### BUTTERCUP, POPPY, FORGET ME NOT

BUTTERCUP, poppy, forget me not—
These three blooming in a garden spot,
And once, all merry with song and play,
A little one heard three voices say:
"Shine or shadow, summer or spring—
O thou child with the tangled hair
And laughing eyes—we three shall bring
Each an offering, passing fair!"
The little one did not understand,
But they bent and kissed the dimpled hand.

Buttercup gamboled all day long,
Sharing the little one's mirth and song;
Then, stealing along on misty gleams,
Poppy came, bringing the sweetest dreams,
Playing and dreaming—that was all
Till once the sleeper would not awake;
Kissing the little face under the pall,
We thought of the words the third flower spake.
And we found, betimes, in a hallowed spot
The solace and peace of forget me not.

Buttercup shareth the joy of day,
Glinting with gold the hours of play;
Bringeth the poppy sweet repose,
When the hands would fold and the eyes would close.
And after it all—the play and the sleep
Of a little life—what cometh then?
To the hearts that ache and the eyes that weep
A wee flower bringeth God's peace again.
Each one severth its tender lot—
Buttercup, poppy, forget me not.

EUGENE FIELD in Chicago News.

## BEBE'S TRUST.

THE brisk coachman slammed the door, leaped upon his box and we rattled out of the village into the country as fast as we could. I was his only passenger—I, Bebe Small, a little French girl, 15 years old, straight from the Foundling Hospital of St. John and on my way to Mrs. Grey of Five Corners, who had sent for a waiting-maid. I had an English father but a French mother and I was born in Paris.

At the death of my parents the people in whose hands I was left sent me to America to find some relatives of my father's. I found nobody that wanted me, and after being claimed by St. John's and remaining there a year I was put en route for Five Corners, there to make myself a home with a strange old lady who had the reputation of being very eccentric. The train had left me at a pretty little place called Orchardsville; thence I proceeded to Five Corners.

We rattled through a long woody road, and I snatched at the syringa in blossom that brushed the windows of the coach. I was the only inside passenger.

"Here we are at Five Corners, little 'un. Now, whose house is it?"

"Mrs. Grey's," I answered.

"They're all Greys at Five Corners."

"She's an old lady and lives alone, and wants a waiting-maid."

"Mrs. Tamah, I guess. *All right.*"

He shut me in. We started again and proceeded to whirl around several corners until we rattled up to a high gate by the roadside.

Before this gate I was left with my trunk. A smooth gravel walk led up to an imposing door with a brass knocker.

A tall, thin old lady, in a scrupulously neat cap, finally opened the door.

"I am Bebe Small from St. Johns," said I.

"Mrs. Tamah's waiting-maid—yes. Come in."

She opened the door and revealed an apartment where a tiny old woman, like a witch, sat among a cloud of red drapery.

The prim old lady told her who I was.

With her gray old head shaking palsy, she peered up at me.

"Can she make a bed?" she asked, querulously, her tiny hands folded and the red shawl show just where her knees.

"She'll show you what she can do, I suppose," said the other lady, and stripping the quilted rugs from the beds she pointed to me to rearrange them.

When the last pillow was replaced Mrs. Tamah nodded, satisfied.

"She will do. Take her down and give her something to eat. Then send her up to read to me."

I had biscuit and raspberry tart for lunch. Then I returned to the red chamber, and read to the queer little figure there.

These were my chief tasks—to make Mrs. Tamah's bed, which she disarranged twenty times a day, and to read to her. Sometimes she would sleep all day, and then I would be at liberty to wander about.

Mrs. Griggs, the prim old lady, her housekeeper and chief domestic, had given me leave to frequent the great garret of the old mansion.

Here, among many curious things there, illuminated manuscripts, ancient garments, and quaint personal ornaments. But I never disturbed anything more than to examine it and lay it back, until one day I found a pack of cards. They were in the form of a curious game of work-stand. These I put in my pocket for future use.

One day the bay pony that grazed in the yard, and whose name was *Puck*, died. Two men tied his legs together, *took him* away in a cart, and buried him in a meadow. I was surprised to see Mrs. Tamah pull aside the damask curtain, look after the cart and cry. She went back to her stuffed chair, and sobbed herself to sleep.

Another day she was sleeping. It was a winter's morning, and I sat by the window watching a suddenly gay sleigh whirl up to the gate, and then a man came up the path.

To my surprise the door opened a few moments after, and this man came into Mrs. Tamah's room. She woke up and saw him.

"Go away, Bebe! go away!" she cried, shaking her hand at me. I went away to my little bed-room, and tortured myself wondering who the stranger could be.

With a taper in my hand, I descended the stairs. I opened the library door and confronted a young man. It was the same who had sought an interview with Mrs. Grey that day. He had been overlooking a drawer of papers. They were strewn all about. Before I could retreat he had stepped between me and the door.

"What are you doing here?" said I, boldly.

"I am looking for money," he replied.

He was young and *handsome*.

"Do you know who I am?" he asked.

I shook my head.

"I am Mrs. Tamah's own son," he announced.

"You know where she keeps her money," he said, suddenly seizing my wrists. "You must get it for me. And for your sake, I promise to refund it."

I took my head.

"No, I cannot do that," said I. "But I have lived very quietly here, and I have some money. I will loan you the $100.

"You? Poor little child, do you dare trust me?" he asked.

"Yes," said I, "and I will get it now."

I brought a roll of bills. He counted them and drew a long breath.

"What is your name?" he asked.

I told him.

"How old are you?"

"Sixteen."

"I thought you hardly 12. Little Bebe, heaven helping me, you shall not repeat this night's work. Heaven bless you, little one. Good-by until we meet again."

He swung open one of the library windows, leaped out into the snow and was gone.

The winter passed away. Mrs. Tamah seemed low and wept much. Sometimes I would hear her moan:

"Mowbray! Mowbray!"

She never confided to me what I already knew. But I thought if her son could see how miserable she was he would not feel so hard toward her. Her trouble wore on her. That summer she died.

When her will was read it was found that she had left $20,000 to her son Mowbray Grey, with a plea for his forgiveness. She had left other members of her family, myself included, a handsome sum.

But I was left without a home. I resolved that I would go to New York and find a situation as nursery governess to some little child. Before I left Five Corners I went to visit Mrs. Tamah's grave.

It was in a pleasant spot, under a willow. As I approached I saw a man kneeling beside the grave. He rose. I recognized Mowbray Grey, with tears on his cheek.

"Little Bebe, I have heard, and I have come too late," he said. "I wish I could have seen her once more. She begged my forgiveness. I should have begged hers for my headstrong ways. Since I saw your sweet little face I have kept my life clear. Here is your money, Bebe—every cent honestly earned. And, little one, will you not stay at Five Corners as my wife?"

He held my hands; he kissed my brow, my lips. And I felt that I loved him. That was five years ago. Mowbray Grey is now my husband, tender and true.—Selected.

### Suffocated by Gas.

Mrs. Louisa Olsen, a woman about 28 years of age, was suffocated in her room at 1521 Golden Gate avenue, early yesterday morning, by gas which escaped from the burner. She went to bed after turning the stop-cock around twice, and never again arose. Yesterday morning she was found dead. The circumstances surrounding her death appear accidental. When she went to the house recently she gave the name of Daley.

### She Failed to Prosecute.

The suit by Sarah Althea Terry against ex-Marshal J. C. Franks for $50,000 damages for personal injuries, alleged to have been sustained while being served with process of arrest in the now famous trial of September, 1888, was dismissed yesterday afternoon in the United States Circuit Court for failure to prosecute.

### Pickpockets Charged.

H. C. Lewis and John Hensley, the pickpockets arrested last week, were charged yesterday at the City Prison with three cases of grand larceny. Mrs. Hais Buhot of 609 Sutter street claims they picked her pocket of a purse containing $40. P. A. Flunigan charges them with stealing his diamond shirt-stud and William Callundun with taking his scarf-pin. They are supposed to be Eastern crooks, and their record is expected here soon by the police.

### THE STOCK MARKET.

Stocks took a slight upward turn yesterday afternoon, Best & Belcher rising to $2 25, Con. Cal. & Va. to $3 10, Norcross to $1 35, Ophir to $2 90, etc. The close was lower, as will be seen below.

Local securities were more active than of late, with an advance in S. F. Gas to $58 75 and in Electric Light to $17 12½.

Union Con. is assessed 25c and Del Monte 10c.

The following companies report balances on hand January 1st:

| | | | |
|---|---|---|---|
| *Con.Cal. & Va. | $67,235 | Julia | $4,194 |
| Exchequer | 3,977 | Syndicate | 3,640 |
| Mexican | 15,363 | Bodie Con | 30,422 |
| †Alta | 25,912 | Mono | 12,229 |
| Lady Washington | 8,833 | Silver Hill | 16,269 |
| Belcher Con | 2,662 | Caledonia | 4,113 |
| Sierra Nevada | 1,379 | Confidence | 1,040 |
| Ophir | 13,107 | Germania | 53,374 |
| Savage | 5,874 | East Sierra Nev | 1,381 |
| Gould & Curry | 7,991 | Scorpion | 1,756 |
| Andes | 14,993 | Found Treasure | 13 |
| Con. New York | 9,178 | Independence | 2,197 |
| Alpha Con | 15,591 | Crocker | 3,255 |
| Best & Belcher | 6,572 | Peer | 4,257 |
| S. K. & Mexican | 124 | Peerless | 6,496 |
| ‡Occidental Con | 22,295 | Weldon | 5,604 |
| Belcher | 13,034 | Locomotive | 502 |
| Commonwealth | 4,750 | Justice | 7,000 |
| Bullion | 2,683 | | |

*$47,737.30 the assay value of unsold bullion on hand, with more shipments to arrive (the monthly expenses of the mine are unpaid).

†To which $12,330.30, net proceeds of recent sales of ore concentrates, must be added.

‡Including ore concentrates valued at $14,238.03 at Salt Lake City.

The following companies report an indebtedness January 1st:

| | | | |
|---|---|---|---|
| Potosi | $48,646 | Navajo | $14,925 |
| Chollar | 33,000 | North Belle Isle | 7,542 |
| *Hale & Norcross | 2,900 | Belle Isle | 22,989 |
| Crown Point | 28,565 | Del Monte | 13,213 |
| Challenge Con | 13,103 | N. Commonwlth | 5,793 |
| Con Imperial | 34,434 | Kentuck | 1,081 |
| Grand Prize | 8,560 | Standard Con | 1,734 |
| †Holmes | 43,662 | Utah | 4,013 |

*Besides liabilities of $33,840, for Sutro Tunnel royalty and the mine expenses for December, amount unknown.

†With unsold bullion amounting to 13,116 ounces as an offset.

‡Also has received $12,320, being the net proceeds of ore concentrates recently sold in Salt Lake City.

Holmes shipped 4513 ounces bullion January 2d. The mine is yielding ore assaying from $25 to $53 per ton.

The production of the Comstock lode last week was as follows: Con. Cal. & Va., 1605 tons ore, assaying $17 90; Overman, 444 tons, $16 55; Alta, 300 tons, $18; Jacket, 360 tons, $18; Chollar, 535 tons, $21 65.

Con. Cal. & Va. shipped to the Carson Mint nine bars of bullion, valued at $26,164 68, making total shipments to date of $63,620 on December account.

The Con. New York delinquent sale takes place to-day.

**Assessments Pending.**

*The following is a list of assessments now pending:*

| COMPANY. | No. | Amt. | Delinquent Board. | Sale Day. |
|---|---|---|---|---|
| Con. New York | 4 | $ 15 | Dec 13 | Jan 6 |
| Confidence | 17 | 50 | Dec 15 | Jan 12 |
| Crown Point | 53 | 50 | Jan 3 | Jan 28 |
| Utah | 11 | 25 | Jan 9 | Feb 9 |
| Exchequer | 25 | 25 | Jan 11 | Feb 5 |
| Riverside | 3 | 10 | Jan 12 | Feb 2 |
| Con Imperial | 86 | 05 | Jan 13 | Feb 9 |
| Sevenoaks | 1 | 10 | Jan 13 | Feb 9 |
| Con. St. Gothard | 2 | 15 | Jan 15 | Feb 7 |
| Locomotive | 1 | 05 | Jan 13 | Feb 10 |
| Potosi | 33 | 50 | Jan 15 | Feb 12 |
| Head Center & T. | 1 | 25 | Jan 16 | Feb 9 |
| Northwestern | 1 | 05 | Jan 19 | Feb 9 |
| Atlantic Con | 1 | 25 | Jan 19 | Feb 19 |
| Kentucky | 23 | 50 | Jan 21 | Feb 25 |
| True Con | 10 | 02½ | Jan 31 | Mar 28 |
| Adelaide Copper | 1 | 00 | Jan 31 | Feb 28 |
| Sierra Nevada | 28 | 50 | Feb 2 | Feb 24 |
| Oak Con | 7 | 04 | Feb 2 | Mar 2 |
| Shamo | 1 | 05 | Feb 3 | Feb 21 |
| Shaker Gold | 22 | 15 | Feb 3 | Feb 24 |
| Union Con | 42 | 25 | Feb 5 | Mar 2 |
| Del Monte | 4 | 10 | Feb 5 | |

NOTE—Assessments of mines not listed on the Board fall delinquent in office.

### BOARD SALES.

Following were the sales yesterday in the San Francisco Stock Board:

REGULAR SESSION—9:30 A. M.

| | | | | | |
|---|---|---|---|---|---|
| 100 Alta | .60 | 100 Crocker | .15 | 50 Ophir | 2.70 |
| 100 Andes | .65 | 100 E S Nev | .05 | 200 Overm | 1.55 |
| 300 Belcher | 1.30 | 300 Exchequ | .40 | 100 Potosi | .45 |
| 200 B & B | .20 | 700 Gould & C | 1.30 | 50 Sav'ge | .15 |
| 780 Bodie | .95 | 300 H & N | .15 | 50 Savage | .15 |
| 50 Chollar | 2.00 | 25 Kentuck | .75 | 250 S Nev | .10 |
| 100 Con Cal & Va | 3.10 | 100 Mexican | 2.15 | 100 S Nev | .10 |
| 200 Comm | .90 | 200 Mono | .60 | 100 Union | .45 |
| 300 C C & V | 2.60 | 150 N Belle I | .70 | 100 Utah | .35 |
| 100 C Point | .60 | 150 N Com | .60 | 80 Yjacket | 1.60 |
| 300 | 1.55 | | | | |

AFTERNOON SESSION—2:30.

| | | | | | |
|---|---|---|---|---|---|
| 100 Alta | .65 | 1000 Clmp | .15 | 50 Ovrmn | 1.60 |
| 200 Andes | .85 | 100 C Point | 1.65 | 100 Potosi | .45 |
| 100 Belcher | .40 | 200 Con Imp | .80 | 100 Yjacket | 1.65 |
| 300 B & B | 2.20 | 700 Exchequ | .45 | 100 | .15 |
| 0 | 2.25 | 250 G & C | 1.35 | 200 Savage | 1.55 |
| 100 Bodie | .95 | 100 Mexican | 2.15 | 100 S Nev | .10 |
| 300 Bullion | 2.20 | 100 Kentuck | .85 | 120 S Nev | 1.55 |
| 100 Bulwer | .25 | 100 Mexican | 2.20 | 100 | .15 |
| 300 Caledonia | .35 | 100 Mono | .65 | 200 S Hill | .25 |
| 250 Chall C | .15 | 100 N Belle I | .70 | 100 Union | 1.55 |
| 150 Chollar | 1.50 | 1000 N Con | .60 | 10 | 1.65 |
| 275 C C & V | 2.60 | 100 Ophir | 2.90 | 100 Utah | .35 |
| 100 | 3.05 | 100 Ophir | 2.90 | 1500 Weldon | .10 |
| 100 Confid | 5.00 | | | | |

Following were the sales in the Pacific Stock Board yesterday:

REGULAR SESSION—10:30.

| | | | | | |
|---|---|---|---|---|---|
| 100 Alpha | .80 | 100 C C & V | 2.90 | 300 Mono | .60 |
| 200 Andes | .70 | 500 | 2.85 | 300 Nev Q | .43 |
| 200 | .75 | 100 C Point | 1.60 | 100 Ophir | 2.90 |
| 100 Beecher | 1.35 | 200 | 1.65 | 100 Peerless | .15 |
| 100 B & B | .20 | 100 Exchequ | .40 | 100 | .50 |
| 350 | 2.00 | 200 Excho | .41 | 100 Potosi | .45 |
| 150 | 2.05 | 150 | .45 | 150 Savage | .15½ |
| 100 | 2.10 | 100 G & C | 1.35 | 100 B Hill | .80 |
| 300 | 2.15 | 150 | 1.30 | 200 | .85 |
| 1000 Bodie | .90 | 300 | 1.35 | 300 S Nev | 1.45 |
| 100 Bullion | .65 | 100 H & N | .15 | 100 | .10 |
| 200 Bullion | 2.15 | 900 | 1.20 | 200 Union | 1.45 |
| 100 | 2.20 | 250 | .15½ | 250 | .15½ |
| 250 Chollar | 1.55 | 100 Kentuck | .85 | 100 Utah | .39 |
| 450 C C & V | 2.95 | 300 | .84 | 100 | .10 |
| 100 | 2.90 | 500 Lady W | .10 | 100 | .40 |
| 100 | 2.85 | 500 Loco | .05 | 100 | .42 |
| 150 | 2.70 | 300 Mexican | .21 | 150 Weldon | .08 |
| 100 | 2.70 | 100 | .20 | 200 Yjacket | .18 |
| 200 | 2.65 | 100 | .21 | 100 | 1.70 |

AFTERNOON SESSION—2:30.

| | | | | | |
|---|---|---|---|---|---|
| 200 Alpha | .82 | 700 Bulwer | .20 | 400 Mexican | .21½ |
| 100 | .81 | 200 | .23 | 300 Peerless | .20 |
| 600 Andes | .75 | 100 Belcher | .25 | 150 Potosi | .45 |
| 100 | .70 | 250 C C & V | 3.00 | 250 | .50 |
| 200 | .84 | 100 | 3.05 | 300 Savage | .15 |
| 200 | .85 | 100 | 3.05 | 200 S B & M | .15 |
| 100 | .80 | 50 | 3.10 | 300 S Nev | .15 |
| 300 | .81 | 100 | 3.30 | 300 S Hill | .23 |
| 100 Beecher | .15 | 100 Confid | 5.00 | 100 Utah | .35 |
| 200 | 1.35 | 10 | 5.15 | 250 Utah | .45 |
| 200 | 1.30 | 300 Con N Y | .20 | 100 | .40 |
| 200 Bodie | .95 | 100 Crocker | .15 | 100 | .42 |
| 200 Bullion | 2.20 | 100 C Point | 1.60 | 100 Weldon | .10 |
| 200 | 2.15 | 100 Rochester | .85 | 200 Y Jacket | 1.70 |
| 50 | 3.30 | | | | |

### CLOSING QUOTATIONS.

MONDAY, Jan. 5—4 P. M.

| | Bid. | Asked. | | Bid. | Asked. |
|---|---|---|---|---|---|
| Alpha Con | .80 | .85 | Julia | .16 | .20 |
| Andes | .64 | .65 | Justice | .09 | .10 |
| Belcher | .39 | .40 | Kentuck | .75 | .85 |
| Bodie Con | 1.30 | 1.35 | Lady Washington | .15 | .20 |
| Belle Isle | .40 | .45 | Locomotive | .03 | .05 |
| Benton Con | 1.00 | — | Mexican | 2.15 | 2.20 |
| Best & Belcher | 2.30 | 2.35 | Mono | .55 | .60 |
| Bodie | .80 | .90 | Navajo | .15 | .20 |
| Bullion | 2.10 | 2.15 | Nev Queen | — | .35 |
| Bulwer | .15 | .20 | N Belle Isle | .60 | .70 |
| Caledonia | .30 | .35 | N Commonwlth | .55 | .60 |
| Central | .05 | .10 | Occidental | .75 | .80 |
| Challenge Con | 1.40 | 1.45 | Ophir | 2.80 | 2.85 |
| Chollar | 1.90 | 1.95 | Overman | .55 | .60 |
| Commwlth | .85 | .90 | Peer | .10 | .15 |
| Con Cal & Va | 2.95 | 3.05 | Peerless | .15 | .20 |
| Con New York | .15 | .20 | Potosi | 4.65 | 4.75 |
| Confidence | 4.90 | — | Savage | 1.50 | 1.55 |
| Con Imperial | .10 | .15 | S B & Mides C | .80 | .85 |
| Crocker | .10 | .15 | Scorpion | .10 | .15 |
| Crown Point | 1.60 | 1.65 | Sierra Nevada | 1.40 | 1.45 |
| Del Monte | .10 | .15 | Silver Hill | .20 | .25 |
| Eureka | — | 2.50 | Union Con | 1.50 | 1.55 |
| Exchequer | .40 | .45 | Utah | .40 | .45 |
| Gould & Curry | 1.30 | 1.35 | Wellman | .05 | .10 |
| Grand Prize | .15 | .20 | W Comstock | .45 | .50 |
| Hale & Norcrs | 1.25 | 1.30 | Y Jacket | 1.65 | 1.70 |

### MISCELLANEOUS SECURITIES.

MONDAY, Jan. 5—2 P. M.

| | Bid. | Asked. | | Bid. | Asked. |
|---|---|---|---|---|---|
| U S Bds 4's | 118 | — | Pacific Lightg | — | 57 |
| Cntac Gold | 100 | — | S F Gaslight | 58¾ | 59½ |
| Hupmobil Bds | 118 | — | Stktn G & R | 30 | 50 |
| F & C Iselt Rlr | — | 108 | Cal-St R R | 100 | — |
| Mkt-st Cbl Rlr | — | 109 | Central R R | 12 | 18 |
| Mkt-st Cbl 1st | 122 | — | Cen Pacific | — | 100 |
| N P Coast Rlr | 99 | 102 | F & C Hbt Rlr | — | 100 |
| N R of Cal Bds | — | 115 | Geary-st R R | — | 40 |
| Omnibus Cbl | 116⅞ | 117½ | H & M R R | 55 | 57½ |
| P & O R R Bds | 120 | 121 | Omnibus R R | — | 76 |
| F & C Hy Bds | 99 | 100½ | Presidio R R | — | 28 |
| Powl-st Ry Bd | 112 | 118 | Sacramento | 94 | — |
| S F R R 1st Bds | 102½ | — | California Ins | — | 117 |
| S P R R Cal Bds | 110¼ | 113½ | Commercial Ins | 82½ | — |
| S P R R Cal 1st Bs | 109 | — | Firemen's Ins | — | 160 |
| S P R R Ariz Bds | 105 | 109 | Home Mutual | 150 | 156 |
| S V Water 6's | 119¼ | 119½ | State Investm | 82½ | 90 |
| S V Water 4's | — | 96 | Union Ins | 85 | 87½ |
| Anglo Cal Bnk | — | 80 | Atlantic Pow | 42½ | 45 |
| Bank of Cal | 278½ | 280 | Cal Powder | 150 | — |
| Cal Safe Deposit | — | 49 | Giant Powder | — | 65 |
| First National | — | 172 | Sal'ty Nit Pow | 8⅝ | 9 |
| LP & Am Bank | 122 | 125 | Vigorit Pow | 3⅞ | — |
| L & S F Bank | 35 | — | Vulcan Pow | — | 14 |
| Pacific Bank | 170 | — | Bik Dia C M C | 20 | — |
| Merch Ex Bnk | 20 | — | Cal Elec Light | 17 | 17¾ |
| Blue Lakes W | 16 | — | Cal Ref Sugar | 2½ | 3 |
| Contra Cos W | — | 96 | Haw'n Com | — | 15½ |
| Marin Co W | — | 98 | Hutch'n Sugar | 16 | — |
| S V Water | 94 | 94½ | Oceanic S S | — | 21 |
| Central Gas | 92 | 100 | Oceanic S S | — | 92½ |
| Los Angeles Gas | 55 | — | Pac B S & S | 70½ | 71½ |
| Oakland Gas | 34¼ | 35¼ | Pac Dist & Tel | — | 34 |
| Pac Gas Im Co | 68¾ | 69½ | Pac Phonogr | — | 2 |
| | | | Pac Woodnw'e | — | 35 |

MORNING SALES.

Board—26 S F Gaslight, 58½; 10 do, 58¾.
Street—15 S V Water, 94½.

AFTERNOON SALES.

Board—50 Safety Nitro Powder, 8½; 55 Cal Electric Light, 17; 50 do, 17¼; $5000 S V 6% Bonds, 119⅞; $1000 do, 119¼; $1000 do, 119⅝; 115 S V Water, 94¾; $5000 Omnibus Cable Bonds, 117¼; $1000 do, 117¼.

SAN FRANCISCO BOARD.

Afternoon sales—5 S V Water, 94½.

### Gentlemen's Sodality.

The following are the newly elected officers of the Gentlemen's Sodality of St. Ignatius Church:

Prefect, James R. Kelly (re-elected); First Assistant Prefect, John E. Fitzpatrick; Second Assistant Prefect, John E. Fitzpatrick; Recording Secretary, John J. Gallagher; Corresponding Secretary, Charles J. Comyns; Treasurer, J. J. Reilly; Guardian of Probationers, Florence J. McAuliffe; Librarian, Joseph A. Green; Roll Prefect, Francis J. McCabe; Marshal, Lawrence Walsh; Second Marshal, William Armstrong; Organist, Charles L. Ebner; Vestry Prefect, Francis J. Tully; Guardians of the First Division—John Powers and Peter Lynch; Second Division—James Croke and Eugene O'Connor; Third Division—Mark Campbell and John Mackel; Fourth Division—J. D. Campbell and James English; Fifth Division—D. A. O'Connor and James Kiernan; Sixth Division—W. J. Ford and Peter Dempsey; Assistant Guardian Prefects—F. Morrissey, J. A. Schoen, Walter Hay and J. Cosgrove. The Assistant Librarians are Charles McAuliffe, J. Charland and Francis Richard Purcell; Assistant Vestry Prefects—Thomas Neiterville and J. Brennan; Choir Members—Thomas Kilgallan, Walter Hay, Theodore Wiltz, Vincent Kluge, J. J. Morrissey and J. A. McAuliffe; Standard Bearers—Francis Weyland and James Kehoe.

## KERR'S PECULATIONS.

### Important Testimony Presented Against Him.

Captain Lees Tells of Peculiar Transactions on the Part of John White and J. P. Kerr.

A Shortage Confessed.

A additional testimony of an interesting nature was taken yesterday during the trial of the suit of Ernest C. Stock against James P. Kerr to recover $25,000 on an assigned claim of THE CALL Publishing Company. When the trial was resumed before Judge Hunt and the jury yesterday morning Thomas F. Boyle was recalled as a witness for the plaintiff. He testified that the defendant was formerly cashier of THE CALL company and that the paper banked its money with Donohoe, Kelly & Co. According to previous instructions the witness produced a book of monthly financial statements. He was asked to examine the accounts from March 7, 1888, to May 7, 1889, and to state which were in the handwriting of Kerr. He said they were all in the handwriting of Kerr, except for two months, and that these were written by a clerk in the office.

These statements were offered in evidence. An objection was taken by Mr. McEnerny of counsel for the defense, but the objection was overruled.

"In reference to the disbursements in the statements are they all for moneys paid or are they partly for estimated expenditures?" asked Mr. Crothers.

"The disbursements in the statements are mainly actual disbursements, but part, for example for paper used, is estimated, not paid."

The witness gave a list of expenditures, segregating the amounts paid in cash from those by check or money orders.

"As to those items paid by check, who signed the check?" was asked.

"Mr. Pickering or Mr. Fitch."

Asked what was done with the checks after Mr. Pickering or Mr. Fitch had signed them, Mr. Boyle said they were deposited in bank, and for payments in the East Eastern exchange was bought. He had often taken these checks to the bank and got them exchanged at the request of defendant.

CHECKS IN EVIDENCE.

The checks were filed in evidence, and the witness was asked: "State whether you know the condition of THE CALL account on June 8, 1889."

"I found an overdraft of the bank of $15,329 61."

"Please state how that overdraft was made."

"Those bank checks were overdrawn. Defendant did not deposit enough money in Donohoe, Kelly & Co.'s bank to meet them."

A small, red-covered book that had been kept by the defendant was handed the witness and he was asked what was meant by the initials "R" and "W."

"Kerr and White," was the prompt answer.

"What is the meaning of the word Simpson?"

"I suppose it means the Simpson who was in partnership with the defendant in a weekly paper called the Breeder and Sportsman."

"In the absence of the defendant from the office would any one besides White do work for him?"

"Yes; various clerks assisted him or wrote at his direction. Kerr made entries from the counter-book into the day-books, and checked off the accounts day by day."

The cash-book was offered in evidence, but it was ruled unnecessary, as the statements, together with the day-book, fully covered the ground.

Continuing, the witness said he had examined all the books from June, 1878, to June, 1881. They were in the handwriting of Kerr, White and several clerks in the office. In the cash-book the last entire page in Kerr's handwriting were made on November 12, 1882.

An objection to going back to a period of eight years ago was opposed by Mr. Belcher of counsel for the plaintiff, who claimed they had a right to go over all the accounts of the defendant while he was employed on THE CALL. Kerr had acted as a trustee of funds, and Mr. Belcher argued that it was proper that he should make an accounting up to the time he left the paper.

The objection was sustained and an exception taken.

BOYLE'S CROSS-EXAMINATION.

During his cross-examination Mr. Boyle denied that monthly statements were sometimes kept over several days, at the suggestion of Mr. White, for the purpose of making a better showing. Mr. White had often taken bags in the cash drawer. White had a duplicate key to the safe.

Expert Fitz George was recalled and said he had examined the day-book for two years preceding the action. The excess of receipts over the disbursements amounted to $43,282. During these two years the account of THE CALL was overdrawn $20,025. The witness said he had examined the cash-book and found that Kerr had made and had credited himself with the checks creating the overdraft. For the overdraft the amount should have been charged to the cashier. For the period commencing March 12, 1888, and ending May 12, 1889, the amount of money deposited in bank was over $114,000 and the amount drawn out $135,162 62.

Other questions in reference to the books during a period longer than two years before the commencement of the suit were objected to and a recess was taken until 2 o'clock, at which time, *after noon in order to give Mr. Belcher an opportunity to present difficulties to sustaining the action*, defendant was a trustee and as such that the statute of limitations did not run in his favor.

At that hour Mr. Belcher made a brief argument in support of the contention that he had a right to go back over the books during the period the defendant was employed by THE CALL. He said that in an action to recover for goods sold and delivered he had a right to go back five years. Under any circumstances he claimed the right to make proof.

Mr. McEnerny said that it it appeared the testimony was barred by the statute of limitations it was not admissible.

Judge Hunt finally decided the matter by saying: "I had better receive the testimony and the evidence is in. This is in the nature of an equitable action and I think we had better hear all the evidence. I will make the proper statement in my charge to the jury."

So the question was temporarily disposed of. John Fitzpatrick was recalled and identified certain check-books on Donohoe, Kelly & Co.'s Bank. He said the entries in the books were correct.

CAPTAIN LEES TESTIFIES.

An important witness for the plaintiff was next called. It was Captain J. W. Lees, who gave considerable interesting testimony in reference to an interview with the defendant.

"State what occurred," said Mr. Crothers, "relative to any misdoingness on the part of the defendant to THE CALL Company."

"I was present at the interview," said Captain Lees, "by request of THE CALL proprietors. Kerr preferred to have Mr. Pickering present, and he was sent for. A series of questions had been formulated for me to ask Kerr. I read these questions from a memorandum. The main points in the interview were in reference to the shortage shown by THE CALL'S books. I stated to Kerr that the books showed a shortage of $45,000. He said he did not think the shortage was so much. He thought it was $12,000 or $15,000, as White had said it could not be so heavy. Then Kerr asked, 'Did White say so?' Mr. Pickering said that White had made a written statement of the amount. I told Kerr he ought to have known of the shortage, he being cashier and bookkeeper. Kerr then denied being cashier, saying he was only employed to keep the books.

"I showed him that his own books disclosed a shortage of $25,000 and $23,000 in the paper account and over $800 for ink. Kerr denied having taken the money. When I asked him why he did not inform Mr. Pickering that White was taking his money he said White had told him not to do this. When I showed him a red book he said it was filled with entries from White's tag account. I did not remember the exact amount of these tags. I think one was for $1600, another for $1585, and a third for $1200. Then I asked him if he had ever shown the book to Mr. Pickering and he kept a private account for White. He stated he had permitted White to draw $160 to pay his board. He had already paid $60 salary to White. I asked him why he had permitted White to overdraw his account and he made the usual reply that White was his friend. I asked him if there was a shortage and he said it was a small one." Kerr was asked about a certain receipt book that he had brought and he denied that White had any interest in the business. In a conversation about the Breeder and Sportsman Kerr said he was the owner of the paper. He said he bought out J. C. Simpson and then White, paying the latter $3500. I asked if he had bought pools and had engaged in stock transactions for White. He said he had done so for himself and not for White.

"I asked Kerr if he did not take $800 from the safe and bet it on Commodore in a rowing race, and he denied it. He also denied having lost money in a game of stud-horse poker at the Russ House."

KERR'S ADMISSION.

"Did Kerr say where he got the money he had sunk in the Breeder and Sportsman?" asked Mr. Crothers.

"Kerr said he had given several notes to Mr. Goldsmith and others. He stated that he had taken the money lost from THE CALL Publishing Company and that they had lost about $15,000 on his paper. Another transaction I questioned Kerr about was in reference to what became of a pair of roadsters White had. At first Kerr said he did not know, and afterward he said White had bought a team worth $800 that had been taken for an advertising debt. Kerr then said he had bought the team from White for $300."

"How much money did he admit that he himself had taken?" was asked.

"He said that it was several hundred dollars, and that he had put it back."

"Was anything said about a $12,000 note?"

"That was a note that had been negotiated through Donohoe, Kelly & Co.'s bank to pay Duncan & Co. of New York on the paper account. Kerr had a portion of the money had gone to Duncan & Co. and I wanted to know what had become of the balance. Kerr said the money was not always paid, although it appeared as paid on the bank-book statement. He said White had signed the note for $12,000. When questioned as to this Kerr said it had led to a large overdraft on the bank. Kerr claimed that White had given him a written statement that if there was a shortage he (Kerr) was not responsible. The state of affairs seemed to be that Kerr had got all the property and White had taken all the blame."

During his cross-examination Captain Lees said that a Mr. Reynolds had been experting the books, and at the request of Mr. Pickering he went over the books with Mr. Reynolds. The last time he looked over the books there was a shortage of nearly $100,000. At the interview Kerr did not say Mr. Pickering must know of the note for $12,000, because the Western had on it appeared on the monthly statements. The interview with Kerr was held about March 7, 1890.

H. R. Hurlburt testified that he had been employed by THE CALL Publishing Company for about five years.

"Will you please state what you know about a certain affidavit that was sent to Washington, stating that the defendant was treasurer of THE CALL Company and was authorized to draw money due from the Government?" asked Mr. Crothers.

"That affidavit was signed before a notary public in the presence of Messrs. Pickering, Fitch and Kerr, and bore their signatures. While I had charge of the advertising counter I turned over the money to Kerr, or White in Kerr's absence. I recognized Kerr as cashier."

Cross-examined, the witness said he had often seen tags from White in the money-drawer at the outer counter.

THE PLAINTIFF RECALLED.

Ernest C. Stock was recalled and deposed that he was present during the interview between Captain Lees and the defendant. Kerr stated that at the time the Flamant suit was commenced he did not like the way things were going on and wanted to leave. White persuaded him to remain, but when he did leave White gave him a paper stating if there was a shortage he (Kerr) was not responsible for it.

"As I stated during my first examination," continued Mr. Stock, "Mr. Kerr said: CALL money had been used to carry on the Breeder and Sportsman, and that the losses of that paper amounted to $15,000. At the time of the interview Kerr stated that he was the sole owner of the paper, and that he had paid White $3500 for his interest. In reference to the $12,000 note, Mr. Pickering said the money was drawn to purchase paper to avoid paying a high freight, as the railroad company was about to raise the rates. When the interview closed Captain Lees suggested that Kerr go over the books with the expert. Kerr expressed a willingness to do so."

In answer to cross-questions the witness stated that he had been employed on THE CALL for over twenty-four years, and had known White and Kerr for many years. Cross-questions as to what were the positions held by them were held by the Court to be incompetent.

"Do you know whose duty it was to take the money to the bank?" asked Judge Hunt.

"I do not know."

"Whose duty was it to have the pass-books balanced?"

"I do not know, except that I saw them in the possession of Kerr."

Mr. Fitz George was again recalled and examined the little red book in which White's private account had been kept by Kerr. He said the book showed that $1123 60 had been paid to White.

Mr. Crothers then offered in evidence the day and cash books of THE CALL from June 1, 1878, to March 7, 1888.

The defense objected, on the ground that all items, except for two years prior to the beginning of the suit, were barred by the statute of limitations.

During the cross-examination the witness said that from March 8, 1888, to June 8, 1889, the excess of the receipts over the disbursements was $43,000, which was shown the monthly statements and asked to call off the amount of shortages each month. He said it could not be done because the paper used had not been all that had been paid for. The witness was instructed to prepare a statement of the receipts and disbursements each month and to produce it in court at 10 o'clock this morning, to which time an adjournment was then taken.

## LAITY NOT WANTED.

### Membership of the Academy of Sciences Restricted.

A Measure That Will Practically Ostracize All Who Are Not Scientists—Result of the Annual Election.

As but one set of nominees were in the field at the annual election of officers of the Academy of Sciences, held yesterday at the new Academy Building, the contention at the polls hinged upon the question of the proposed amendment to the constitution. The polls were opened at 9 o'clock in the morning, the votes coming in slowly until their closing at 6 in the afternoon. Although no disturbance interrupted the proceedings, there was noticeable a decided hostility between the supporters and opponents of the proposed measures.

The present membership of the academy consists of persons enjoying equal privileges in every respect, but the movement now on foot is to restrict the right of suffrage to such only as are scientists. This change will not affect those non-scientific persons who have already been admitted, but only such as may apply subsequently to the passage of the act.

On being questioned regarding the reason for the proposed change, Inspector of Election Charles A. Keeler said:

"The present prosperity of the academy has attracted a great number of non-scientific persons, who desire to become members. Formerly they have either opposed or exerted their influence against us by insulting and sarcastic references to our work, but they now wish to take the management of the academy in their own hands, as undoubtedly can be done should we admit them to full privileges, as they would greatly outnumber us. Not being naturalists, they have unfav