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The San Francisco Call (San Francisco, California) · Thu, Feb 27, 1896 · Page 7
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The San Francisco Call
THURSDAY..............FEBRUARY 27, 1896

AMUSEMENTS.

BALDWIN THEATER.—"The Lion's Mouth."
CALIFORNIA THEATER.—"The Bicycle Girl."
COLUMBIA THEATER.—"The Old Limekiln."
MOROSCO'S OPERA-HOUSE.—"Pulse of New York."
TIVOLI OPERA-HOUSE.—"Del Freischutz."
ORPHEUM.—High-Class Vaudeville.
GROVER'S ALCAZAR.—"Lily of Killarney."
AUDITORIUM—Corner Eddy and Jones streets—Sousa's Peerless Band, Friday evening, Feb. 28.
MACDONOUGH THEATER (OAKLAND)—Opera—"Carmen."
SHOOT THE CHUTES—Daily at Haight street, one block east of the Park.
BAY DISTRICT TRACK.—Races.

AUCTION SALES.

BY VON RHEIN CO.—Thursday, March 5, Real Estate, at Salesroom, 513 California street, at 12 o'clock.

CITY NEWS IN BRIEF.

Mrs. Eliza O'Brien was arrested yesterday for cruelty to children.

L. Heine, the local 'cellist, will go North with John E. Nash's opera company.

Charles Fair returned home yesterday, after three months in Spain and Italy.

Fred Albrecht is on trial on a charge of obtaining money by false pretenses.

Andre and Max Lazard, sons of the great Paris banker, arrived here yesterday.

Prince Luigi dined officers of the Colombo and other friends at the Palace last night.

John Nash's suit against Mrs. Kreling of the Tivoli was decided yesterday in Mrs. Kreling's favor.

The trial of the suit of Mrs. Virginia McMullin for maintenance was before Judge Seawell yesterday.

The Southern Pacific Company of Kentucky [...]

CATHODE RAY IS WHAT IT IS NOT.

What Prof. Le Conte Has to Say About Roentgen's Discovery.

AS APPLIED TO SURGERY

If It Should Have No Other Uses It Would Still Be Invaluable.

EXPERIMENTS AT BERKELEY.

An Interview With the Famous Scientist on His Seventy-Third Birthday.

[...]

examination of a defendant. He admitted that for years back these cases had been taken into the Police Courts, but no one had raised the point of jurisdiction, and he contended that he was right in his interpretation of the statute.

Judge Slack in his decision, which is a lengthy one, coincides with the argument of Attorney Cabaniss and grants the writ. Therefore in future all libel cases will have to be taken at once before the Superior Court, thereby saving the delay of being heard in the Police Courts.

Attorney Cabaniss, while prosecuting attorney of Judge Joachimsen's court, made himself thoroughly familiar with the statute and was therefore in a position to raise the question of jurisdiction when the opportunity offered in the Fleming case.

A BRUTAL MOTHER.

Mrs. Eliza O'Brien Arrested for Cruelty to Her Little Daughter.

Mrs. Eliza O'Brien of 292 Union street was arrested yesterday by the officers of the Society for the Prevention of Cruelty to Children, and booked in the City Prison on the charge of cruelty to children.

When the officers visited the house they found the mother in a state of intoxication, and the children hungry. There was no food in the house, and everything was in a filthy condition. Complaints had been made to the society that while drunk the mother had placed Tessie, aged 8, on the stove. The child, when questioned, admitted that this was so, her right hand was badly burned and her left hand bore the marks of scars. Tessie was sent to the Children's Hospital, where her wounds were cared for, and Maggie and Katie, aged respectively 9 and 2, were sent to St. Francis Orphan Asylum.

The father of the children, John O'Brien, is in the City and County Hospital.

WITTLAND'S STATEMENT.

The Ex-Cashier of the Grangers' Bank Left One With Friends.

It Told His Story of the Systematic Defalcations—Second Dividend to Be Declared.

[...]

dollar. The president makes frequent trips into the country, and is now in the San Joaquin Valley attending to the bank's business. Each trip of his results in a large addition to the treasury. On his return there will, it is expected, be sufficient money on hand to warrant the directors declaring a dividend of 25 or 30 per cent on the first of next month.

Only once since William Wittland, the absconding cashier, disappeared has he been heard from, and that was about a week ago in an indirect way through the surety company which lost $10,000 over his bonds. It has transpired that Wittland left a carefully prepared statement of his defalcations, which he claimed aggregated $12,500. The bank directors endeavored to get hold of the document, which had passed into the hands of Wittland's family, but it was kept from them. It is now in the safe keeping of his counsel, Attorney Hewston.

Wittland, according to a friend who saw the statement, gave the amounts of his peculations in chronological order, and added them up to make a grand total of $12,500. He said that he had been drawn into the dishonest practices by certain people outside the bank, who influenced him to take money under the representation that he could not lose, but on the contrary would make a handsome profit and then be able to put the stolen money back privately. In this way he was led deeper and deeper into the difficulty, and when the bank was about to suspend he had to seek safety in flight.

JUDGE LOW'S POSITION

The Ruling Against the Poker Ordinance Based on the Ah You Decision.

An Examiner Editorial That Calls Forth the Criticism of the Police Judge.

Through an editorial which appeared in yesterday's issue of the Examiner, the decision rendered last week by Judge Low overthrowing the poker ordinance was severely and unfairly criticized. Insinuations as to the Judge's honesty were also indulged in, the editorial stating that "it was not expected that he could be made the tool of sharpers and sleight-of-hand swindlers who object to the poker ordinance."

"It is evident," said Judge Low last evening, "that the person who wrote that gulling editorial is either unlearned in the laws of the State in which he resides, or else he has neglected to read my decision on the case in full. It has been decided by the Supreme Court of this State," he continued, "that it is not in the power of the Board of Supervisors to impose a greater punishment for an offense than the Legislature has seen fit to impose for a like or similar offense. By section 330 of the Penal Code the punishment prescribed by the State law for playing prohibited gambling games is a fine not to exceed $500, or by imprisonment not to exceed six months, or by both such fine and imprisonment.

"In the case of ex parte Ah You reported in 88 California, page 99, and in the case of Soloman in 91 California, page 440, both parties being prosecuted under municipal ordinances similar to the poker ordinance, the Supreme Court decided in favor of the defendants, declaring all similar ordinances to be absolutely null and void. The ground upon which these ordinances were declared void being that they imposed a greater punishment for the offense committed than did the State law. It is a very easy thing to frame an ordinance which will cover the entire matter by simply prohibiting the playing of poker, or allowing it to be played, for money in any saloon or other public place and by fixing the penalty by a fine of not more than $500 or imprisonment in the County Jail not to exceed six months, or by both such fine and imprisonment.

"Such an ordinance would not infringe upon the State law and in consequence it would be valid and binding.

"As to my being made the tool of so-called sharpers and sleight-of-hand swindlers no statement could have been made which would have come further from the truth. I decide all cases which come before me according to the laws applicable to them without regard to the moral aspect, which, according to law itself, is a secondary consideration."

QUESTION OF AUTHORITY

[...]

RAILROADS IN GUATEMALA

A Seattle Man Building Electric Lines in Central American Cities.

HUNTINGTON'S GOOD BARGAIN.

Big Pacific Port at Estrapa—Danger of the Coffee and Mahogany Going East.

L. H. Griffith, formerly proprietor of the Griffith bank at Seattle and for a year past residing in Guatemala, where he has important Government concessions, is at the Grand. Among his concessions is the privelege of putting electric street cars in Guatemala City and Antigua, and connecting the two places also by electric cars. The towns are seventy-two miles apart. Mr. Griffith has also been instrumental in starting the steamship freight line between Seattle and the port of San Jose de Guatemala, and furnishing Puget Sound timber and lumber to Guatemala.

He says the country down there is in a prosperous state. The hotels are all crowded and there are many a dozen resident American commercial men in Guatemala City.

Just before Mr. Griffith left it was stated that the sale of the Guatemala Central Railroad to the English and Scotch syndicate had been consummated. It will be recalled that some months ago it was announced that C. P. Huntington had sold the road to the said syndicate for $15,000,000 in silver, a sum equal to $7,400,000 in gold. However, at this point President Barrios stepped in. He was willing any American syndicate should buy it, but he did not like the idea of British capitalists getting such a grip on the country.

"I think now, however, the matter has been straightened out," said Mr. Griffith. "The agent of the syndicate, H. E. Baggerly, was a passenger down with me the last time I was here. He completed his report, and, as I understood it, it had been accepted and the sale made.

"There is a northern road to reach Port Barrios, on the Atlantic side, from Guatemala City, now being built, and there is danger that when it is finished, or even before, the trade that now comes here will be diverted to New York. San Francisco ought to look out for this and do all it can to hold it. The northern road is being built by the Government. The entire distance between the two places is 180 miles. Sixty-five miles of this, from the Atlantic side, is now in operation. Besides this, fifty miles more there are under contract.

"There is also a 45-mile section from the Guatemala City end to be let right away. When these two contracts are completed freight can be transferred between the terminals. The coffee shipments then, instead of coming here, may go that way.

"The route of the road is very rough, being largely over mountains. The cost of building it is $200,000 a mile. There are many gorges and canyons, requiring in all thirty-five miles of bridging in the 180 miles.

"Besides this important work the San Luci branch road, from San Luci south to a connection with the Occidental road at Retaluhne, is being pushed forward rapidly. This runs along the base of the mountains on the Pacific Coast side through a rich coffee belt. The road will be an important feeder.

"Another important project by the Guatemalan Government is the spending of $7,000,000 at the new port of Estrapa, nine miles below San Jose. It is at the mouth of a river and dockage is there furnished for large ships. Over 7,000,000 feet of lumber have been sent down there from San Francisco during the last few months. The harbor is to become the important one for the Pacific coast in Guatemala. All our steamers will eventually change from San Jose to that point."

Mr. Griffith is here on a business trip. He will be here about three weeks. He says the completion of the San Luci road will cause the shipment of large quantities of mahogany as well as coffee. Mr. Griffith says he expects to build his streetcar line within the present year.

L. H. Griffith, Who Has Electric, Streetcar and Other Concessions in Guatemala.

CRAB-FISHERS ALARMED.

They Lose a Day's Work in Order to Pay Their Licenses.

The story published in THE CALL yesterday of how Deputy Fish Commissioners Wilson and Davis caught four crab-fishermen who had failed to pay the State license and caused the offenders to be fined by a Justice of the Peace in Sausalito proved a sensation among those who follow this line of business. Dozens of the crab-fishers flocked to the commission headquarters in the Flood building to pay for their licenses.

In consequence of the rush for licenses but few boats went out yesterday, their owners fearing to be caught by the deputies as they returned from the fishing grounds. During the day nearly all the crab-fishers obtained their licenses. In consequence of the boats staying at home [...]

[...] the few days preceding the day on which there is the greatest demand for all kinds of fish.

FOUGHT TO MUSIC.

Sousa's Experince With Two Youngsters Who Were Influenced by Sweet Sounds.

A good many years ago John Dryden celebrated in his delightful "Ode on St. Cecilia's Day" the power of music upon the human passions. Human nature has not greatly changed since. Alexander and Thais, inspired by the minstel's song, set fire to the palaces of Babylon, a fact which is illustrated by the story which Bandmaster Sousa has brought back with him from his latest tour of the country.

"It happened in Exeter, N. H.," says Mr. Sousa, "where we gave a concert one afternoon. When we reached the hall I found two juvenile residents of Exeter, who by distributing handbills, had earned the privilege of hearing the concerts from behind the scenes. The youngsters had some sort of a quarrel, and when I came across them were making threatening demonstrations at each other. I separated them and repeated the verse beginning, 'Let dogs delight to bark and bite'—you may have heard of it. I sat them down in two chairs, and gave them a lecture on the sinfulness of fighting, until it was time to go on the stage.

"From where I stood I could see the boys, each in his chair, out in the wings. We began with one of Liszt's Hungarian rhapsodies movement, and as the music proceeded the little fellows got out of their chairs, and sidling along toward one another, took up the quarrel where they had left off.

"A collision was imminent, when the music ceased and a soothing andante movement followed. The boys resumed their chairs and listened quietly during this passage, even exchanging looks which I interpreted as conciliatory and repentant. Another allegro movement followed and the stage hands had to interfere to keep the youngsters from punching each other.

"Then we played a pretty, melodious waltz and the boys kept perfectly quiet in their chairs. I thought they had forgotten their feud and when the waltz was encored I ordered the 'Washington Post March.' Before we had played a dozen bars the little rascals were having it hot and heavy all over the side of the stage. The last I saw of them was the spectacle of their ejectment from the stage-door, one of them stanching a profuse nasal hemorrhage, while the other nursed a badly blackened eye. It was the most forcible demonstration of the influence of music upon the human passions which I remember having seen."

FOR A NEW CONEY ISLAND

Colonel T. P. Robinson in Partnership With Mr. Sutro at the Beach.

Together They Will Inaugurate a Bewildering Series of Perpetually Changing Attractions There.

There is to be an injection of life and energy into the Cliff House, Sutro Heights and beach attractions from now on.

The ever popular ex-baseball manager and Midwinter Fair amusement committeeman, Colonel Thomas Poniatowski Robinson, has signed articles with Mayor Sutro as arbiter elegantiarum, otherwise amusement impresario at the Cliff.

The colonel will have sole control to make contracts and bewilder the visitors' minds with a kaleidoscope of wonders. [...]

NEW TO-DAY.

"Pure and Sure."

Cleveland's BAKING POWDER.

"I have used Cleveland's Baking Powder with entire satisfaction in the preparation of breads, biscuits and cakes." JULIET CORSON, *Founder of New York Cooking School.*

SWINE SPOIL BAY VIEW.

Residents Ask the Supervisors to Condemn Four Hog Ranches.

THE STENCH IS UNBEARABLE.

Forty-Five People Say That Foul Refuse Makes Their Homes Unfit to Live in.

The many residents of Bay View, that pretty little valley of South San Francisco, have petitioned the Supervisors to remove from their midst four hog ranches.

"There used to be a time," said S. L. Piper, who lives there and owns several lots in that section, "when we would not have exchanged our locality for any in the City. The air was balmy and pure, and we all enjoyed the best of health, but about two years ago a hog rancher moved in down near the beach. Since then three more have followed, and now we have over 1000 [...]

[...] here already, it seems extremely unjust that four people should render the entire neighborhood unfit for anything but swine.

"Two months ago we petitioned the Board of Health to remove the nuisance, and that body referred the matter to a committee, which declared it a nuisance and recommended its abolishment. Nothing, however, has been done. We sent in a petition to the Supervisors last Monday with the names of the following residents: Barrett, Silvester, Jeffers, Williams, Colombo, Boviar, Piper, Kelly, Burbee, Finch, Frank, Cullen, Peterson, Ferrier, Monroe, Sintner, Bostiguda, Sister Stanislaus of the St. Joseph Orphanage Asylum and thirty other names of residents.

"These people reside in this locality, the tract being bounded by Railroad avenue, Fourteenth street, Twenty-first street and the bay.

MALONEY WON HIS SUIT

He Gets a Judgment for $225 Against Theodore C. Marceau, the Photographer.

Justice of the Peace Carroll decided the case of J. H. Maloney, the turfman, against Theodore C. Marceau yesterday in favor of the plaintiff, giving him judgment for the entire amount asked, $225.

In 1895 Maloney ordered a lot of photographs from Marceau, but refused to accept them on the ground that the likeness and workmanship were poor. Shortly thereafter he prepared to depart for the East and as he was leaving the Palace Hotel was arrested on a warrant sworn out by Marceau charging him with intent to defraud his creditors by leaving the State.

In order to prevent being detained Maloney paid the $225 demanded by Marceau for the pictures and went on his way. Recently he returned and brought suit for the amount on the ground that it was paid under duress and by reason of threats.

An Officer's Contempt.

G. J. Ely, a police officer from Oakland, narrowly escaped being fined for contempt of court by Judge Conlan yesterday. C. L. Fountain was a witness in the case of Clarence Turner, charged with attempt to rob, and as soon as he had given his testimony Ely stepped up to him and arrested him. The attention of the Judge was drawn to the matter, and it looked serious for Ely. He explained that Fountain was wanted for an attempt to rob in Oakland, and he meant no disrespect to the court by arresting him. The Judge purged him of contempt.

NEW TO-DAY.

PADEREWSKI, THE GREATEST LIVING PIANIST, PLAYS THE STEINWAY! Which is pre-eminently the best Piano manufactured.

SHERMAN, CLAY & CO., SAN FRANCISCO, CAL., Kearny and Sutter Streets.
OAKLAND, Cal., Broadway and Thirteenth Sts.
PORTLAND, Or., Fifth and Yamhill Streets.
SEATTLE, Wash., 715 Second Street.

NEW TO-DAY—AMUSEMENTS.

MACDONOUGH THEATER (OAKLAND).
To-day at 2—To-night at 8—Farewell Performances
Marie Tavary Grand Opera Company.
Matinee To-day (popular prices) Bohemian Girl
To-night—Bizet's romantic Carmen.

AN APPROVED LENTEN DIVERSION IS SHOOTING the CHUTES and TRIPPING THE TROLLEY!
Concerts Afternoon and Evening.
ADMISSION——10 CENTS.
Children (including Merry-Go-Round Ride), 10c

NEW TO-DAY—AMUSEMENTS.

BALDWIN THEATRE (AL HAYMAN AND CO., INCORP'D PROPS.)
Two Weeks' Engagement—The Favorite Actor,
FREDERICK WARDE
And His Celebrated Company.
TO-NIGHT——"THE LION'S MOUTH"
Friday Night and Saturday Matinee,
"THE MOUNTEBANK."
Saturday (only time)............"VIRGINIUS"
A WEEK WITH SHAKESPEARE!
——MONDAY, MARCH 2.——
Monday, Thursday, Friday Evgs. and Saturday Matinee | Mr. Warde's Latest Success, KING LEAR
Pronounced a Triumph by the Press.
Tuesday (only time), DAMON and PYTHIAS
Mr. Warde as Damon, Mr. Herman as Pythias.
Wednesday and Saturday Nights,
JULIUS CÆSAR,
Mr. Warde as Brutus, Mr. Herman as Cassius, Charles Sutton as Antony.
Every Play Superbly Mounted!
Every Scene a Picture!
The Foremost Company of America!
Seats for Next Week Ready To-day.
EXTRA—Sunday Night, March 1,
GRAND POPULAR CONCERT!
First appearance of the Parisian violinist, MARSICK, in conjunction with PADEREWSKI (farewell appearance). Prices—$1 to $3.
SEATS NOW SELLING.

CALIFORNIA THEATRE (AL HAYMAN & CO., INCORP'D PROPS.)
McHENRY
"THE BICYCLE GIRL!"

Columbia Theatre
"THE OLD LIME KILN"
KATIE PUTNAM

Grover's ALCAZAR
THE CARLETON OPERA COMPANY!
"LILY OF KILLARNEY!"

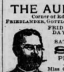
TIVOLI OPERA-HOUSE
"DER FREISCHUTZ"
"THE SEVEN CHARMED BULLETS"

MOROSCO'S GRAND OPERA-HOUSE.
PULSE OF NEW YORK!

ORPHEUM.
THE BROS. DIANTA, FOREMAN AND FANNAN

THE AUDITORIUM.
SOUSA'S PEERLESS BAND.

RACING! RACING! RACING!
CALIFORNIA JOCKEY CLUB.
BAY DISTRICT TRACK.



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