

A POLITICAL TANGLE

SUPREME COURT PASSES ON AN ELECTION CONTROVERSY

ACTION TAKEN WAS CORRECT

No Law to Guide Secretary Brown, Who Was Compelled to Resort to a Test of Party Usage

The supreme court, in bank yesterday denied a writ of mandate directing Secretary of State L. H. Brown to reverse his action in filing the certificate of nomination of James H. Barry as the congressional candidate of the Democratic party in the Fourth congressional district. The decision is as follows:

Prior to the general election of 1896, the state central committee of the Democratic party called a state convention of the party and provided, among other things, that the delegates to the state convention from the respective congressional districts should form district conventions for the purpose of nominating candidates for congress. In pursuance of this call, the state convention met, and the several district conventions were also organized and made nominations. In the Fourth congressional district the delegates elected to the state convention anticipated the meeting of that body by organizing a district convention and nominating James G. Maguire as their candidate for congress at the same time they appointed a campaign committee.

In the month of August, 1898, the regular state central committee of the Democratic party called another state convention, for the purpose of nominating candidates for state offices and again provided that the delegates to the state convention, from the respective congressional districts, should meet in district conventions for the purpose of nominating candidates for congress. In pursuance of this call, a state convention met and organized, and subsequently the delegates from the Fourth congressional district organized a district convention, by which James H. Barry was nominated as the Democratic candidate for congress in that district. In the meantime, the campaign committee representing the district convention of 1896 had appointed delegates to a district convention, who met, and, claiming the right to represent the Democratic party in the district, nominated the petitioner as a candidate for congress. Regular certificates of nomination were presented to the respondent by the representatives of the regular convention. He filed the certificate of Barry, and refused to file the certificate of petitioner, who thereupon asked a writ commanding him to reverse his action. We think the respondent was clearly right in the course he took. It was his duty to decide which of the two certificates was issued by the regular convention. There was no law to guide him in determining which was regular, and necessarily he was compelled to resort to the test of party usage. Mr. Barry was nominated by a convention called in conformity with the established usage of the Democratic party, and recognized as regular by the state convention of the party. This, in our opinion, is decisive. Writ denied. BEATTY, C. J.

We concur: HARRISON, J. TEMPLE, J. VAN FLEET, J. HENSHAW, J.

THE SUPREME COURT

Motions Argued and Applicants for Admission Examined

The supreme court yesterday was presided over, while sitting in bank, by Chief Justice Beatty, Justices Harrison, Garoutte, Van Fleet, Temple and Henshaw being in attendance. The entire day was devoted to the hearing of argument on motions and to the examination of candidates for admission to practice in the courts of this state. So large a class of applicants appeared that it was ordered, at the close of the forenoon session, that their examination be conducted in departments during the afternoon. In the morning the following motions were acted upon:

On motion of J. R. Scott and presentation of a license from the supreme court of New York and evidence of good moral character, Edward C. Badley was admitted as an attorney and counselor in the several courts of this state.

W. W. Bryant was admitted to practice, on motion of Lucien Earle and license from the supreme court of Kansas.

James P. Clark was admitted, on motion of Max Lowenthal and license from Idaho. Harry P. Mercer was admitted, on motion of J. L. Murphy and license from Michigan.

The cause of Miles et al. vs. the city of Los Angeles et al., by consent, was stricken from the calendar, on motion to dismiss. The appeal of Sanford vs. Chase et al. was dismissed, after oral argument by H. C. Rolfe for respondents and Charles R. Gray for appellant.

On oral argument by J. A. Owen for respondent and J. S. Chapman for appellant, the motion to dismiss the cause of Owen vs. the Pomona Land and Water company was submitted to the court.

A petition for superdeces in the case of Anderson vs. Anderson was argued by Charles R. Gray for petitioner and E. P. Stanton for respondent and submitted.

The appeal of Heywood Bros. vs. Turner et al. was dismissed on motion, F. O. Daniel arguing the cause for respondent and no appearance being made for appellant.

In the case of Abila, administrator, etc., vs. Sepulveda, a motion to dismiss was argued by R. H. F. Varlet for respondent and no appearance being made for appellant, the motion was granted.

The appeal of the case of the Pacific Mutual Life Insurance company vs. Edgar was dismissed on motion argued by Charles N. Fox, no appearance for appellant being made.

The two cases affecting the water distributing system of Los Angeles, and known as the City of Los Angeles vs. the Los Angeles Water company and the Los Angeles City Water company vs. the same, were continued for argument to Thursday.

On motion of Charles Lantz, there being no opposition, the transcript on appeal in the case of Bartlett vs. Mackey was ordered to be corrected.

THE SUPPLEMENTAL REGISTER

Writ of Mandate Issued to the County Clerk and Supervisors

In response to the petition of Chas. W. Palm, Judge Clark yesterday ordered the issuance of a writ of mandate, directing County Clerk Newton and the members of the board of supervisors to appear in Department two of the superior court at 10

FALL OPENING AND RECEPTION

Tonight, Thursday, Friday and Saturday

The Reception

Tonight from 8 to 10 o'clock will be accompanied by a distribution of

Souvenir Gifts

AMONG OUR VISITORS

A committee of three representatives of the press will manage the affair and designate the prize winners on the following Saturday night.

This is done so that you will not have to wait until a late hour to ascertain the result.

The fifty prizes will all be handsome Moquette Rugs of uniform size, sixty inches long, in varied designs and colorings and valued at \$3.00 each.

The Decorative Features

Will be the most elaborate ever attempted in Southern California. The Great Store will be resplendent in its show-day attire and especial attention will be given the displays of Autumn Merchandise of every description. Notable will be the Millinery from Paris and New York. Other features will be:

- Peace and Plenty
- The Doves' Fairy Land
- "Box Calf" Illustrated
- Front View of the White House
- Silver Horn of Plenty
- Uncle Sam and John Bull
- Suspension Bridge
- Magnificent Silk Display
- "Fast Black" Illustrated
- Miles of Smilax and Greenery
- Full Course Dinner Service
- Potted Plants and Palms
- Liberty Welcoming Hawaii and Porto Rico
- Magnificent Window Displays
- Correct Clothing for Men
- The Red Window, Millinery
- Women's Apparel as Worn
- Italian Marble Statuary
- Every Linen Thing
- Cozy Corner, Exempla Gratia
- Real Kid, La Mazeno
- Beauty's Requisites
- 7th Regiment Band Concert



Paris Millinery

The real Opening Days for Millinery will be Thursday, Friday and Saturday. No cards have been issued, but we wish to extend a personal invitation to all, to come and view the hundred and eighty-six pattern Hats from Paris. All the leading Paris Milliners are represented.

- Ponyanne
- Esther Meyer
- Michnievix
- Caroline Reboux
- Maison Lewis
- Josse
- Berthe
- Louise Carlier
- Vivot

Also many pattern Hats from New York Importers who have copied the French styles at lower cost. Then too, our own Masterpieces will be given the prominence they deserve. Hard to tell them from patterns. Indeed they are patterns, being similar yet different from the imported ones.

The General Opening and Sale

All displays will be left undisturbed as far as possible, and visitors Thursday, Friday and Saturday can more carefully investigate the Autumn Styles. The showing will accurately portray all that Dame Fashion has decreed proper. The Thursday's sale which follows the reception will be on such goods as are sought out early by those particular with their dress, and many styles shown then will not be duplicated.

HAMBURGER & SONS THE GREATER PEOPLE'S STORE

a. m., October 17th, to show cause why they have not ordered the printing of a greater number of copies of the supplemental register of voters of Los Angeles county than the 750, bids for printing which were recently asked. It is alleged that the requirements of the law have not been complied with; that about 17,000 names, comprising all which have been newly registered and those who have been transferred from one county to another, have been included under the head of "additions"; that about 6200 names, which have been stricken from the register appear under the head of "deletions"; that there are 64 election precincts in Los Angeles county and that 33,884 votes were cast at the last general election; that defendants have failed and refused to have printed a sufficient number of copies of the supplemental register to supply each election precinct with not less than ten copies thereof and fifty additional for every 1000 votes cast at the last general election, as required by law. The petitioner asks that enough copies be ordered to conform to the legal requirements.

John Erwin, who recently came to this city from Arizona, was brought before Judge Van Dyke yesterday on a charge of insanity, and was ordered to be committed to the Southern California State Insane hospital at Highlands. Erwin has a real-estate sense of his condition, which he ascribes to long continued work in the mines, where he suffered greatly from heat. When he first came to Los Angeles he went to the Westminister hotel, but remittances of back salary, amounting to \$200 and \$300, failed to reach him, and he went out to Glendora, where he was picked up in a deranged condition of mind. His special mania is manifested in his settled conviction that some one is poisoning his food, and that disembodied spirits are trying to communicate with him. It is expected that a short stay at Highlands will restore his mental equilibrium, as his insanity seems distinctly traceable to the heat and sunshine of Arizona.

John H. Craig yesterday instituted suit against A. M. Austin for \$25,227 damages, on account of injuries received while in the employ of Austin at a rock quarry at Hollywood. Being ordered by John Cunningham, the powder man, to deepen a drill hole in a rock, he alleges that he had scarcely commenced the work when a charge of powder exploded and he received injuries resulting in his confinement to bed for six weeks, at the end of which time he found that he had lost his eyes and was hopelessly lost, besides which he had been compelled to have a finger amputated and suffered other injuries. Of the amount sued for \$275 was for money expended for medical attendance and maintenance, and \$25,000 for damages.

B. F. Griffith, who was acquitted Monday by a jury of the charge of embezzlement, appeared yesterday before Justice Young in the township court to answer to the complaint of W. E. C. Vandivere of Norwalk, charging him with misdemeanor. The complaint states that the defendant on the 28th of August, 1898, willfully, unlawfully and fraudulently, by means of false and fraudulent representations and pretenses, defrauded plaintiff by representing himself to be a collector and agent of the Fidelity Mutual A. S. association, in whose name he is alleged to have collected \$2,760 due on a

policy of insurance, and to have secured personal property of the affiant. Griffith pleaded not guilty and the cause was set for trial next Monday.

Admitted to Practice The Los Angeles bar was yesterday enriched by the addition of nineteen ambitious young would-be practitioners, who were admitted by the supreme court, in bank, to practice as attorneys and counselors in all the courts of the state. They are as follows: Edwin A. Wells, Sarah J. Wilde, Edwin Smith, Albert M. Stephens, Jr., William W. Houston, Bertha Lebus, Ward Chapman, Frank Colburn, Will A. Strong, Frederick C. McD. Spencer, Reginald P. B. Johnson, Clifton H. Axtell, Fred H. Thompson, H. F. Bridges, H. Arthur Wright, Clay P. Gooding, Paul E. Usher, Roger S. Page, Edwin Edgerton.

Slides Into Jail J. Hampton, "Prof." J. Hampton, as he is styled on handbills advertising his "slide for life" through a hoop of fire, was brought in from Pomona yesterday on a charge of vagrancy. The professor last August appeared several times at the Elks Side park in vaudeville, but has been drifting around the outside towns for some time past and will serve ten days at the bastille.

The Will Stands The supreme court yesterday handed down a decision in the matter of the estate of Marcus L. Olmstead, deceased, affirming the judgment and decree of the lower court. The contest by the brothers and sisters of the deceased was based on certain erasures and alterations in the wording of the will, which it appears as the intention of the deceased was to have been rewritten.

He Disturbed the Peace James Millington was lodged in the county jail yesterday by Constable Gilbert of Pomona on the charge of disturbing the peace, for which offense he had been sentenced to a fine of \$10 or ten days' imprisonment.

On Statutory Grounds A divorce was granted to Lizzie I. Dudley by Judge Van Dyke yesterday, severing the bonds existing between her and Maurice A. Dudley, on the ground of adultery and failure to provide.

Federal Court Notes Albert Sherron was yesterday admitted to practice before the circuit and district courts. The suits of Hanson against the schooner Mary Gilbert, and Sullivan against the schooner W. S. Phelps, for wages, have been submitted, and await the decision of the supreme court.

Pung Ming, charged with being a Chinese laborer not lawfully entitled to remain in the United States, had a partial hearing yesterday, and the case was continued until Wednesday. A. G. Hubbard, plaintiff, was awarded \$18,000 yesterday by Judge Wellborn, the amount being a life insurance policy on the life of George W. Mead, deceased, and assigned to Hubbard during Mead's life time. The New York Life Insurance company, at the time of Mead's death, paid the money into court, and made no contest. There were other claimants beside the assignee, Hubbard, and his victory is over them.

Latest styles wall paper at A. Ekstrom's, 324 South Spring street.

UNION VOTERS, ATTENTION

The Los Angeles Union Club holds open meeting tonight at 312 West Second (Silver Republican headquarters), at which all members and candidates of the allied parties are welcome.

JOTTINGS

Lovers of good driving horses cannot miss it by buying one of our No. 3 Chester Columbus Buggy Co.'s driving wagons. They have the Bailey hangers, long-distance axles and quick-shifting shaft couplings. Hawley, King & Co.

Our Home Brew. Maier & Zobel's lager, fresh from their brewery, on draught in all the principal saloons; delivered promptly in bottles or kegs. Office and brewery, 460 Aliso street, Telephone 91.

We have taken the agency for the Columbia bicycle. Our motto is, "Get the Best." However, we have good wheels for \$30. Hawley, King & Co., Broadway and Fifth.

DEATHS

HARVEY—At his home near Santa Fe Springs, October 10th, Thomas Harvey, aged 70 years, father of Orion Harvey, Mrs. May Lyall (nee Reynolds) and Mrs. C. E. Wenger.

Funeral Wednesday morning, October 12, interment Whittier.

CANNON—At the family residence, No. 1939 Shatto street, Mary, beloved wife of John Cannon, aged 83 years, a native of Ireland.

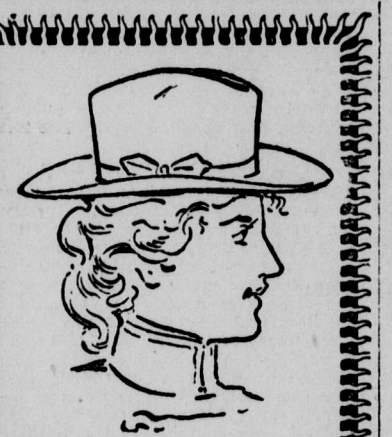
The funeral will take place Thursday, October 13th, at 8:30 a. m., from her late residence, thence to the Cathedral where a solemn requiem mass will be celebrated. Friends invited.

Removal Notice

The Keeley Institute, for the cure of all drug and alcoholic addictions, has removed to the Lankershim Building, cor. of Third and Spring Streets.

Fred A. Pollock Manager

Latest styles wall paper at A. Ekstrom's, 324 South Spring street.



Walkers Up-to-Date

Rumor has it that the only stock of Walking Hats in town is at the "Wonder" and rumor is right, for once.

The daisiest, daintiest, cunningest conceits ever brought west are here. All the new military effects and all the new things for the tailor-made woman.

Wonder Millinery

MEYER BROS. Successors to Lud Zobel & Co. 219 South Spring St.

UP-TO-DATE DENTISTRY

Painless filling and extracting. Best set of teeth \$10 worth \$15. Fillings \$1 up. Crown and bridge work that cannot be surpassed. DR. C. STUBBS, 107 North Spring. Telephone Brown 1861.

The New Crystal Palace

IS NOW OPEN... Meyberg Bros. 343-345 S. Spring St. PERRY MILL AND LUMBER CO. Lumber Yard and Planing Mill... 310 Commercial Street, Los Angeles, Cal.



A disabled volunteer soldier, late of Co. "H," 8th U. S. Cavalry and now staying at the National Home, near Dayton, Ohio, recounts an extremely trying time which he lately went through. "On the 31st of May, at Crawfordsville, Ind.," he says, "I had an attack of indigestion. Being able to travel, next day I came to this place, where I was assigned to a convalescent ward in our hospital. On Wednesday following I had another bad prostration from the same cause, and again on Saturday I was for the third time within a week severely attacked by the same trouble. Monday following I went to Dayton and procured a physician's size bottle of Ripans Tablets, commenced to take them, and as occasion required have continued to do so ever since. I have never been prostrated since, and I believe the Tablets give me complete immunity from these attacks. From my knowledge of medicine as a student and drug clerk, I am naturally constituted on account of sedentary habits, but by taking an occasional Tablet after a meal my bowels are regular and I feel no bad effects. I cheerfully recommend the Tablets to my comrades in arms or others similarly afflicted to myself."

A new style packet containing SEVEN TABLETS in a paper carton (without glass) for sale at some drug stores—50¢ PER CARTON. This low-priced sale is intended for the poor and the economical. One dozen, had attack of indigestion. Being able to travel, next day I came to this place, where I was assigned to a convalescent ward in our hospital. On Wednesday following I had another bad prostration from the same cause, and again on Saturday I was for the third time within a week severely attacked by the same trouble. Monday following I went to Dayton and procured a physician's size bottle of Ripans Tablets, commenced to take them, and as occasion required have continued to do so ever since. I have never been prostrated since, and I believe the Tablets give me complete immunity from these attacks. From my knowledge of medicine as a student and drug clerk, I am naturally constituted on account of sedentary habits, but by taking an occasional Tablet after a meal my bowels are regular and I feel no bad effects. I cheerfully recommend the Tablets to my comrades in arms or others similarly afflicted to myself."

Money to Lend

LARGE SUMS AVAILABLE for investment on mortgages of Real Estate (City and Country) at exceptionally low rates of interest for a fixed term or redeemable by installment. EXISTING MORTGAGES PAID OFF. Special Terms quoted for Loans on Life Policies. Interest under Will and second and third mortgages.

R. GOULD & CO.

111 Montgomery St., SAN FRANCISCO.

Pennyroyal Pills

Original and Only Genuine... Pennyroyal Pills... for the cure of all ailments...

GARLAND STOVES AND RANGES

"The World's Best" MICHIGAN STOVES AND RANGES Always Dependable None in quality to "Garlands."