BANCROFT HISTORY CO.

Its Affairs to be Investigated by the Courts.

CHARGE AGAINST THE HISTORIAN.

His Friends Accuse the Other Side of Conspiracy with Intent to Defraud.

Financial matters connected with the publication of books by Hubert Howe Bancroft, author of "Native Races of the Pacific States," "History of the Pacific States," (the latter including a history of Utah) and other works, have been for a long time in a rather muddled condition. The affairs of the Bancroft History company, says the San Francisco Chronicle, are to be aired in a suit brought by George H. Morrison against N. J. Stone and others, in which the plaintiff alleges conspiracy between Stone, J. L. Hubert and A. S. Latham. On Monday a jury was secured and next day the trial of the suit commenced. The entire morning was occupied by opening statements of the two sides, B. R. Mitchell telling the plaintiff's side of the story and J. C. Campbell, coached by the associate counsel for the defense, Patrick Reddy, explaining to the jury what they proposed to prove.

Campbell's opening statement was rather startling in its nature. In replying to Mr. Mitchell he asserted that a deep conspiracy was entered into by the president of the Bancroft company and the plaintiff. He deserted H. H. Bancroft as a man who worshiped but one god, the god of gold, and said that while in Mexico he conspired with Morrison to rob Stone of all the wealth which years of industry had netted him.

The suit is quite a sensational one and the testimony promises to develop some rather startling facts if it is not cut short by a nonsuit, which is the end to which Messrs. Campbell and Reddy are now devoting their entire efforts.

The plaintiff, who is a stockholder, director and vice president of the History company, charges that N. J. Stone, while he occupied the position of vice president engaged in a conspiracy with J. L. Herbert and A. L. Latham, who were interested in the corporation in a minor capacity, to defraud the corporation for their own personal aggrandisement. Morrison's allegations are to the effect that Stone organized the Pacific Publishing company, and with the aid of the other two defendants turned over the business of the subscription and serial department of the Bancroft company to the new company. As this was the most profitable branch of business which the History company had ever undertaken, the latter suffered, and the stockholders saw their stock depreciating in value. The subscription and serial department, which embodied in its work the publication of books in the Spanish language and their sale in Mexico and Central America, was undertaken in January, 1888, and since that time sixty-eight dividends were declared and paid to the amount of $360,000. This valuable work, so Mr. Morrison asserts in his complaint, the defendant Stone appropriated to himself for the Pacific Publishing company, and thereby the History company lost valuable agencies and a large field for the sale of its publications. Morrison demanded in writing that the directors should commence suit against Stone for $50,000 damages, but they neglected to do so, and he commenced the suit on his own behalf.

The taking of testimony was commenced Tuesday afternoon, but it did not progress very far as the attorney for the plaintiff became slightly floored on a legal technicality which Mr. Reddy sprang on the court, and an adjournment was taken to give Mr. Mitchell an opportunity to look up authorities. The plaintiff was on the stand, and after testifying to the stock he possessed and the demand he made on the board of directors to commence a damage suit against Stone, Mr. Reddy attempted to show that the matter was not considered at a legal meeting of the directors, and further more that there is no evidence that the directors refused to bring the suit.

"The minutes show," said Mr. Reddy, "that action on Mr. Morrison's demand was simply postponed indefinitely, and if the board did not refuse to bring the suit Mr. Morrison had no authority to commence this action."

Judge Levy remarked that he would like to see some authorities on the question as to whether indefinite postponement constituted a refusal on the part of the board of directors to bring the suit, and suggested that if it did not it settled the present suit.

The case went over till this point of law could be settled.

ABORIGINAL RELICS.

An Indian Grave Invaded by an Inquisitive White Man.

J. A. Friehle of Spokane, Washington, gives an interesting account of his recent examination of a large Indian mound sixteen miles southwest of Colville, in Stevens county, that state. It is situated in a small plain between low rolling hills, and before being opened was thirty-five feet high and seventy-five feet in circumference. The material of its construction was rock, clay, adobe and shale.

Although the existence of the mound has long been known to the people in the vicinity, it was generally regarded as a freak of nature left by the subsidence of eddying waters. Mr. Friehle, however, entertained another view, and, equipping himself with crowbars, picks, drills and dynamite, and pressing two Siwash bucks into service, he attacked the mound. After making an excavation four feet by six they came upon a wall so hard that blasting was necessary. The explosion blew down one-third of this wall, and a chamber, circular in shape, was disclosed, the interior walls of which were as smooth as glass and decorated with figures in vermilion.

Three human skeletons, supposed to be those of a chief and his two squaws, which were still clad in what were once skins of buffalo and deer, reclined, with faces toward the east, against the west wall of the chamber. Beside skeletons and skins crumbled at the touch, in front in the central figure stood a large earthern urn, or, rather, a pot, which was half filled with queer-looking ornaments of various colored stones and arrow heads of bronze. There were also remains of three long cows, a leather quiver filled with arrows, and a narrow-bladed tomahawk of bronze.

With an Alligator.

THE STRANGE GOSSIPING OF A NEW YORKER.

Fads are popular, and the absurd pecuiant of some individuals who depart from the ordinary in life is exercised to the devotees of fashion. A. A. Maggs lives in New York with his wife, a charming woman. This winter Mr. and Mrs. Maggs enjoyed the climate of Florida. Believing spring weather would be found in Chicago, they left Florida last week and arrived at the Palmer yesterday, says the Chicago Tribune, and were assigned to room 907.

A constable served notice on Clerk Will Cunningham that the Maggs baggage must not be removed from the hotel, as it had been attached to cover a claim of $50 due a ticket broker who wanted the right out of an excursion ticket to Florida which Mr. Maggs failed to give up. Officer McCarty was summoned and instructed to inspect the Maggs baggage and ascertain if there were valuables enough to cover the hotel bill. He proceeded to the room and found that the occupants were at breakfast. After a hasty examination of the baggage he turned his attention to the bed and ran his hand under the pillows, then beneath the coverings. Suddenly there was a yell, and the chambermaid was astonished to see the house officer rush into the hall holding a wounded hand.

"I've been bit," said the officer. "There's something cold and slimy in that bed, and it's alive."

Together they entered the room and turning back the coverings a young alligator about two feet long came into view, snapping viciously at the intruders. At this moment Mrs. Maggs appeared. She ran to the bed, shrieked, and catching up the alligator clasped the pet in her arms.

"Madam, we don't allow alligators in the beds of the Palmer House," said the officer.

"And why not, I should like to know? Why, Alley has slept with my husband and I for three months."

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