—The Outlook Club will hold a meeting in the parlors of the Congregational church on Friday evening, July 14. The club has been fortunate in securing Franklin K. Lane as the speaker of the evening. His subject will be "Revolutions, French and Otherwise." The Outlook Club Quartet will render several choice selections.

CLUBMAN, CHARGED WITH SHOOTING FRANK W. DUNNE, TO STAND TRIAL BEFORE JURY

ONE MYSTERY UNSOLVED

OAKLAND, July 13.—All the efforts of the police and others interested to locate the mysterious and unknown "third man" who took part in the struggle which ended in the shooting of Frank W. Dunne have come to naught.

The preliminary examination of Lee Robbins, who is charged by Dunne with having attempted to kill him during the struggle, came to an end to-day without revealing the identity of the mysterious stranger, who is said to have fired the shot which nearly ended Dunne's life.

At the conclusion of the hearing Robbins was held to answer before the Superior Court, his bonds being fixed at \$200 by Judge Samuel.

The only testimony of importance introduced this afternoon was that of Marlon F. Davis, a hackman, who testified that he had stood in the crowd between Robbins and Dunne as he was driving up Thirteenth street on the morning of the alleged attempted murder. Davis said that as he drove up one shot was fired, and that this was, to the best of his knowledge, the shot which killed Dunne. According to Davis, the "unknown" man in the light overcoat, grabbed the pistol from Dunne and fired a shot at him as he was struggling with Robbins.

H. Schroder, a newspaper carrier, testified that he had found one of the bullets thrown from the window of a store at 535 Thirteenth street, and that the window glass was broken. W. S. Bacon, the proprietor of the store, said that he had found the glass in the window broken, and that the bullet was fired at once, his stories being Al Wood and H. L. Osgood.

HACKMAN SAYS HE SAW DEFENDANT SHOOT ONCE AND ANOTHER FIRE ONE SHOT AT HIM

OAKLAND, July 13.—The retiring board, which has been in session at the Mare Island navy yard for the past two days examining into the case of Chief Boatswain John C. Murphy, completed its report this evening and forwarded its findings to the department at Washington. It is reliably stated that the findings were in favor of Murphy.

The case has attracted more attention than any similar hearing ever held on Mare Island for the reason that Murphy was the one of the Hobson party that sank the Merrimac in the harbor of Santiago. He was captured by the Spanish and confined in Moro Castle during the bombardment of that fortress by the American fleet. An injury received at that time and the exposure during the bombardment are said to have affected his health to such an extent that he has been unable to get along with his fellow officers. He was court-martialed for drinking some months ago, but nothing ever came of the matter.

The board which examined Murphy was composed of Captain G. P. Perkins and Surgeon L. W. Curtis of the San Francisco Naval Training Station, Captain Thomas Phelps and Captain William P. Day of San Francisco and Surgeon C. F. King of the same place. It is now said that Murphy will be retired upon three-fourths or full pay.

GOOD HIGHWAY FAVORED IN SAN MATEO COUNTY

Supervisors Will Be Asked to Aid in Improving the Mission Road to San Francisco.

COLMA, July 13.—The proposition, originating in San Francisco, to construct a highway that will be a well-equipped county road into and through the Mission road, has aroused great interest here and in other communities in northern San Mateo County. A plan is under way to induce the Board of Supervisors of this county to give the project its hearty support.

The Mission road, extending from San Francisco to San Jose, is one of the finest in the State, and residents here believe it may easily be made the best in California. Originally a Mexican trail, unbridged and ungraded, it is now drained smooth, with stone culverts and steel bridges.

An enormous traffic now passes over this road, automobilists, dairymen, farmers, truck drivers and orchardists, and it is their only means of communication up the peninsula to San Francisco.

OVERCOME BY GAS UPON MOUNT HOOD

PORTLAND, July 13.—Searching for drinking water at the foot of Mount Hood, a student of Stanford University was overcome by gas and fell unconscious. He was soon revived and says he does not now feel any ill effects.

Professor Franklin was with the Sierra Club, which scaled Mount Hood from the Government camp site. The climb was very difficult and while searching for a stream from a glacier, the Stanford professor, who was accompanied by a guide, fell forward on his face. Professor W. B. Dudley of Stanford and O. F. Stafford of the University of Oregon quickly came to his aid and administered restoratives. Higher peaks await the climber, and a violent storm is now catching the rest of the party make it climb. Though the odor of sulphur is often being noticed about the old crater, this is the first time any one has been overcome.

STANFORD PROFESSOR WITH SIERRA CLUB MEETS WITH PECULIAR ACCIDENT.

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BOYS WHO BUILT A FIRE ON TAMALPAIS DISMISSED

SAN RAFAEL, July 13.—William Finsterbusch, Donald Page, J. Finerty and Samuel Westphal, the young San Franciscans who were arrested on Sunday morning while slipping their hot coffee at sunrise near the summit of Tamalpais and charged with malicious mischief for building a fire for cooking their breakfast, were dismissed this evening upon motion of the prosecution. There was an error of location in the complaint.

Attorney J. Hawkins, who appeared as special prosecutor by consent of District Attorney Boyd, stated that inasmuch as a new complaint would have to be drawn, which would cause more delay, and as the boys were here three times, he cautioned the boys against repeating the offense and asked the Judge to dismiss the case, which was done.

PRISON SMUGGLERS IN COURT

SAN RAFAEL, July 13.—Antonio Mello and Fred Coulter, who are charged with smuggling morphine into San Quentin, and Philip Rojas, who is charged with bringing out letters to help the smugglers, were brought before Judge Magee to-day to have the amount of their bonds fixed. Judge Magee fixed Mello's at \$200, Coulter's at \$200 and Rojas at \$50. To-morrow morning convict Ryan, who is accused of smuggling opium; Mello, Coulter and Rojas will appear before Judge Magee to have the date of their preliminary examination set.

This evening Mello was released on \$300, given by M. T. Freitas and J. J. Silva.

SAN RAFAEL TO HEAR EMERSON

SAN RAFAEL, July 13.—Colonel Edwin Emerson, the famous war correspondent, who has represented the leading newspapers, periodicals and magazines of this country in Cuba, South America and the Orient, will deliver an illustrated lecture on "The Manchurian Campaign" at the San Rafael Opera House Friday evening, July 14, under the auspices of Company D, Fifth Infantry, National Guard.

LATE SHIPPING INTELLIGENCE

ARRIVED.

Thursday, July 13.

Stmr Guiala, Kalm, 28 hours from Eureka.

Stmr Fulton, Panzer, 26 hours from Eureka.

SAILED.

Thursday, July 13.

Stmr Navarro, Jacobs, 8 1/2 hours.

Stmr Centralia, Ericson, Grays Harbor.

Stmr Harold Dollar, Thwing, St. Michael.

Stmr Yuma, Seattle.

Stmr Robert Dollar, Johnson, Seattle.

DOMESTIC PORTS

ABERDEEN—Sailed July 13—Schr Sophie Christensen, for San Francisco.

ARRIVED July 13—Schr Honolulu, from Brooklyn.

SAN DIEGO—Sailed July 13—Stmr Brooklyn, for San Francisco.

SAN FRANCISCO—Sailed July 13—Stmr Ansonia, for San Francisco.

SEATTLE—Arrived July 13—Stmr Al-Kl, from Skagway.

ISLAND PORTS

HONOLULU—Sailed July 13—Stmr Copie, for San Francisco.

FOREIGN PORTS.

VICTORIA—Sailed July 13—Stmr Queen, for San Francisco.

HEROIC DEED TO BE RETIRED

Man Who Helped Hobson Sink Merrimac at Santiago Will Leave the Service

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REPORT OF SURGEONS

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EXPERIENCES IN CUBA SAID TO HAVE AFFECTED HIS HEALTH, MAKING HIM UNFIT FOR NAVY

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WILL SHIP OVER MEXICO'S TRANSCONTINENTAL LINE

AMERICAN-HAWAIIAN STEAMSHIP COMPANY MAKES CONTRACT WITH TEHUANTEPEC NATIONAL RAILROAD.

NEW YORK, July 13.—The American-Hawaiian Steamship Company has just signed a contract with the Tehuantepec National Railroad Company of Mexico, through S. Pearson & Co., Limited, of London, the managing directors, for the transportation of all the business of the American companies between the railroad and specific ports over the railroad, which will be completed the latter part of next year.

The American-Hawaiian Company is said to control to a large extent the transportation of sugar from the Islands to the United States, and now has in commission a fleet of nine steamers with an aggregate cargo capacity of 75,000 tons.

President Dearborn stated that his company had ordered two new steamers from the Union Iron Works of San Francisco. These vessels will have a cargo capacity of 15,000 tons each and a speed of twelve and a half knots. They will burn oil.

WILL PUNISH ALL WHO INSULTED AMERICAN FLAG

SUPREME GRAND MASTER OF ORANGE INSTITUTE TAKES OFFICIAL NOTICE OF LONDON, ONT., ENGLAND.

BOSTON, July 13.—Dr. Henry Hull, supreme grand master of the Orange Institute, announced to-day that he has taken official action looking to the punishment of all members of the order who were concerned in the insult to the American flag at London, Ont., yesterday.

Dr. Hull has ordered the immediate suspension of every American member of the order who participated in the affair and he has demanded that Supreme Grand Master Sproule of Canada suspend the Canadian members who tore down and trampled upon the American flag. Dr. Hull says that if his wishes are not respected he will suspend the lodges to which the Americans are accredited.

COURT UPHOLDS ACTION OF THE SUPREME TENT

CIRCUIT JUDGE DISMISSES BILL OF COMPLAINT IN CASE AGAINST KNIGHTS OF MACCABEES OF WORLD.

PORT HURON, Mich., July 13.—Judge Law, in the Circuit Court, to-day handed down his opinion in the case of Dan St. Clair Winsland of Pittsburgh, Pa., against the Knights of Maccabees of the World, in which Winsland protested against the raising of rates adopted by the Supreme Tent at its biennial review in Detroit a year ago. Judge Law dismissed the bill of complaint. The decision was based on the clause in the laws of the Supreme Tent governing applications for membership, which reads as follows:

"This application and the constitution and laws of the Supreme Tent now in force or that may hereafter be adopted are made the sole basis of the contract between myself and the Supreme Tent."

PEOPLE WOULD LYNCH SLAYER OF DETECTIVE

WILLIAM CHADBURN, THE KANSAS BANDIT, IS CLOSELY GUARDED BY SHERIFF AND HIS DEPUTIES.

WINFIELD, Kans., July 13.—There were threats during the night of lynching William Chadburn, the surviving bandit who shot and killed Detective Calhoun yesterday, and he was guarded closely at a physician's office by the Sheriff and a force of deputies until he could be taken to-day to jail at Sedan for safekeeping. He may recover from his wounds.

Chadburn was released from the Federal penitentiary at Fort Leavenworth a week ago, after serving a three-year sentence for robbing the postoffice at Mulhall, Okla.

WEDS GIRL IN KENTUCKY

HOPKINSVILLE, Ky., July 13.—J. B. Ward of San Francisco married Miss Myrtle Flowers to-day.

MANY HURT IN RIOT OF STRIKING TAILORS

ONE MAN MAY DIE AS RESULT OF INJURY RECEIVED IN LABOR DISTURBANCE IN BROOKLYN.

NEW YORK, July 13.—One man probably fatally injured, more than a score were slightly hurt and hundreds were involved in a riot of striking tailors and their sympathizers to-day in Wallabout street in the Williamsburg section of Brooklyn. It was not until the rioters had wrecked the clothing factory of Isaac Newman that the police dispersed the crowd. Two arrests were made.

Newman, the owner of the factory, will probably die. He was struck on the head by an iron bar in the hands of a striker.

CONVENTION COMES TO END

PORTLAND, Me., July 13.—President Carr and William H. Clark College and Professor Herbert E. Mills of Vassar College were the speakers at the closing session to-night of the seventy-fifth annual convention of the American Institute of Instruction. The selection of Walter E. Ranger of Montpelier, Vt., as president of the association to succeed President Keys of Hartford and the re-election of the other officers constituted the most important business transacted to-day.

STATE TAX RATE TAKES A DROP

Estimated That Roll Will Show Total Gain of One Hundred Million Dollars

SACRAMENTO, July 13.—In the opinion of a member of the State Board of Equalization, who desires his name withheld, the State tax rate this year will be under 50 cents on each \$100 worth of taxable property. Last year the State tax rate was fixed at 52 1/2 cents. The present indication is that the property in the entire State has been increased by over \$100,000,000. The exact figures, however, cannot be given until the reports are received from all the counties in the State. It is believed that the new law exempting from taxation all personal property under \$100 held by an individual will have the effect of reducing the tax roll but in other directions will raise the rate in the opinion of the member quoted, by \$100,000,000.

The State Board of Equalization will begin the hearing of the railroad companies of the State on July 25.

JUSTICES OF SUPREME COURT SEE NO MERIT IN CLAIMS OF OAKLAND'S SCAVENGERS

OPINION IS UNANIMOUS

Municipal Legislators Are Thoroughly Justified in Passing of the Measure

The Supreme Court handed down a decision yesterday upholding the Oakland garbage ordinance. The plea that the measure in question was special legislation is held not well taken. The opinion is signed by all of the Justices, Anton G. Zhizhva and Alessandro Gughimini, the scavengers who were arrested with a view to testing the law, are remanded to the custody of the Sheriff.

The matter came before the Supreme Court on petitions for writs of habeas corpus. The important section of the garbage ordinance over which there has been so fierce a legal battle reads as follows:

"The city of Oakland, its duly authorized agents, servants or employees, shall have the exclusive right to gather and collect garbage within said city and it shall be unlawful for any person, firm or corporation, except as otherwise provided in this ordinance, to collect or gather garbage within said city."

The ordinance then describes what shall be considered as garbage, fixes the rates and prescribes a penalty for violations of the act. The scavengers objected strongly to having their business taken away from them and immediately instituted legal action. They have been defeated at every turn.

They claimed that the law was discriminating and unjust to the owners of private houses in that the rates were fixed in proportion to the distance necessary to be traveled by the collector of garbage. The court thinks such a plea should come from the householder and not from the scavenger.

Justice Van Dyke is the author of the opinion.

SINKS TO FLOOR OF TRAIN, OVERCOME BY THE HEAT

Mrs. Katie Haley of San Francisco Is Taken Unconscious to Hospital in St. Louis.

ST. LOUIS, July 13.—As the train from California pulled in at the Union station to-day, Mrs. Katie Haley of San Francisco sank unconscious upon the floor of the Pullman compartment in an unconscious condition. The station attendants did their best to revive the woman, but could not do so. An ambulance was called and Mrs. Haley was conveyed to the City Hospital, where the physicians soon restored consciousness.

Mrs. Haley says the long journey had worn her out and the exceedingly hot weather was called an attack of dizziness. She was in a greatly improved condition this evening and will in all probability leave the hospital to-morrow.

TORNADO SWEEPS THE ROSEBUD RESERVATION

Storm in South Dakota Carries Death and Destruction to at Least Three Small Towns.

FAIRFAX, S. D., July 13.—One person was killed and four injured, two probably fatally, by a tornado which swept a portion of the Rosebud reservation to-day. At least three small towns are known to have been struck by the storm.

Roy McFadden was killed near St. Elmo. Eight persons were injured at Fairview, and several buildings destroyed. At Burke six persons were injured, including James Jensen, his wife and baby. The latter two may die.

LEADS TRUST MONEY ON LANDS HE NEVER SAW

Michigan Executor Is Removed From Management of \$200,000 Estate by Direction of Court.

BINGHAMTON, N. Y., July 13.—By the direction of Surrogate Parson in the matter of the application of Mary E. Higgins and Mrs. M. Burr of Manhattan, Mich., to-day was removed as executor of the estate of the late Henry A. Sheldon, valued at more than \$200,000. It appears from the evidence that Burr made numerous loans in Nebraska, which were secured by farm property there which Burr has never seen. The court held that he was guilty of a breach of trust.

NOTED DIVINE IS DEAD

Rev. Dr. Charles L. Pearson of Quincy Dies in London.

QUINCY, Ill., July 13.—Rev. Dr. Charles L. Pearson, pastor of the Unitarian church of Quincy, is dead in London, where he was visiting his daughter. He was for twenty-seven years professor of literature in Northwestern University and was the central figure of a famous heresy trial in the Methodist church, after which he affiliated with the Unitarians. He was author of several volumes of poems and also of theological works, notably "The Carpenter Prophet." Dr. Pearson was born in England sixty years ago.

Wires Down in Alaska