Consolidation of the Two Rival Companies at Last Effected and Competition Excluded for Years.

The New Concern to Be Capitalized at Nine Million Dollars-Directors Agreed and Only Waiting on Action of Stockholders.

OAKLAND, Feb. 7.-There is now but one water company in Oakland. The consolidation has at last been effected, and now nothing remains but for the stockholders of the Contra Costa Company to ratify the action of the directors.

The deal was closed last evening and the result was very apparent on the Stock Exchange to-day when the stock ran up to figures unpre-

The effect of this consolidation cannot told at this time, and as the water accept the conditions that make competition in the water supply of this city and the movement is supreme. It can ince of the movement is supreme. It caning on the rates to be paid for water dur-ing the next fiscal year. The big deal was arranged several weeks ago and all the details were published in The Call of Janpetalls were published in The Call of Jan-ary 20. At that time the only hitch to be consummation of the deal was the difference in the valuations of the two ompanies placed upon the plant recently equired at Mount Eden by the Contra-osta Company. The annual report of the ontra Costa Company, filed last week, nows this plant to be considered as worth his plant to be considered as worth has been adjusted, the directors

impossibility for many years and perhaps for all time.

The plan of consolidation capitalizes the combined companies at \$9,000,000. This amount is made up of the Oakland company's bonds, the Contra Costa bonds, the \$3,000,000 worth of stock issued by the Contra Costa Company, and the remaining \$3,000,000 in its treasury, now turned over to Hayward, Dingee and their partners. In a few days the office of the Oakland Water Company will be closed and all the business will be transacted by the old Contra Costa Company. The competition that has been in existence for four years closed on the first of the year, when the companies commenced to charge under the new ordinance. The indifference manifested by the companies when dissatisfiested by the companies when dissatis-

that there was no likelihood of rate cutting and this indication is now proved to
have been absolutely true.

The annual meeting of the Contra Costa
company is all held by Alvinza Haythey are the directors of that
y, there will be no opposition from
urce. As the Contra Costa stock
and down to \$30 per share and has
of up to \$67 50, the stockholders of
neern are not likely to oppose the
ide by their directors, and the deal
idered by all concerned to
be
fall the stock was down to \$35. On
the stock fell from pa

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ARREST health and happiness if they would banish that seductive herb from the supper table and replace it with Pos-Food Coffee.

When we first began to use Postum, we induiged in some merriment at the red seal on the package, and the state-ment that "It Makes Red Blood." It was not long, however, before we learned that it was a sober truth. My family remarked the growing color in my face. Mf weight steadily increased, to such a degree that I was forced to ascribe the change to the use of Postum, and my entire family have now become addicted to the beverage.

Mrs. Dr. D. P. Brockway, 15 Charleston Street, Worcester, Mass.

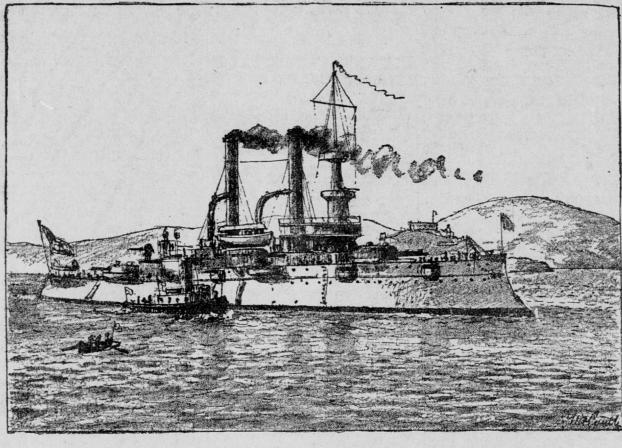
found that his legs, arms, hands and neck were badly burned. He will probably recover.

Teacner Wants Her Money.

Georgia C. Morse, a teacher in the Webster Primary School, applied to the Superior Court yesterday for a writ of mandate to compel Auditor Wells to audit her approved claim against the School Department for her salary, amounting to \$63 20. Judge Daingerfield issued a permitted of the superior writ, returnable February 10 at 10 a. m. we indulged in some merriment at the

Harry Shiozaki, a Japanese servant at Mrs. Seymour's, 736 Eddy street, was Mrs. Seymour's, 736 Eddy street, was lighting the kitchen fire yesterday morning by means of the coal oil can. The handle of the can broke and there was an immediate explosion. When Shiozaki was taken to the Reciving Hospital it was found that his legs, arms, hands and neck were badly burned. He will probably recover.

HELPED DESTROY CERVERA'S FLEET



The Battleship Iowa Arrives in Port After Covering the Distance Between New York and San Francisco in 117 Days.

HE United States battle ship Iowa arrived in port yesterday after her long run from New York. Were it not for the fact that she is flying light no one would ever think the warship has been at sea almost continuously since last October. She is spick and span and came up the bay looking every inch a fighting machine.

Pilot George Scott brought the battle ship in, and in heading for an anchorage took her close in along the water front, so that the thousands of people who lined the wharves got a good view of the man of war that did such excellent service at Santiago. All the tugs and ferry boats saluted the stranger and the ships at anchor in the bay dipped their flags. The Pomona at Broadway wharf and the tugs at Vallejo street were the first to take up the salute, and from there until the Iowa was anchored off Folsom street wharf the din was continued until the people uptown thought another Manila expedition was under way.

The battle ships Oregon and Iowa, the refrigerating steamers Iris and Celtic and the colliers Justin and Scindia salled from New York in company on October 12, bound for San Francisco. The first stop was at Bahia in Brazil.

From there the fleet went to Rio de Janeiro and thence to Montevideo in Uruguay. At all these points the water in the boilers of the war ships was replenished from the supply ships and the colliers refilled their bunkers.

The next stopping place was at Sand Point, at the entrance of the Straits of Magellan in the Atlantic. Passing through the straits, the supply ships led the way and the entire fleet anchored each night. The passage was made without mishap and the next stopping place was Callao in Peru.

At Callao instructions were awaiting the Oregon to proceed to Manila via Honolulu and for the Iris and Scindia to accompany her. Accordingly, on January 14, when 600 miles northwest of Callao, the feet broke in two, the Iowa, Celtic and Justin coming on to San Francisco and the Oregon, Iris and Scindia proceeding to Hawaii. The Celtic arrived here on February 1 and the J

Justin put into the battle ship's bunkers all the coal she could spare, and she also came on to San Francisco. The Iowa was then cleaned up, after which she proceeded, arriving here at 1 p. m. yesterday.

The officers of the Iowa are: Silas W. Terry, captain; Raymond P. Rodgers, lieutenant commander; W. H. Schentze and H. M. Witzel, lieutenants; G. Tarbox, lieutenant, junior grade; N. C. Twining and D. M. Wood, ensigns; V. S. Houston, J. W. Graeme, A. J. Hepburn, W. C. Asserson, O. G. Murfin, H. Williams, A. H. McCarthy, A. J. Graham and H. L. Collins, navel cadets; M. H. Simons, surgeon; R. P. Crandell, passed assistant surgeon; H. D. Averill, assistant surgeon; J. A. Ring, paymaster; C. W. Rae, chief engineer; J. R. Morris and D. M. Garrison, assistant engineers; F. C. Brown, chaplain; L. Karmany, Captain U. S. M. C.; H. C. Davis, second lieutenant U. S. M. C.; C. W. Loomis, pay clerk; E. M. Isaac, boatswain; C. Charette, gunner, and F. Johnson, carpenter. The Iowa also carries 500 bluejackets.

carries 500 bluejackets.

The Iowa was built under an act of Congress of July 19, 1892, by the Cramps, and was launched in March, 1896.

The contract price was \$3,010,000, including hull and machinery. She is 360 feet long, 72 feet broad and draws 24 feet of water. As a battle ship she has been almost as great a success as the Oregon, and did excellent service during the destruction of Cervera's fleet. She met with a slight mishap to her machinery during the voyage to San Francisco and will have to be overhauled before she can go to sea again. The crew hailed with delight the news from Manila and one and all wished they were in the fight with Dewey.

The Iowa will remain in the bay for some time to come and will be thrown open to the public on Sundays and

narrow escape from death.

was arrested yesterday on a warrant charging him with battery. His sister in law, Mrs. Fay J. Barnes, is the complaining witness, and owing to the brutal nature of the assault Judge Mogan fixed Rogers' bonds

at \$1200.

Mrs. Barnes lives with her sister, Mrs. Rogers, and last Friday Rogers, according to Mrs. Barnes, commenced to beat his wife. Mrs. Barnes interfered and Rogers turned his wrath and his fists upon her. He beat

her so badly that she was knocked into unconsciousness. She left the house and engaged a room at 119 Larkin street, and since then Dr. Bar-

bat has been attending her. She was scarcely able to walk across the street yesterday to the Police Court to swear out the warrant for Rog-

in yesterday and put her head under the X-ray. He thinks that a bone in the skull has been fractured, but another examination will be made.

Mrs. Barnes is a daughter of Dr. Frost, 2324 Mission street, and about four years ago she attempted suicide by shooting herself. She had a

She complains of violent pains in her head and Dr. Jones was called

The residents of Precita Valley are Agreements With Two Companies

two Precita avenues at the base of Bernal Heights. The place has been in the limited an opinion to the Supervisors yesterday interpreting Judge Seawell's decision declaring the electric and gas light contracts invalid. Attorney Lane advises the board that the contract with the San place, and the expense of beautifying the stand making it the pleasure-ground of the valley will not exceed a few thousand dollars. Supervisor Aigeltinger, chairman of the Street Committee, with the Superintendent of Streets, visited the valley a few days ago and instructed the contractor to go ahead with the work of filling the place up to grade. As soon as this is done then the top dressing and other finishing-off process will be applied. The completion of Bernal Park will be duly celebrated by crowning President Graham of the Improvement club king of Precita Valley, as it was chiefly though his efforts that the park is to be established.

City and County Attorney Lane submitted an opinion to the Supervisors yesterday interpreting Judge Seawell's decision declaring the electric and gas light contracts invalid. Attorney Lane advises the board that the contract with the San Francisco Gas and Electric Light Company is void, but that that fact does not absolve the Supervisors from paying reasonable compensation for light furnished the city in December.

He holds that the bills in question have been allowed, and are in the hands of the Auditor, hence the board has nothing further to do with them. They have a duty to perform, however, in advertising for bids and entering upon a new contract. Judge Seawell held that the contract with the San Francisco Gas and Electric Company is invalid. Attorney Lane advises the board that the toaltract and on the tothe same developed the board has nothing further to do with them. They have a duty to perform, however, in advertising for bids and entering upon a new contract. Judge Seawell held that the contract with the San Francisco Gas and Electric Company is invalid. Attorney Lane and provide the Super

LIGHTING CONTRACT

ATTORNEY LANE ADVISES SU-PERVISORS ON GAS QUESTION.

The Board of Supervisors approved these demands, which then went to the Auditor for his approval. At this point W. R. Summerhayes, as a taxpayer, began suit against the Auditor and the Treasurer, asking that these officials be restrained and enjoined, the one from auditing and the other from paying these demands. Thereupon a temporary injunction was issued. The Auditor and Treasurer moved later to dissolve this injunction, and Judge Seawell granted the motion and the injunction was dissolved. Thus these demands are left in precisely the same position they were prior to the bringing of the injunction suit; they are presumably in the hands of the Auditor awaiting his approval. The Board of Supervisors at this time has no more control over them than it had while the injunction was pending.

McKAY WAS THE "ANGEL."

Troubles of a Disbanded Comedy Company Told in Court.

The hearing of the case of Henri Stu-art, charged by A. H. McKay, a re-turned Klondiker, with obtaining money by false pretenses, was commenced before

by false pretenses, was commenced before Judge Graham yesterday.

McKay became acquainted with Stuart, and McKay's wife being ambitious to go on the stage Stuart and W. H. Wheeler agreed to get up a company and play the farce-comedy "My Neighbor's Wife." Stuart was to be manager and Wheeler advance agent. The company opened in Reno, Nev. The first night's receipts were \$91, but the second night the receipts only amounted to \$1.05. Then McKay thought he had enough of playing the "angel" and the company was disbanded. He dropped about \$900.

The charge of obtaining money by false

about \$900.

The charge of obtaining money by false pretenses was based upon the fact that Stuart got \$10 from McKay for royalty on the play, whereas it could be purchased anywhere for 25 cents. The further hearing will be continued Friday.

Telephone Box Thieves. William Israelsky, who was caught Monday stealing nickels from the tele-phone box in the house of Harry Fisher,

710 McAllister street, appeared before Judge Mogan yesterday and his case was continued until to-morrow. Special Officer Riley of the telephone company has been made acquainted with Israelsky's accomplices, and expects to arrest them soon. S. D. Sutton, the other telephone-box thief, pleaded gullty to another charge of petty larceny in Judge Mogan's court yesterday and will be sentenced to-morrow. 710 McAllister street, appeared before

Lurline Salt Water Baths. sh and Larkin sts. Swimming, Russian, hot | Mervita Micdical Co., Chinion & Jackson sts., Eb I cold tuo pains. Saltwater direct from ocean. | WALLEB BROS., 23 Grant ave.. San Fran

STATUS OF CALIFORNIA'S NATIONAL GUARD

Opinion of the State's Attorney General.

MEN WHO ARE IN AND OUT

NO PENALTY FOR HAVING LESS THAN FIFTY MEMBERS.

Those Officers and Men Who Did Not Enlist in the Volunteer Army Are Still Guards-

Attorney General Tirey L. Ford has furnished Adjutant General Peeler an opinion as to the standing of the National Guard of the State of California, in answer to the followng questions asked by the ad-

jutant general:

First—What is the legal present standing of those members of the National Guard who entered the service of the United States in the Spanish-American

Second-What is the legal status of those members of the National Guard who belonged to the companies of the guard

chose members of the National Guard who belonged to the companies of the guard at the outbreak of the Spanish-American war, but who did not enter the United States service?

Third—What is the present status of those companies of the National Guard which volunteered and entered the United States service and have since been mustered out of such service?

Fourth—What is the present status of those companies of the National Guard which volunteered and entered the United States service and have not yet been mustered out of that service?

The Attorney General in his opinion says: "Those members of the National Guard who entered the service of the United States in the Spanish-American war are not now members of the National Guard unless they have been readmitted to that organization in the manner prescribed by law. If an entire company volunteered, leaving no portion of such company behind, the same rule would apply and such company would thereupon cease to be a component part of the National Guard."

As to the second matter, he says that those members of the National Guard who

those memoers of the National Guard who belonged to the companies at the out-break of the war and did not enter the service of the United States are still members of the guard unless their con-nection therewith has been otherwise sev-ered

Overhauling Siebe's Work.

provement Club last night. The little hall where the club met was packed with property owners and the evening's debate was on the assessments made by Siebe of the district from First avenue to the ocean and south of Golden Gate Park.

It was charged that property was assessed for a good deal more than it is worth in the market. This assessment had been protested against at the time it was made, but to no purpose, as the As-

Have Been Declared Invalid and New Ones Are Needed.

City and County Attorney Lane submitted an opinion to the Supervisors yesterday interpreting Judge Seawell's declaring the electric and gas light contracts invalid. Attorney Lane advises the board that the contract with the San Francisco Gas and Electric Light Company is void, but that that fact does not also when the city in December.

He holds that the bills in question have been allowed, and are in the hands of the Auditor, hence the board has nothing further to do with them. They have a duty to perform, however, in advertising for bilds and entering upon a new contract. Judge Seawell held that the contract with the San Francisco Gas and Electric Company is a stoit system.

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The Board of Supervisors as the time it the time it to no purpose, as to the time and plactical and and purpose as at the to no purpose, as the August of nor purpose, as the August of the bill and purpose, as the application and plactical and and purpose and place and place and to all dim in a just and fair rate the following committee was appointed to sak for a 40 per cent reduction. Another cause of compl

for whom they are intended than if they lived several miles from the postoffice. To better this condition of affairs a committee will wait on Postmaster Montague at an early date and plead with him for a better service.

SOMERS GOT A VERDICT.

A Jury Gives Him a Judgment in an Old Contest.

In Judge Troutt's court last evening the ury in the case of Charles F. Somers vs. California Savings and Loan Society brought in a verdict for plaintiff. Maud Nolan and George Heazelton, executors of the will of the late Mabel Treadwell, ap-peared as joint associates with the defendants in the suit. The case excited much interest because of the bitterness with which it has been contested.

It appears that during the lifetime of Mrs. Treadwell, Somers was engaged in litigation with his wife. He turned over to Mrs. Treadwell the \$14,000 to be depos

litigation with his wife. He turned over to Mrs. Treadwell the \$14,000 to be deposited in the California Savings and Loan Society for him.

Prior to the death of Mrs. Treadwell, Somers obtained from her an assignment showing his right and title to the money. When Mrs. Treadwell died Maud Nolan, formerly Maud Treadwell, and George Heazelton, executor of Mrs. Mabel Treadwell, claimed the money as being the property of the latter. During the course of the trial defendants produced Professor Ames, handwriting expert, who testified that the assignment given Somers by Mrs. Mabel Treadwell was a forgery. The plaintiff produced witnesses whose evidence offered in rebuttal was to the effect that the assignment was genuine. Probate Judge J. V. Coffey testified that the assignent was in Mrs. Treadwell's handwriting.

The question of Somers' character came up, and when the attorney for the defendant asked a pointed question of a witness named Whitney, who was testifying as to Somers' character, the latter leaned over to Attorney Campbell and whispered, "You know that is a lie," for which he was fined \$20 by Judge Troutt for contempt of court. The jury was only out a short while. Somers states that he brought the suit merely as a matter of principle, as the case will cost him more than he can ever hope to get out of the California Savings and Loan Society.

BANKS TAKE A HAND IN TAX OFFICE FIGHT

THEIR OWN CLERKS MAKE OUT THE BILLS.

Pending the Settlement of the Controversy Between Supervisors and Tax Collector They Act.

The banks have taken a hand in the controversy between Tax Collector Shee-han and the Supervisors over the employ-ment of deputies in the office of the former. The Hibernia Bank placed three clerks at work yesterday, with the sanction of Mr. Sheehan, to expedite the preparation of the bills for the property n which they pay taxes. The German Bank is expected to adopt

the same course. These institutions want to have their bills paid before the 1st of March, otherwise they must account to the Assessor for that amount of money

Restraining Order Modified.

Judge Seawell made an order yesterday modifying the restraining order hereto-fore made in the action of Oscar Moses against the Board of Education et al., so far as the Board of Education is con-cerned, and the board is no longer prohib-

To be a successful wife, to retain the love and admiration of her husband, should be a woman's constant study. At the first indication of ill health, painful menses, pains in the side, headache or backache, secure Lydia E. Pinkham's Vegetable Compound, and begin its use. This truly wonderful

remedy is the safeguard of women's bealth. Mrs. Mabel Smith, 345 Central Ave., Jersey City Heights,

N. J., writes: "DEAR MES. PINKHAM:-I can hardly find words with which

to thank you for what your wonderful remedy has done for me. Without it I would by this time have been dead or worse, insane; for when I started to take Lydia E. Pinkham's Vegetable Compound I was in a terrible state. I think it would be impossible for me to tell all I suffered. Every part of my body seemed to pain some way. The pain in my back and head was terrible. I was nervous, had hys-

terics and fainting spells. My case was one that was given up by two of the best doctors in Brooklyn. I had given up myself; as I had tried so many things, I believed nothing would ever do me any good. But, thanks to your medicine, I am now well and strong; in fact, another person entirely."

If you are puzzled about yourself, write freely and fully to Mrs. Pinkham, at Lynn, Mass., and secure the advice which she offers free of charge to all women. This is the advice that has brought sunshine into many homes which nervous-

ness and irritability had nearly wrecked. Lydia E. Pinkham's Vegetable Compound; a Woman's Remedy for Woman's Ills



THIS WELL-KNOWN AND RELIABLE OLD specialist cures Private, Nervous, and Blood Diseases of Men only. Book on Private Diseases and Weaknesses of Men, free. Over 20 y'rs' experience. Patients cured at Home. Terms reasonable, to 3 daily; 6.30 to 8:30 ev'gs. Sundays, 10 to 12 tation free and sacredly confidential. Call.or

P. ROSCOE MCNULTY, M. D.