

COURT.

Yesterday—What time to listen to court yesterday was of a great number of for adjournment.

stole a coat from the U. was committed to S. Willis Wright and city of petty larceny, twenty days. John H. of petty larceny, twenty-five days. Ah of an umbrella, was imprisonment. Ten of the fined assessed found guilty of hav. by improper names. ing used vulgar lan- dollars, and Alex. of the use of vulgar

ards were committed ing from twenty to

for the People, I, Charles Black and for assault, Thomas r teamsters, arrested is over a public side- vers allowed to pay a

more Chinamen, ar- me visitors to a piece purpose of gambling, custody for four days, d pleaded guilty as sentenced this morn-

CHINESE SERVANT was em- use, and stole a val- rone from one of the -sted and the prop- to day. In servant, Chin, standing con- f petty larceny, will nce.

lias Harris, and Jo- re arrested on Mer- onday night upon a com- mittee members, for through an elderly d a trip to San Quen- hat no violence had- ily the charge could they were, however, igit with intent to y will have to appear ana is a graduate of

CAN OF BEER. brought up before the arge of having made With a knife on Pat- a green grocery on New Montgomery, on giving day. Furling dit for a can of beer led to an exchange

knock-down. It did r that a knife had r, therefore the Court o be reduced to as- t which the accused

COAT. hotel waiter, was reeny of a coat from nside of Broadway morning. He was on of the stolen coat; to sell it to a second- r the larceny had r away, like many s formerly, claimed the coat for a dollar r on Sutter street. as been pronounced judicial tribunals, this Court, and Con- pout larceny. The red the removal of our- from the City o grant a stay of five

OR BURGLARY. o'clock on Monday riley, while walking r near Clementina, r front of Donner's s suspicious manner, o. In a few moments d. He had seen a re- a retraced his steps, e had seen in front ed into Clementina

attending to her household duties, when a boy named G. M. Highton, accompanied by several others, ran up to her window and pointing at her commenced to sing, "There was an old woman who lived in a shoe. Had she any kids she didn't know what to do." Mrs. Worth then picked up a pair of scissors and presenting it at the boys told them that she would shoot them. This was the extent of the assault, and the Court dismissed the complaint.

THE BAND FREE. The members of "dot leddie Sherman Band" were brought up for trial on a charge of begging. It appeared from the evidence that the musicians, after performing several popular airs, would go from house to house and solicit money. The Court said it was of the opinion that the law prohibiting mendicancy did not apply to wandering minstrels, and therefore the complaint was dismissed.

BOARD OF EDUCATION.

Contracts Awarded and a Holiday Granted.

Director Clement Digs up the Hatchet and Sounds the War Whoop—He proposes to Scalp the Board of Examiners—And Then the Members Indulge in Hilarious Conversation.

The Board of Education held a regular meeting last evening. President Tilden in the Chair; Donovan and Sine absent. Miss F. Butler applied for leave of absence for one month on account of ill health. Granted.

The resignation of Charles M. Blake, teacher in the event schools, was read. Accepted.

COMMUNICATIONS. Were received from Eda Clarke, of the Taylor street Primary school, asking for an increase of salary in accordance with the schedule of salaries. Referred to Committee on Salaries.

Fred H. J. Tilden, reporting that he authorized Prof. Herbst to dismiss Miss Kuncica's class on the afternoon of December 17th, for the purpose of permitting her to attend the funeral of one of the female members of that class. Also, that he authorized the dismissal of such classes in Greenough Street School during this week as Mr. Clement, the Chairman of the Committee on School Houses and Sites may deem necessary, on account of the removal of classes from the Greenough Street School building.

Tom Prof. Herbst, asking permission to dismiss law classes of the Greenough School during the examination of teachers, which begins in that building. He also made the request of Miss Kuncica, who had asked the Board for the use of room which to hold their examinations. He could not see the propriety of dismissing two classes for such a reason.

Mr. Huntington was in favor of allowing the Board of Examiners the use of Lincoln Hall. The request of Professor Herbst was finally granted.

GREENWICH STREET SCHOOL. The Committee on School Houses and Sites reported that five class-rooms had been provided for pupils of the Greenwich Street School; four rooms at a rental of \$5 per month, and one at \$2. Also, that they do not deem it advisable to discharge all the carpenters in the matter proper. The Board was adopted.

The Committee to whom was referred the petition of Kuncica L. Jones and others, reported that the investigation of the matter proper by the Board of Examiners of the Board. The report was adopted.

The Committee on Salaries reported in favor of allowing T. C. Owens \$45, the amount demanded from him by the Finance Committee without authority from the Board. Accepted. The Committee on Janitors asked for further time in which to consider the advisability of equalizing the salaries of the Janitors in the Department. Granted.

F. J. Owens, who slept on a disputed school property, by order of Mr. Clement, presented a bill of \$10 for the same service. His bill was ordered paid.

TRANSFERS AND APPOINTMENTS. The Committee on Nominations reported in favor of the following transfers and appointments: Miss Alice Greer, from the Spring Valley Primary School, to the Spring Valley Grammar School, the position made vacant by the resignation of Miss R. A. Stevens. Mrs. Mison to the class now taught by Miss Greer. Miss M. J. Mulver to the new class in Washington Street Grammar School. Miss I. K. Rixon to the low class in the Hayes Valley Grammar School.

SALESMEN'S MEETINGS. Mr. Hanson offered a resolution ordering the salaried employees in the schools, where

HIS MAJESTY.

Progress of the Round of Royal Festivities.

A Drive to the Beach and Brilliant Levee at the Major's Residence.

Entertainments Appointed for To-Day.

The reception accorded His Majesty King Kalakaua in San Francisco gathers increased spirit and enthusiasm as his stay in the city is prolonged, and the distinguished visitor has experienced a fair demonstration of the genuine democratic hospitality that will, doubtless, attend his journey throughout. The genial spirit in which His Majesty has received the popular ovations, and manifested his appreciation of the distinguished consideration bestowed upon himself and suite, by a nation composed of an aggregation of sovereigns, in a theoretical sense, denotes his majesty of character, as well as station, and the possession of qualities calculated to command the devotion of his subjects at home, as well as respect abroad. The entertainment given the royal party yesterday, was of a very delightful character throughout. Shortly before eleven o'clock in the forenoon, the visitors started on a drive to the ocean beach. Two handsome equipages, each with four-in-hand, were provided for the drive, and the party included the King, Governor Dominis, Governor Kapuna, Hon. H. W. Severance, the Hawaiian Consul, Major Oles and ex-Mayor Alvord. United States Minister Pierce, who had been somewhat fatigued by the receptions and visits of the previous day, denied himself the pleasure of participating in the drive, and spent a quiet forenoon at the hotel to recuperate his energies. The honorable gentleman consoled himself with the reflection that the portion of the peripatetic visit which he would see same bearings, and that the garrison of the Seal Rock was kept up at about the same standard, as when first observed by him some forty-five years ago.

The party drove through the Golden Gate Park and greatly enjoyed the scenery of that prospectively grand reservation. Thence they proceeded to the Cliff House, where a short stay was made and a lunch partaken of. Returning to the royal party again stopped at the Palace of Indulgences, the Alms house, and met with a reception in keeping with the famed hospitality of the institution, or rather of Superintendent Keating. The route back to the city was by the Mission road, affording a magnificent prospect from the hills.

THE MAYOR'S RECEPTION. The levee given at the residence of Mayor Oles, No. 421 Sutter street, was a brilliant affair, and every appointment was on a scale of princely magnificence. About 300 invitations were issued for the occasion, and appeared to have been generally accepted. The company present represented the wealth and fashion of the city. His Majesty and suite, with Minister Pierce, arrived shortly after 2 P. M. The King appeared in a dress suit of black, wearing the insignia of royalty and the decoration of Kamehameha I. Governors Dominis and Kapuna were arrayed in full uniform, with their decorations, and the presence of Admiral Almy and Major-General Schfield, with their respective staffs, Captain Hopkins and officers of the United States steamer Benicia, all in full dress uniform, diffused a glitter of gold lace through the gay assemblage that was exceedingly animating. General presentations succeeded the appearance of the guests. An elegant bouquet was provided, in which the style of entertainment common on state occasions in the palatial mansions of San Francisco was presented. After the bouquet dancing was inaugurated and the divination was continued with charming spirit until the shades of evening descended. The King did not return to his hotel until after 6 P. M.

IN THE GYMNASIUM. The royal party next honored an invitation from the Olympic Club, by a brief visit

THE RAILROAD IN COURT.

The German Bondholders and the California Pacific Railroad.

Is the Bankruptcy Act Applicable to a Railroad Corporation?

Yesterday in the United States District Court, the case of the German bondholders against the California Pacific Railroad Company came up, the question being upon the jurisdiction of the Court, the respondents holding that it was incompetent for the Court to grant the application of the creditors that the Company be declared bankrupt.

The creditors were represented in Court by H. H. Haight, Esq., and George Cadwalader, Esq., while John B. Felton, S. M. Wilson, J. W. Sanderson and T. I. Bergin, Esquires, appeared for the railroad.

THE ARGUMENT. Mr. Felton addressed the Court. He de-

clared that a Court of Bankruptcy could have jurisdiction over a railroad corporation. The Bankruptcy Act applies solely to "moneyed, business and commercial" corporations. A railroad corporation is not one of these, and had it been intended that the law should apply to them, it would have been specifically so stated in the Act. The word "bankrupt," continued Mr. Felton, "has a distinctive meaning. It has the same meaning to-day that it had when our Government was founded. It is, I claim, applicable only to traders, to those who buy and sell. If it can be applied to anybody and everybody who is a debtor, then Congress can readily pass laws which would entirely rob the State Courts of their jurisdiction. Now, I find a trader defined in the English and French law as one who deals in merchandise, including money in the term mercantile. There must be kept in mind the distinction between a bankrupt and an insolvent. A bankrupt may have an account witherewith to pay his debts, while an insolvent is one who is unable to pay. A bankrupt, *ex vi termini*, is one whose place of business is broken up. Now, the word *moneyed* evidently means in the Bankruptcy Act a corporation which deals in money. And if we are to take *business* in its broad meaning, then it is plain that the words *moneyed and commercial* are entirely superfluous. The word *commercial* refers to trading on a large scale of business in two different States. The word *business* refers to trading on a small scale and on the spot. Thus, these three words would naturally apply only to traders. Now, section 53 of the bankrupt law brings certain classes of men within the domain of the bankrupt law. But section 57 does not bring the same classes of corporations within the scope of the law. A railroad corporation is created for public use. It is a means and instrument of government, and therefore it is clothed with governmental powers. But the classes of men who come within the scope of the bankrupt act have no such powers. You cannot assimilate railroad corporations with any of these classes of men. It is on this distinction that I found my objection to the applicability of the law to a railroad corporation. You can assimilate manufacturing, and mercantile and banking corporations with individuals engaging in the same occupation, but it is very different with railroad corporations; and those corporations which are for a public use, which concern the interests of the citizens at large, are governed by very different rules from the other great class of corporations, which is created for private purposes, and has no express governmental powers conferred upon it.

THE SECOND POINT. The second point that I make is that the law provides no machinery for executing itself upon the grand railroad corporations. The law provides that only railroad personal property shall pass to an assignee in bankruptcy. Nothing is said in the law about the franchise. The assignee cannot receive the franchise. The United States has no right to stop or to sell a railroad. That power is conferred to the grantor of the franchise. Not only will a franchise not pass to an assignee, but the same is the case with reference to the property acquired by virtue of the franchise. If it could be held that a railroad franchise may pass to a private person, this would afford a cheap and easy way for the railroads to relieve themselves of the control of the Legislature over freight and fares. For they could sell their franchise to a private person, who could not

TELEGRAM

Special Dispatches to the M

DOMESTIC

Proceedings of the Ches- portation Convent at Richmond.

Henry Clews & Co. Ad- justed Bankrupt.

Meeting of Credit- Jay Cooke &

PUBLIC DEBT STA

Cabinet Meeting to Co- President's Messa

ETC.....ETC.....

The Chesapeake Transportation ( Richmond, December 1.—In Transportation Convention T. Thurber of New York read ar on the management of railroa ble improvements in the law them. He recommended cana of transportation between t West, but favored transcont roads. Among other appoint mtees was N. D. Ingersoll, on resolutions.

Henry Clews & Co. Adju- rapt.

New York, December 1.—In States District Court, to day, Blandford, Henry Clews & failed to answer in bankrupt ions, were adjudicated bank petition of Arthur Cooper, Tru London firm, and fifteen cre- country, who state that the one quarter in number and amount of creditors.

Meeting of Creditors of & Co.

PHILADELPHIA, December 1 meeting of creditors of Jay C was held to-day, when the Trustees was submitted. The have deemed it proper to rev for dividend and distribution, sth of May. \$491,515 is all the applicable at the present s eedings for cash dividends. amount of claims against the rot be definitely ascertained, said if the claims' prer individual members of the fir there will hardly be anything creditors of the firm. Dur terance between the Comm creditors the best feelin These meetings will be held t Dissolution of an Insolvent the Erie Railway Co.

New York, December 1- tion, served last evening on t way Company, against payin turning intact here and in to-day dissolved by Judge J far as the injunction applie ments to be made. To-da Jewell in his affidavit, says the Erie Company are being by himself and his Board o best advantage of the compa ly according to law, as they t The Insurance Question