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MRS. CATHERWOOD'S VICTORY.

She Triumphs Over Those Who Tried to Impugn Her Accounting as Guardian of Her Sister.

An Effort to Show That Charges Were Exorbitant, Extravagant and Not Properly Applied.

SARCASM FOR AN ATTORNEY.

Attorney Shortridge's Eloquent Tribute to the Memory of Judge Hastings and His Rebuke to Attorney Keyes for Referring to the Eminent Jurist as "a Methodical and Litigious Man"—The Court Allows the Account and the Spirited Defendant Rejoices.

As Mrs. Clara Catherwood swept out of Judge Coffey's courtroom yesterday afternoon she remarked to her attorney, D. M. Delmas, in a triumphant whisper:

"Well, we've beaten him—that's a consolation, anyhow." Mrs. Catherwood's allusion was to Attorney A. D. Keyes, whose cynical smile has haunted her and whose impertinent questions have annoyed her almost beyond endurance since her annual account as guardian of her sister, Miss Ella Hastings, became a matter of judicial investigation at the instigation of the aforesaid Keyes.

She had been recalled to the witness chair at the beginning of the proceedings to answer a few supplementary questions by the attorney, and she had answered them directly and with sarcastic emphasis indicative of her exceedingly small opinion of Keyes and his motive in constituting himself an attorney in this case.

"Did you keep the Hastings money in a separate account?" asked Keyes.

"I believe you have said that I did not," answered Mrs. Catherwood with asperity; "but I did; the money was on deposit in the Nevada Bank."

"This balance was entirely separate and in Miss Hastings' name?"

"Yes, in her name," and the tone of the reply expressed far more than the language.

"I suppose that you will admit that Miss Catherwood is over eighteen years of age?"

"She is about your age," Mrs. Catherwood answered, mistaking the lawyer's reference. "She is twenty-two," she added.

"Miss Catherwood is twenty-two!" The attorney asked with the intention of making his intent clear to the witness.

"Miss Catherwood! My daughter!" exclaimed the mother. "What has she to do with this matter?"

"And she is in society?" Keyes continued without discomposure.

"Jennie is in society," Mrs. Catherwood replied. "You have met her there. You know she is in society," and the lady curled her lip in scorn of the doubt.

MR. KEYES INSINUATES.

"In the account which you have rendered," said Attorney Shortridge, "you have made no claim for compensation?"

"No; but I think I ought to get the same fee as the lawyers," Mrs. Catherwood answered.

"The same fee that Mr. Keyes gets?" asked Judge Coffey.

"No," was the emphatic response, "but the same as my attorneys get."

"How much is your fee, Mr. Shortridge?" the Court inquired.

"I have been allowed $1,000," Mr. Shortridge answered, "by the Court," he added, and then, after brief meditation, "on account, your Honor, on account."

Mrs. Catherwood was permitted to retire and Mr. Keyes made an elaborate argument to prove that although the guardian's account showed an apparent surplus of $6,000 there was in reality a deficiency on the face of the account.

This argument was frequently interrupted by Mrs. Catherwood, whose explosive remarks were punctuated by the bailiff's gavel rapping for more orderly procedure.

Neither the interruptions of Mrs. Catherwood nor those of Mr. Shortridge disturbed the equanimity of Mr. Keyes, who endeavored to show that the document filed by the guardian as an account was in no sense an account; that it contained no statement of the amount received or the items of expenditure, or to whom paid and the time when paid.

He then reviewed the statements, commenting upon them and urging that these "lump sums" were extravagant, exorbitant and inuring more to the benefit of the guardian, her family and establishments than to the comfort of Mrs. Catherwood's ward.

SUNDRY OBJECTIONS.

He argued that as some of the charges were for expenses on behalf of Mrs. Catherwood and her daughter Miss Hastings should have been charged only one-third of the amounts set down in the guardian's account. He asked that the charge of $310 for clothes purchased in New York for Miss Hastings be not allowed because there were no vouchers, and he asked that the same disposition be made of the charge for $250 for rooms at the Gerlach, "a very expensive apartment house in New York," because, according to the testimony of Mrs. Catherwood, the rooms had been hired two weeks before they were required. The attorney was content to call this an inadvertence, although legally it was negligence on the part of the guardian.

He objected also to the charge of $250 for "rugs and so forth," asserting that "this 'and so forth' method of avoiding particulars is very frequent in this document labeled an 'account.'"

The charge of $350 for a bathroom at Madrone Villa was objected to on the ground that it was a permanent improvement of Mrs. Catherwood's property.

"Miss Hastings has a fee in the property," the Court suggested.

"Yes," answered Mr. Keyes, "but that is no reason why she should be charged the full amount for this improvement."

"Are you now speaking of a fee in the bathtub?" asked Attorney Shortridge.

"No, of course not," replied Attorney Keyes, impatiently. "Who ever heard of a fee in a bathtub! I believe there may be a fee in the floor of a house, but I never heard of a fee in a bathtub."

"There is a fee in this case, evidently," remarked Judge Coffey.

A GENEROUS JURIST.

The principal objection of Mr. Keyes was to the charges for board and lodging, but the Court did not seem inclined to place much weight on this phase of the argument. He remarked that people who "go the pace" in exalted spheres of society must pay for the privilege.

Mr. Keyes sat down, and Mr. Shortridge arose to pay an eloquent tribute to the memory of the late Judge S. C. Hastings. He was also sarcastic at the expense of his opponent in the case, informing him that his intrusion was unwarranted and the court was no place for "jesters and interlopers."

He reviewed the account, finding no discrepancies, extravagances or improper charges, and concluded by asking for an approval and settlement by the Court.

Mr. Keyes in the course of a brief reply referred to Judge Hastings as a "methodical man, notwithstanding Mr. Shortridge's tribute to his generosity."

"And he was a generous man, sir," said Mr. Shortridge; "a generous man, a great man."

"He was a methodical man," persisted Mr. Keyes. "Methodical and litigious. He was constantly in litigation, even with his own children, as Mr. Shortridge very well knows."

The Court made an order accepting and allowing the account of Mrs. Catherwood as her sister's guardian, adding that it would be necessary to include vouchers of the New York expenditures, which, however, he did not consider exorbitant or extravagant.

And that was why Mrs. Catherwood whispered triumphantly to her attorney.

"We've beaten him—and that's a consolation, anyhow."

MRS. CATHERWOOD IS BY TURNS SARCASTIC, HAUGHTY AND TEARFUL.
[Sketched by an "Examiner" artist in the courtroom.]

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May 16th.

POLITICS AND THE RAILROAD.

Sutro Proposes to Begin a Political Agitation to Bring the Railroad to Terms.

Working Out a Project to Have the City Build a Road From the Ferries to the Ocean Beach.

AND CHARGE 2-CENT FARES.

Mass Meetings to Be Held to Map Out the Organization of the Anti-Railroad Party and to Renew the Old Anti-Monopoly Agitation—Mr. Huntington Says That When Electricity Replaces Steam on the Roads to the Beach One Fare May Be Charged.

If Adolph Sutro and those who are working with him in the effort to secure a 5-cent fare from the main portion of the city to the ocean beach have gauged the temper of the people correctly, the coming political campaign will be enlivened by an anti-monopoly agitation which will overstep in intensity the most pronounced campaigns of the later '70s and earlier '80s. They spent yesterday in arranging for mass meetings and working out their preliminary arrangements.

In connection with the agitation is the formulation of a proposition for city ownership of two street railroads, one to extend from the ferries to the ocean beach and the other to run north and south across the city, the fares to be about 2 cents—just enough to cover the actual operating expenses of the road.

In order to mature this project the aid of Supervisors must be secured, and possibly legislators elected. In this way the anti-railroad agitation is to become an interesting factor in local and State politics.

TO GO INTO POLITICS.

"I am having signs painted to read, 'Twenty-five cents admission until the Southern Pacific of Kentucky comes to terms,'" said Mr. Sutro yesterday. "These signs will be posted on the fence which I am building around the Cliff House property. That fence must be nearly or quite three-quarters of a mile long, so it takes some time to complete it. I think, however, it will be finished in two or three days now. Then the signs will go up. I don't think they will be offensive to the people, for I think the great majority of the people are with me and against the Southern Pacific.

"The masses have been slaves to this corporation long enough. It is time they did something for themselves. Now, I'm not a young man, but I'm willing to go into this fight, and I think plenty of the young men of the country will be with me to do most of the fighting. We propose to carry this thing right into politics. This is a time of unrest and of revolution, and in a revolution against the railroad's exactions the corporation would be wiped right out.

"What's the use of our voting the Republican or Democratic ticket on an issue of this kind? Of course the tariff and silver questions are of great importance, but we can vote with the old parties for officials who will be concerned in them and still carry along our party, which I have called 'The Liberators.' This railroad question is the most important to us of all our questions, and I think that right now is the favorable time for agitating it.

THE CITY TO BUILD STREET RAILROADS.

"You know what Shakespeare says about the 'tide in the affairs of men, which, taken at the flood, bears on to fortune.' Well, this is the flood tide for the people of California. If we take it now, when all the conditions are favorable, it will certainly bear us on to victory in our fight for better government and less railroad influence.

"A suggestion was made which seems to me an excellent one for the solution of the problem of getting cheap fares from the city to the ocean beach. It is that the city itself build and equip a railroad from the ferries to the beach, charging fares at a rate just sufficient to cover the cost of operating the road. There ought to be such a road, and another running north and south across the city.

"Lawyers tell me that it is possible for the city to build such roads. I have not looked into the matter closely, and have not had the attorneys give me a careful expert opinion on the legal questions involved. But cities do own waterworks and gasworks—why not street railroads? It may be necessary to have some legislation on the subject. If so, let's include in our agitation the necessity for such legislation.

Recorder Glynn, who was responsible for the introduction in the Democratic General Committee of the resolution pledging the party to the support of Mr. Sutro in his fight for lower fares, came in with Charles H. Hubbs, who is at the head of the Richmond District organization, to talk over the campaign, and they were joined by William Mitchell Bunker of the *Report*. Mr. Bunker is also heavily interested in Richmond property.

"We have called a mass meeting for Thursday night in Farrell's Hall, at the corner of Ninth and Point Lobos avenues," said Mr. Hubbs. "The notices are now being sent out."

A BIG HALL FOR A BIG MEETING.

"That is all very well so far as it goes," replied Mr. Sutro. "You can there elect officers and committees to push the agitation, but what we want now is a great public meeting or series of meetings. It may be well to hold one Sunday afternoon at a central point in the district."

Mr. Glynn suggested the steps of the new French Hospital as a good place for an outdoor meeting, and his idea was partially concurred in.

"But we'll have to hold a great downtown meeting just as soon as possible," insisted Mr. Sutro. "We must hire a hall for it."

Metropolitan Hall was suggested. When assured that the place would accommodate a great crowd Mr. Sutro said that the place would be secured. He said that he had sent to ex-Congressman Charles Sumner, who used to deal the railroad hard blows in the old anti-monopoly days, to be one of the speakers of the campaign. Then he returned to the best solution of the cheap fares problem:

"It will hardly be possible to secure a franchise in opposition to the Southern Pacific. As the law now stands all these franchises must be put up at auction and sold to the highest bidder. The Southern Pacific could step in and bid more than anybody else and thus stave off opposition. But if the city should take up the project and build its own road this difficulty would be obviated."

THE CORPORATION'S FORESIGHT.

"This law relating to the sale of franchises was one of the railroad's latest moves to prevent competition. They had secured all they wanted, and then had the law passed so they could block anybody else, just as, after they had secured all the county bonuses they wanted, they had a provision inserted in the Constitution preventing any county from appropriating money to encourage the building of other lines."

"Have you received an answer to your letter to Secretary Willcut of the Consolidated Street Railroads?" was asked of Mr. Hubbs.

"No, and I do not expect any. Those railroad people have treated all our petitions with contempt. When our Richmond district committees went to Fourth and Townsend streets the magnates kept them waiting for hours in that ante-room, while other people who came later were blithely ushered in before our faces.

"We never could get any satisfaction or even a respectful hearing. So I don't expect an answer to that letter."

Secretary Willcut said later that he had received the Hubbs letter, but had been too busy to reply to it. He further said that he would answer it in some way as soon as he had time, but his manner indicated that he did not consider it of great importance or to be a matter pressing for immediate consideration.

MR. HUNTINGTON'S STATEMENT.

Colonel C. F. Crocker went out of town yesterday afternoon, but in his stead a talk was had with H. E. Huntington, who said he had no desire to make any special reply to anything Mr. Sutro had said.

"Has any official action been taken by the railroad people regarding the request for a single fare to the ocean beach?"

"The matter has not been officially considered. In fact, the subject has hardly been mentioned among us. Mr. Sutro is doing the talking."

"Is there any hope that a single-fare rate will be adopted?"

"Of course it is our ultimate intention to give a sigle-fare rate to the beach, but the time is not yet ripe. We propose to put electricity on both the roads running to the beach and now operated by steam. When we do that we may adopt the single-fare rate. In fact, we probably will adopt it at that time."

"Have you any idea how soon you will replace the steam dummies with electricity?"

"We have not arranged definitely for that. We have other work which must be done first. Electricity is, in my judgment, the very best motive power for such service. Out there in the country we could run up to fifteen miles an hour, and regulate our service to fit the needs of any occasion. But really I do not wish to be considered as making a reply to Mr. Sutro."

This Mr. Sutro, however, is getting more and more earnest in his anti-railroad agitation, and when a man who is said to own one-tenth of the entire area of San Francisco gets worked up to the point of pledging his honor and his fortune to a cause, and agreeing to give outright the eighteen acres of Sutro Heights to the people to secure a reduction in rates, there is no telling where the trouble for the railroad will stop.

NORMAL CLASS GRADUATES.

Interesting Graduation Exercises at the Girls' High School.

The unfinished assembly hall at the top of the Girls' High School Building had its bare rafters draped with flags and evergreens and bunting last night to make it fit for the graduation of the hundred or more young ladies of the normal class. But what the surrounding walls lacked in esthetic detail was compensated for by the charms of the graduates on the platform. Their intellectual attainments found expression in a most excellent programme of music and recitation. The graduates were:

Frances Aaron, Sadie Allen, Agnes Adamson, Florence Boynton, Florence Baron, Mary E. Bell, Julia Barkhaus, Lucy Call, Mary Call, Mabel Chandler, Olive Cheminant, Jeanette Clabrough, Helen Carr, Sarah Coleman, May Coop, Emily Drum, Elma Dean, Annie Diggs, Isabel Dunne, Augusta Delaguna, Jennie Hinds, Mollie Haussler, Mary Huntington, Edith Henry, Alice Healey, Jennie Hewlett, Mabelle Hart, Lotta Johnston, Romelda Judell, Louisa Koch, Elise Kaiser, Nellie Kendrick, Josephine Lenhart, Ella Leathers, Margaret Liner, Mildred Levy, Edith Lindsey, Jessie Lyon, Nellie Lawrence, Jennie McLerie, Rebecca Donohue, Cecilia Engdahl, Alice Farrington, Eva Fairweather, Margaret Fitzgerald, Monica Fleming, Bertha Farenkring, Tillie Holling, Lizzie O'Sullivan, Margaret O'Brien, Ida Peri, Libbie Prichard, Neva Pedlar, Janet Passalacqua, Martha Ritchie, Luila Richards, Anna Starkey, Marian Smith, Effie Smith, May Soule, Ella Schneider, Daisy Schweitzer, Bessie Taylor, Aggie Thompson, Belle Van Vlack, Katie Walsh, Susie A. Ward, Helen Crocker, Annie Fraser, Alice Frank, Elizabeth Foley, Annie Griffith, Ella Sullivan, Lillian Moran, Lizzie G. May, Lillian McMahon, Elise Moraghan, Eleanor McEwen, Julia Neppert, Madeline O'Neil, Nellie Lipman.

TOLD HER STORY IN COURT.

Mrs. Dwars, Who Wanted to Buy Green Goods, Returns Home.

Rose Dwars, the Tacoma woman who came down from the North to buy green goods, and who watched the green goods artists so closely that they could not make the exchange of the box containing the goods for the other containing her money, gave her testimony before Judge Campbell yesterday. After the hearing she went to the Chief of Police, secured her money and took the evening train North.

WENT AFTER HERBERT.

A Party From the City Goes to Mare Island for Him.

The Secretary Bids Farewell to the Naval Station and Inspects the Union Iron Works—Off for Monterey by the Sea.

Secretary Herbert arrived in San Francisco from Mare Island yesterday afternoon, and went to the Palace. In the evening he attended the theatre, and this morning he will start for Monterey.

For several days the Secretary and the ladies composing his party had been at the navy yard. Monday night a banquet was given to the Secretary by the Vallejo Board of Trade, and a ball was given at the yard in honor of the ladies. Yesterday the Secretary's business at the island was over, and the tug Fearless went up from this city to fetch him. There was a large party on board including W. D. English, E. G. Lukens, John H. Wise, John Daggett, Lewis Gerstle, Leon Sloss, James M. Wilson, Ignatius Steinhart, General Ruger, Raphael Weill, Major J. L. Rathbone, J. O'B. Gunn, Henry J. Crocker, J. Sloat Fassett, Colonel Bob McKilligan, Henry T. Scott, Thomas P. Bishop, J. Frank Goad, A. Vogelsang, Mayor Ellert, M. J. Laymance, Senator Frank J. Moffitt, Dr. E. H. Woolsey, H. E. Huntington, Walter Hackett, R. P. Schwerin, Judge Henry T. Foote, Henry L. Dodge, Lieutenant Adams, U. S. A.; Captain Edw. Hackett, Colonel F. H. Meyers, B. McG. McBean, Henry Doyle, Garrett McEnerney, Senator Carpenter, Frank McCoppin, James E. Tucker, O. M. Welborn, Charles Sonntag, Alfred Bouvier and George J. Campbell Jr.

At the island the party was increased by the addition of Judge McKenna, John P. Irish, James T. Campbell of the Vallejo Board of Trade and Com. Whitthorne and a number of naval officers, including Paymaster Skelding, Captain Glass, Captain Kempf and Captain Leslie Burr of the English navy.

When the Fearless steamed in, Vallejo and the residents of Mare Island were all at the waterfront. A double file of marines had been drawn up at the landing, the band of the Independence furnished music and every officer was in full dress uniform. The Secretary appeared in the carriage of Commandant Howison and was introduced to the gentlemen who had not before met him. Then as a salute of nineteen guns was fired the Fearless turned towards the city, her many flags snapping in a stiff breeze. As she passed the Independence a file of marines standing by the receiving ship presented arms.

The ride down was in every way pleasant. Commander Whitthorne, who has long been a friend of the Herbert family, took charge of the ladies and presented the members of the party to them in the upper cabin. Below stories were told, songs sung and impromptu toasts drunk. There were cheers for Secretary Herbert, cheers for Cleveland and the Republicans cheered as loudly as anybody.

The tug put in at the Union Iron Works where the Secretary passed between lines of workmen to the mills, and later inspected the Olympia and Oregon, discussing with the representatives of the firm some possible changes in the former ship.

The tug then carried the party to the Mission-street wharf and the crowd separated.

AN EXPERIENCED, high-priced teacher of piano, recently from the East, to show his ability, desires to train a few somewhat advanced pupils for recitals at low rates; good references. Address box 95, Examiner office.

SENT TO STOCKTON.

Many Witnesses Affirm Jake Rudolph's Insanity.

Jake Rudolph, who attempted to kill the business manager of the *Chronicle* on the 7th instant, has been committed to the Stockton Insane Asylum as the result of his examination yesterday morning before Superior Judge Levy and the Insanity Commissioners. There was no attempt to interpose a defense, and the consensus of testimony established beyond question that Rudolph was insane and that his mental condition was of hereditary origin.

Chris Buckley testified that he had known him for twenty years, during the greater part of which time Rudolph had been his clerk and companion. The ex-boss recalled the occasional fits of melancholia which overcame Rudolph, who had several times threatened to kill others and then himself. Buckley believed Rudolph was insane, and that his insanity had been hastened and aggravated by domestic troubles.

Sam Rainey's knowledge of Rudolph extended over many years, and he personally believed that the man was insane, as well as dangerous to the community.

J. B. Eliot, whom Rudolph tried to shoot, testified that he did not know the man, and had never seen him before the assault.

Lemuel Rudolph, a brother of Jake, admitted the family taint of madness and confirmed the statement that his father, mother and sister were mentally irresponsible.

Ex-Coroner W. F. Garwood, Dr. George Franklin Shiels, Dr. J. D. Wilson, Noah Flood and Dr. J. M. Bell testified that they knew Jake Rudolph and that they believed he was insane.

Rudolph was accordingly committed to the asylum at Stockton, with the provision that should his reason be restored he must be turned over to the San Francisco authorities for trial upon the charge of assault with intent to commit murder.

HUGO FISHER'S PICTURES.

Sale of a Large Number of Oil and Water-Colors.

A sale of oil and water-color paintings by Hugo Fisher began yesterday at Golden Gate Hall and will be continued to-day. The collection is large and varied. Landscapes and marine views abound, and include mountains, brooks, fields, harbors, lakes, etc. Among those specially worthy of attention are the Scout, an Indian on horseback on a snow-driven plain, Donner Lake, the Redwoods at Santa Cruz, Moonlight on San Francisco Bay and Midway Point in oils, and Winter in Holland, Return of the Flock, On the Kisco River, New York, and In the Catskills, in water-colors.

The Murdered Chinese.

The body of Qu Sing, the Chinese woman murdered in the house at 1107 Dupont street, on Monday, lay at the Morgue all day yesterday. It will be taken in charge by the friends of the woman and buried to-day. Wong Gow, husband of the woman's sister, who keeps the house at 1107 Dupont street, was before the Coroner yesterday with the Chinese Vice-Consul. They identified the remains and gave a receipt for a quantity of cheap jewelry taken from the body, in return for which it was turned over to them.

PHŒNIX FOR THE DEFENSE.

Emerald Smugglers Call the Special Agent as a Witness.

THE DEFENDANT'S REPUTATION

Sensational Placards Composed by Dr. Young Admitted in Evidence—Greenwald Claims to Know Nothing About the Opium Conspiracy and Much Corroborative Testimony Is Offered.

United States District Attorney Garter and Special Treasury Agent Phœnix were the principal witnesses examined for the defense during the trial of the Emerald opium smugglers yesterday.

Ex-Inspectors Noyes and Patterson were present. Noyes was the first person to place in the hands of the District Attorney valuable information concerning the smugglers, and he has followed the trial closely. Another interested listener was P. S. Chappelle, who has been of assistance in securing witnesses and evidence for the Government.

Garter was called first. His testimony in substance was that he had issued warrants for the arrest of Voss and Svenson, and they were admitted to bail in the sum of $500 each. They forfeited their bail, and have not been seen in the jurisdiction since. He denied that after investigating the evidence accumulated against the defendants he had made an official report adverse to their prosecution because of the impossibility of establishing that they had joined in a conspiracy.

WICHMAN'S REPUTATION.

A. G. Davis of the Golden Rule Bazaar, Julius Van Vleet, the jeweler, Jabez Swan, the sign painter, and J. R. Cooper, stationer, stated that they had known defendant, Wichman, for from five to twenty years, and his reputation was good. C. W. M. Smith and H. T. Bush indorsed the reputation of Thomas.

W. F. Dinan, a policeman, was called. He identified A. J. Smith and testified that he knew him. He was asked whether he arrested Smith for a certain offense on June 21, 1891, but the question was ruled out.

Then Special Agent Phœnix was called. "I had no special mission in coming here," said Mr. Phœnix, "excepting that I was directed to investigate Deputy Surveyor Sam Ruddell and see if he was a good officer. I did not exactly come to succeed Evans, but I thought that, as his party was out and mine was in, I might probably succeed to his position as supervising special agent here. I was directed in a letter received from the Secretary of the Treasury to investigate the circumstances connected with the arrest of Voss and Svenson at Sacramento. To my astonishment I found out from Mr. Garter that Voss and Svenson had jumped their bail. Then I went to Sacramento. When I returned I set to work to probe the conspiracy. Smith called at my office on December 18th and told his story. I held out an inducement to Smith to testify, because I never considered the matter of prosecuting him one way or the other. I was after the gang, and I needed information to get them. He gave me the information.

"Miller has not, to my knowledge, received money from the United States authorities while in custody. I believe I gave him 50 cents once, and I was sorry afterwards, because I knew it was as good as lost."

THE DRUGGIST'S PLACARDS.

In the afternoon Dr. Young, the druggist at 144 Eleventh street, who for months past has exhibited in the windows of his store placards denouncing customs officials as smugglers, was called to the stand as a witness for the defense.

He declared that Miller had told him that Wise and Ruddell were in the opium conspiracy and that in order to make him "keep his mouth shut" Wise had offered to place him in the Custom-house as an Inspector.

Photographs of Dr. Young's shop-windows, showing the lettering of the placards, were introduced as evidence. The placards denounced Wise and Ruddell as opium smugglers, asked what was the matter with Garter, and generally speaking recklessly excoriated customs officials in connection with the Emerald opium ring. The jurors examined the photographs. Young's testimony was about the same as the evidence he gave before Commissioner Heacock.

Louis Greenwald, one of the defendants, was next sworn. He denied having had any connection with the Emerald gang; declared that he kept a sporting house in Victoria; admitted that he had the asthma, and confessed that he was married last July.

J. L. Halstead, an undertaker, testified that he had known Wichman twenty years, and that his reputation was good.

Fred Wild, a ship-chandler, declared that he had been told by Captain Lockhart that Smith was "no good" and was a "prevaricator."

The trial will be resumed at 11 o'clock this morning.

A TROUBLESOME TITLE.

The Grand Jury Passing Upon Jupiter Mine Developments.

Mrs. Ruth E. Newlands, M. D., who has achieved notoriety in connection with the disputed ownership of the Jupiter Gravel Mining and Water Company's property in Calaveras county, an attempt to shoot Manager W. A. Keifer and her subsequent arrest on the charge of defrauding a Palace Hotel waiter, took up a large portion of the Grand Jury's time yesterday. She was to have been arraigned in the morning on the latter charge before Police Judge Campbell, but the case was continued one week, as she had taken her side of the case to the Grand Jury and asked that the members consider her testimony, as well as that of a number of witnesses. Mrs. Newlands had an armful of documents bearing upon the title to the Jupiter mine and the numerous transactions with reference to its stock certificates. Her principal assertion was that W. A. Keifer never owned any part of the Jupiter mine, although he had incorporated it under four different titles, each time selling large blocks of stock. It has been frequently asserted that Mrs. Newlands' claim to the mine was fictitious and that she only sold its stock on commission.

Half a dozen or more witnesses were examined, and the Grand Jury reserved its decision until Friday.

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40 YEARS THE STANDARD.

A MENDOCINO RAILROAD.

Barclay Henley and Others Incorporate to Build One.

Barclay Henley and J. T. Johnson of this city, together with Calvin Stewart of Fort Bragg, G. W. Hunt of Walla Walla and R. S. Strahan of Portland, have filed articles of incorporation for the purpose of building and operating a railroad and telegraph line in Mendocino county.

The capital stock is placed at $2,510,000, of which $110,000 has been subscribed as follows: Henley, $54,500; Johnson, $54,500; Hunt, $800; Stewart and Strahan, $100 each.

The railroad is to begin at the ocean near Fort Bragg, Mendocino county, and go to Ukiah by way of Little Lake Valley, Mount Vernon and the good mines of Eel river and Round valley.

Fell Twenty Feet.

Johnny Smith, a bright twelve-year-old boy who works in a wholesale house at 128 Spear street, fell a distance of twenty feet down an elevator shaft yesterday morning and was seriously injured. The boy was at work at the time, but just how the accident occurred he cannot tell. He was taken to the Receiving Hospital and later to his home, 805 Humboldt street.

ANXIOUS FOR THE TRIAL.

The Martin Widows Agree on a Day for the Big Contest.

Mrs. J. B. Martin Appears With a New Platoon of Lawyers to Champion Her Cause—A Receiver Asked For.

Mrs. Henry Martin and Mrs. J. B. Martin did not speak when they met in the Probate Court yesterday. Each looked as if she supposed the other was on some other planet. They were dressed as became the chief legatees of million-dollar estates. Each one rested confidently on the flank of her small battalion of attorneys and assumed resolute looks when the matter of the contest of the will came up for discussion.

The contest promises to be a great legal battle. Messrs. Williams, Barnes and Cook resigned from Mrs. J. B. Martin's side of the case last week because they could not carry on the campaign as she had mapped it out. They aimed to clear away certain law points in the case and she aimed at an excursion to clear away several individuals that had "said spiteful things about her."

Yesterday she appeared with her new counsel, Attorney Grove L. Johnson of Sacramento, and Attorneys Thornton & Merzbach.

Attorneys Rodgers & Paterson, Craig & Meredith and D. M. Delmas were on hand to look after the interests of Mrs. Henry Martin.

The chief business of the gathering was to decide on a day for the trial. Each of the attorneys made a strenuous effort to have it fixed so as to suit his own private office business. The dates asked for ranged all the way from the early part of June to the latter part of September. After the attorneys had hauled, strained and eased up for half an hour Judge Coffey pitched on July 9th as the date for opening the trial.

The case will be heard before a jury.

When this matter was finally determined Attorney Johnson gave notice that he was going to move for the appointment of a receiver to take charge of the Henry Martin estate pending a judgment in the case.

"A receiver!" repeated Attorney Rodgers in some surprise. "That's something new in Probate Court proceedings."

Johnson admitted that it was, but he insisted that he had a right to make the motion. Judge Coffey said "Certainly," so Johnson will file his affidavits and authorities and Rodgers will respond to them.

Mrs. J. B. Martin, leading little J. B. Martin Jr by the hand, walked out of the courtroom as if she had already won her case.

Mrs. Henry Martin conversed with her lawyers till the other widow was far up the corridor. Then she passed along the hall with the confident air of a legatee in the habit of daily winning million-dollar estates.

N. Anderson, C. Clayton, S. Ashman, C. H. Hickey, Lloyd James, Keegan Lawrence and H. Martin were sent from the County Jail yesterday to the reform school at Whittier.

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