

DIDN'T LAST LONG.

Mrs. John Martin's Newest Attorneys.

PHILLIPS AND HENDERSON.

They Share the Fate of Those Who Went Before.

CHARGED WITH HEINOUS CRIMES

Mrs. John Appears Before Judge Murphy and Reads an Amazing Affidavit.

Mrs. Isabella J. Martin has once more fallen out with her attorneys. The law firm of Phillips & Henderson, recently engaged by that eccentric lady to represent her in her numerous litigations has been deposed. Attorneys L. E. Phillips and J. H. Henderson are added to the list of those who have worked zealously for Mrs. Martin, only to find themselves cast adrift at last with all sorts of aspersions and criminal charges hurled at their heads.

This new trouble came about in this wise: Mrs. Martin some months ago brought suit against Frank S. Johnson to recover \$450 for rent due on her house at 2215 Van Ness avenue, which she leased to Johnson at \$150 a month. The suit was contested, but ultimately compromised, attorneys on both sides appearing before Judge Murphy and agreeing to settle the claim for \$250 cash. The money was paid over to Phillips & Henderson on Mrs. Martin's behalf and thence arises all the trouble.

Yesterday morning Mrs. John Martin marched into Judge Murphy's courtroom and asked him to file an affidavit. She explained that it concerned her suit against Johnson, and that the affidavit was in support of a motion to vacate the compromise already effected. Judge Murphy granted the required permission, and Mrs. Martin started in to read the affidavit, conceived and committed by herself, and sworn to before a D-deputy County Clerk only a few minutes before.

The affidavit recited the particulars of the suit against Johnson, and stated that this had been compromised, entirely against her will and without her authority. The facts were these, said Mrs. Martin: Timothy J. Crowley was the attorney representing Johnson, and she had gone to him on December 10 to his office, where she informed him that if he did not pay up the full money demanded by her in her suit by December 18 all manner of terrible things would happen.

Timothy J. Crowley promised to meet Mrs. Martin at his office that afternoon and pay her \$250 in cash. He said he would have to go to the bank to obtain the money. Mrs. Martin agreed to meet him, but Timothy came not. Since that date she got no satisfaction out of Crowley, and so she employed the firm of Phillips & Henderson to do their best for her. But according to this affidavit they were by no means authorized to compromise for anything less than the \$450 demanded, with costs of action.

The next thing that Mrs. Martin knew, said the affidavit, was that on December 24 she received a note from Phillips & Henderson saying that her suit had been compromised, that \$250 had been paid up and deposited to her credit in the firm's books. Mrs. Martin never received a penny of the money, and by her affidavit she charged Phillips & Henderson with having appropriated the \$250 to their own use, and further with obtaining money under false pretenses.

"Only a week ago Phillips came to my house and begged me to loan him some money," deposed Mrs. Martin. Then she stated that she did not do so, and that as she never did any business with either Phillips or Henderson, except by written contract, she owned neither of them any money. So, in a general sort of way, she asked that the compromise of her action against Johnson be set aside, the case reopened for hearing, and that Phillips and Henderson be adjudged guilty of fraud, embezzlement and a few other crimes on the calendar.

Judge Murphy remarked that it was a serious thing to set aside a compromise in a case like this, where there had been a satisfaction of claims filed by both parties. "However, madam," said the Judge, "if you will serve the lawyers interested in the matter with notice to appear here on Friday week, January 4, I'll hear you again."

Mrs. John Martin sailed out of court vowing vengeance upon her attorneys, especially Phillips. She said she had embezzled \$250, and she would have taken criminal proceedings only she had been advised not to. Then she went away, and in the evening departed for Weaverville to look after her late husband's property. The devastating torrent of her wrath rolled in her wake.

But Attorneys Phillips and Henderson have something to say about this matter. They admit they have the \$250, but say they were authorized to accept that, and they mean to stick to it, too. It is placed to Mrs. Martin's credit.

"My partner and I have done a whole lot of work for this woman," said Mr. Henderson, "and we've sent her bills from time to time to which she has not paid the least attention. We have been unable to get any money out of her, and now that we have got some of hers we are not going to let it go. As to this suit of Mrs. Martin's and its compromise, that is easy of explanation."

"Mrs. Martin went to Crowley and offered to compromise with him for \$250. Crowley agreed, but as he delayed in paying the money this eccentric client of ours shamed him up and down. She accused him of having received the money from Johnson to hand over to her, and of having embezzled it. Then she introduced me to Crowley, and instructed me to obtain a settlement with him."

"That I did for the \$250 which Mrs. Martin had at first agreed to take. Crowley and I appeared before Judge Murphy and effected the compromise. A few days ago I wrote a note to Mrs. Martin saying I wished to see her on important business. She did not come, so I wrote her again. Again she did not come, so I wrote her once more, saying that her suit was compromised, that our firm had received the \$250, and that this amount was placed to her credit."

"This time she came," said Henderson, wearily. "And she came with a vengeance. Mind you she had been to Crowley trying to get him to pay this money into her own hands and no one else's. She was very vituperative when she came here, very. She left a little of the office furniture intact, but not much," with an apologetic glance around the room. "She accused me of embezzlement, my partner of the same crime, and she finished by grabbing up a whole lot of

legal papers that were lying on my desk and walking off with them. What could we do?" asked Henderson, with a sigh.

"As to that talk of my partner trying to borrow money from Mrs. Martin, that is all nonsense. Phillips simply went to her and got some of the money she owes us. We are considerably out of pocket by her, as is every attorney who has had anything to do with her."

There will be lively times in court over this case. In the meantime Messrs. Phillips & Henderson are congratulating themselves that they have fared no worse than the train of distinguished lawyers that went before. In fact they stand as two of the few attorneys who have served Mrs. John and ever got anything out of her.

PYRO DEVELOPING.

Dr. Goodman Expounds It for the Camera Club.

An interesting demonstration was given yesterday evening at the California Camera Club on "Pyro Developing." The talk was one of a series presented by the committee on classes and demonstrations, of which H. B. Hosmer is chairman. The idea is to make the course a practical school of photography. Cameras, lenses, shutters and exposures have all been dealt with, and last night the subject of developing was exploited.

WILL BE CAUGHT.

The Youth Shot At by McLaughlin

Known to Have Sold Bogus Certificates in Chinatown Last Saturday and Monday.

The unknown youth with a basket, at whom A. C. McLaughlin, Special Agent of the United States Treasury Department, fired two pistol shots last Monday night, is not a myth. He is a living entity and an individual who is now known to be engaged in selling bogus Chinese certificates, just as Mr. McLaughlin suspected at the time he tried to place the young man under arrest.

Internal Revenue Agent E. M. Thomas has secured positive information that a young man, about 16 years of age and answering the description given of the youth with the basket, was in Chinatown last Saturday and Monday engaged in selling and delivering bogus certificates. Unless the young man made sudden disappearance into the burrows of Chinatown, there to remain unseen by governmental eyes for an indefinite length of time, or by leaving this city in a well-made disguise, he will soon be located and arrested for further investigation.

Detectives are hot on the young man's trail, and it is believed that certain Chinamen, endowed with more cupidity than discretion, who are cognizant of the traffic that has been going on and know the traffickers, can be induced to give the "snap" away. In fact that a young man answering the description of Mr. McLaughlin's target was in Chinatown disposing of certificates last Saturday and Monday is an indication that Mr. McLaughlin's suspicions were well founded.

Louis Louse of the Internal Revenue Office in this city, in speaking of the matter yesterday, said: "There is no doubt whatever in my mind that the fellow McLaughlin shot at had bogus certificates in his possession, and that he is one of the agents or tools of the organized gang of bogus certificate vendors. Assuming that such was the case, or even assuming that Mr. McLaughlin had no right to shoot at the suspected party, it was also his right to fire his intimidating shots after the suspected person if the latter attempted to escape. The young man in question did attempt to escape, and he did escape—because the officer was interfered with in the discharge of his duty. Mr. McLaughlin had as much right to shoot at the fugitive as has any State, city or county peace officer to shoot at an escaping suspect or known offender."

The Cordes brothers, who held back Mr. McLaughlin in his efforts to reach the suspected youth, will be arrested by the United States authorities as charged with interfering with a United States officer in the discharge of his duties. This kind of a charge is no joke; it is several dozen times more serious than interfering with a policeman on his beat. In fact, it can be made a felony under the law and the punishment can be made very severe if the law is so inclined.

Mr. McLaughlin's case will be tried by a United States court—not by a police court of San Francisco.

When the cases of assault with a deadly weapon against Major McLaughlin were called in Judge Jordan's court yesterday morning, his attorneys, Riordan and Mowry, raised the point that United States Government officials should be tried in the Federal courts. The Judge granted a continuance until January 5, and meantime will consider the point raised.

Conduco or Howe of the Post-street car, upon which Albert and Louis Cordes, the complaining witnesses, and the Major rode, says there was no toy with the basket on the car, which is opposed to the Major's statement.

THE WARE MURDER

Unjust Suspicions Set at Rest.

Captain Lees Receives a Letter From John H. Ware Which Speaks for Itself.

It will be remembered that the name of John H. Ware, the elder brother of the murdered drug clerk, was somewhat prominently mentioned with suspicion by several "know-it-alls."

Captain Lees yesterday received a letter from him from Portland, Or., which speaks for itself. It is as follows:

"I am of the murder of my brother Eugene on Friday morning, the 14th inst. I had been mentioned in connection with the untimely death of my brother, and I was very sorry to hear of it. I will refer you to Mr. Franks, the Mayor of Portland, and George C. Sears, the Sheriff of Multnomah county, and Dr. S. W. DeLina, with whom I am identified in the drug business known as the Downing Drug Company of this city. I have not been absent from my business for months (not a single day excepted) can be testified to by my clerks and thousands of responsible people. That I was in the store with my two clerks until 12 o'clock on the fatal night is a positive fact.

"The relations existing between Eugene and myself were such as exist commonly between brothers. The boy came to my store to work there at the suggestion of other parties, for his health. He at that time was most a helpless invalid, the result of atrophy of the muscular system of his arms and hands. His care and welfare soon after his arrival came into my hands. I did all I could for the boy, as was my duty. I was always strict and exacting as to his habits, and I was always kind and always spoke to him in a positive manner and he never talked back.

"The last time I saw my brother we parted as friends and with the understanding that when I became located in business he would come to me, and I would do my best to help him out. It is impossible for me to leave my business until after New Year's, when I will be in San Francisco the second week in January and will call on you personally.

"I have no idea as to who the fiend could be who would write you again after I get my thoughts about me for all but man."

"The captain said last night that there were no new developments in the case.

A Steiner-Street Protest.

The property-owners of the east line of Steiner street, between Post and Geary, sent a protest to the supervisors yesterday against the acceptance of the Steiner street by the Jordan Bituminous Rock and Paving Company, the reason being that the work was done without any notice being given to the sewer will have to be laid in the street it will necessitate the total destruction of it.

Cease coughing by using Dr. Bull's Cough Syrup. It will cure you by once.

HE WILL REBUILD.

Sutro Will Have Another Cliff House

NEARER THE SEAL ROCKS.

Relic Hunters Delving in the Hot Ashes.

TREASURES THAT ARE LOST.

A Collection of Shells One Hundred Years Old, and Coins Bearing the Image of Caesar.

The Cliff dwellers went about their daily tasks with long faces and heavy hearts yesterday. The burning of the famous hostelry and its treasures gave birth to a feeling of profound regret throughout the city, and there is little



SCENE AT THE PLACE WHERE THE CLIFF HOUSE STOOD.

doubt that the news of its destruction wherever telegraphed brought forth a sigh from some breast in which pleasant memories of a visit to the coast lingered.

The house was known throughout the world. Artists had pointed it and amateurs had sketched it and taken their work to distant lands. In London, in Paris, in Berlin and Vienna, in Constantinople and Jerusalem, in Hong-Kong and Yokohama men and women like who have sat on the balcony that was turned into ashes Tuesday night.

The sporting fraternity and the men about town were fervent in their expressions of sorrow, and many of them viewed the heaps of hot ashes as a pagan might look upon the smoking embers of his god. Some of them sent messages to the Mayor-elect counseling him to rebuild the place and rebuild it once. An enthusiastic capitalist, who has visited the place every day since it was built in 1863, advanced the idea that the public—be legion of peo-

ple who had spent happy hours there—should pay for the erection of a new building.

"We don't want anything Romanesque or Arabesque," said a venerable sportsman. "No Greek temple, Egyptian shrine or Queen Anne freaks. We, Californians, would like to see a new building as much like the old as it can be made. A plain, old-fashioned Cliff House like the one that was burned up."

And Mr. Sutro says that a new Cliff House shall be built, but just what it will be like he has not yet determined. An architect is trying to evolve an idea that will please the old tunneler, but he has not yet brought forth the proper thing.

Mr. Sutro left the scene of the fire Tuesday night when nothing remained but a bed of fiery embers, two tottering chimneys and a plaster lion. He was among the first to visit the spot yesterday morning. After a brief inspection of the dismal spectacle and a short conversation with Lessee Wilkins, who was suffering from acute depression of spirit, Mr. Sutro made his way to his office on Montgomery street and spent the day with his new secretary.

"The city is to blame for the destruction of the Cliff House," he declared. "If they had placed apparatus and firemen there as they have been requested to do again and again, there would be more than a bed of hot ashes now on the rock. I suppose they will now give us the protection we need, and the fire may not have been in vain."

"As I said last night, much that is lost would have been saved if proper use had been made of our own apparatus. There are 500,000 gallons of water in the reservoir on the heights, and that was enough to put out the fire. But time was wasted in using the patent fire-extinguishers, and we now know what we should have done."

"Will you build another Cliff House?" "I will build another Cliff House as soon as possible, and in the meantime there will be a temporary structure for the accommodation of the traveling public. We commenced to build it this morning and it will be finished to-morrow."

"The big hotel that I am going to build will not be erected on the site of the Cliff House. That is too small and I do not

want to cut away the hill on the other side of the road. I think the hotel will be further north—nearer the baths."

"The new Cliff House will be a place for refreshment like the old. I will build the southern part of it at once, but as it is part of a general plan of improvement it is not possible to say now when the remainder will be erected. The Cliff House was a mistake or rather a mistake was made in the selection of the site. It was too close to the hill and too far from the rocks. The new house will be built further out—it will overhang the rocks so that the people can look down upon the breakers from its balcony and be much nearer the seals. Like the old it will be a frame structure, for nothing else would do out there."

"The old Cliff House was built piecemeal, a bit being added from time to time as it became necessary. The new house will be more elaborate, much stronger and more durable. It will be a pretty large building, and will be fitted up for a saloon and restaurant."

time by the fierce heat were gathered on for away shores by hands that have long mouldered in an old New England churchyard. One hundred years ago a ancestor of John C. Merrill, who resided at New Bedford, Massachusetts, began to gather the specimens of which the collection was composed. They passed from father to son until they came into Mr. Merrill's possession and he sold them to the lessee of the Cliff House.

The heaps of ashes which the curious gatherers turned over hide 800 rare old coins of silver and copper, of which many were made while Julius Caesar was vanquishing the savages of Britain, and Nero was feeding Christians to the lions in the amphitheater of old Rome.

A few of the coins were found, but most of them have doubtless been rendered of no value by the day-to-day burning flames. The descriptive record has burned with the coins.

Among the pictures that were saved were Coulter's painting of the Cliff House, "Don Juan and Haidée" and "Voting and the Flying Dutchman," a picture once owned by W. C. Kelston.

The seals that fled from the rocks while the embers were flying around them reappeared yesterday morning, but, as if fearful of danger if they approached too near the scene of the fire, they clambered upon the farthest islet and clung there during the day.

The Hawthorne Club.

On Friday evening the Hawthorne society will give its one hundred and fifteenth entertainment. Among the numbers will be a four-hand



SCENE AT THE PLACE WHERE THE CLIFF HOUSE STOOD.

grew larger, and when darkness fell he had begun to look hopefully toward the future.

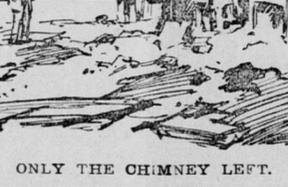
"It looked like a funeral this morning," he remarked, "but it turned into a pretty lively wake during the afternoon."

"I have met hundreds of old Californians who have sorrowed as deeply over the destruction of the Cliff House as I sorrow myself. Many of them now regret that they did not come here oftener."

Mr. Wilkins now estimates his loss at \$15,000. He made a thorough inventory of the salvage yesterday morning and decided that it was not worth more than \$500. His stock of cigars and liquors, most of the furniture and many pictures were burned.

Relic-hunters swarmed over the site and prodded the mounds of ashes as if each of them concealed a pearl of great price. A bootblack found a double eagle and others picked up some old copper coins that were part of a collection owned by Wilkins.

There were many women among the



ONLY THE CHIMNEY LEFT.

expense of laying foundations here for heavy manufacturing was such that land-owners could not lease land for such purposes where expensive structures had to be built upon them. To refuse to allow new wooden structures to be built would necessitate the retention of the present unsightly ones or would result in the land remaining idle. The matter has been under consideration for some time.

A WISE HORSE.

It Bolts on Montgomery Street and Makes Straight for Its Stable.

A horse attached to a Bulletin delivery wagon bolted on Montgomery street, near Clay, about 6 o'clock last night. It dashed at a furious speed south on Montgomery street, and the driver, tugging at the reins with all his strength, found that the rig passed between a narrow horse and a buggy, but the space was so narrow that one of the wheels struck the car, and with such force as to knock both wheels off. The bolted driver, by quick action, managed to get the rig off the street, but was not injured.

The horse continued its rapid flight, the terrible clatter of the wagon without wheels adding to its terror. People crossing the street got out of its way in double-quick time, and fortunately no one was struck.

There was method in the animal's madness, as when it reached Bush street it turned sharply westward and pulled up inside the City Stables, near Kearny street, where it belonged.

Murphy's Predicament.

Michael Murphy was booked at the City Prison yesterday on the charge of burglary. He was found in the saloon 33 Third street at an early hour yesterday morning with the till open and contents missing. Murphy has been a laborer on the Lombard street docks for the past four years. He says he was drunk when he entered the saloon and fell asleep in the toilet room, where he was awakened by a policeman who placed him under arrest. He denies robbing the till or knowing anything about it.

Revivalists Active.

Rev. C. H. Yarnum, who held the midwinter revival services on the new postoffice site last winter, is in the city and will speak at Central M. E. Church this evening. Rev. J. H. Smith of Philadelphia, a noted revivalist, will begin a series of P. M. revival services at the same place on Friday evening, which will be continued through next week.

Many of those that were turned into

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