

SAN JOSE'S ROSE CARNIVAL OPENED.

A Magnificent Parade Follows the Crowning of the Queen.

The Garden City Thronged With Visitors.

Marysville is Chosen as the Next Meeting Place of the Grand Court of Foresters of America—An Oregon Youth Imprisoned at Cape Town, South Africa, for Bank Robbery.

SAN JOSE, May 6.—The Santa Clara County carnival of roses, which has been in preparation for many months, opened this morning.

The weather was perfect, and the streets of the city presented a dazzling sight. Decorations elaborate and beautiful were displayed everywhere. Banners, bunting and flags fluttered in the breeze and millions of flowers were in evidence on every hand.

The city is alive with visitors, every train arriving during the past twenty-four hours being crowded to the platforms.

The strains of music from Roncovieri's band upon the dome of the Courthouse was the signal that the carnival time was in; that the Queen was soon to arrive and take possession of the city for four days.

Before 11 o'clock the sidewalks were a moving mass of humanity, while at the pavilion, where the opening exercises were commenced at 10 o'clock, fully 6,000 people assembled, the street in front of the building being blocked with a crowd that could not gain admission.

The exercises opened at the Pavilion with music by Roncovieri's Band. Hon. B. D. Murphy delivered an address, after which District Attorney Harrington placed the crown on the Queen's head.

Then followed the coronation ode by a choir of 500 voices. Mayor Koch delivered the keys of the city to the Queen, his address being responded to by H. V. Morehouse.

Lieutenant-Governor Jeter was the next speaker, and the choir rendered another selection.

Dr. Jordan of Stanford delivered an address, and an original poem by Sister Anna Raphael of the Convent of Notre Dame was read.

The procession commenced to form shortly before 1 p. m., and as the magnificently adorned floral floats, carriages and private rigs drove to the starting points they became the wonder and admiration of the throng.

This evening Roncovieri's Band gave an illustrated concert at the Pavilion.

GRAND COURT FORESTERS. Marysville the Next Meeting Place—Officers Elected.

WATSONVILLE, May 6.—At 9 o'clock this morning the second day's session of the Foresters of America opened. The morning session was taken up principally with the reading of the reports from the Grand Officers and action on a partial report of the Law Committee.

The report of the Secretary showed 147 courts, with a membership of 13,750, within this jurisdiction.

In the consideration of the partial report of the Law Committee nearly all the amendments submitted by the various courts were defeated.

At the afternoon session Marysville was selected as the meeting place of the next Grand Court, receiving 105 votes, against 62 for Los Angeles and 11 for San Francisco.

The election of officers occupied the remainder of the session, and resulted as follows: Grand Chief Ranger, R. B. Vellege of Golden Gate Lodge, No. 17, elected by acclamation; Grand Sub-Chief Ranger, J. S. W. Saunders of San Francisco; Grand Treasurer, S. A. White of San Francisco; Grand Secretary, C. H. Bremer of Alameda; all by acclamation; Grand Recording Secretary, E. L. Forster of San Francisco; Grand Senior Woodman, J. Samuels of San Francisco. The other officers will be elected to-morrow morning.

This evening a grand concert and display of fireworks were given in honor of the visitors.

AN OREGONIAN IN PRISON. Arrested in South Africa for Bank Robbery.

PORTLAND (Or.), May 6.—Intelligence was received here to-day from Cape Town, South Africa, announcing the imprisonment there of Stephen Wuermer, a Portland young man, for bank robbery.

Wuermer has an extraordinary history. At the age of 20 years he eloped from this city with Mrs. Margaret Brandon, whose husband followed the couple to Silver City, Idaho, where he shot Wuermer, but the worthless fellow recovered.

Wuermer then joined a gang of Idaho outlaws, and was next heard from at Boise City, where he was arrested for stage robbery. By means of perjured testimony he was acquitted, and a year later he turned up in Prescott, A. T., where he robbed an express rider of \$800, for which he was sentenced to ten years imprisonment. After serving two years he was pardoned and disappeared.

In February he alone walked into a private bank in Cape Town, covered the

Highest of all in Leavening Power.—Latest U. S. Gov't Report

Royal Baking Powder ABSOLUTELY PURE

WEATHER CROP BULLETIN.

CONDITIONS FAVORABLE EAST OF THE ROCKIES.

The Continued Heavy Rains in Oregon, Washington and Northern California Unfavorable.

CHICAGO, May 5.—The reports as to the condition of the crops through the country and the general effect of the weather on the cultivation, growth and harvest of the same, were to-day made by the directors of the several climate and crop sections.

Eastward of the Rocky Mountains the week has been generally favorable, although wet for farm work in portions of the Upper Mississippi and Upper Missouri Valleys. In the Rocky Mountain States and on the Pacific Coast it has been too cool, and the abnormally low temperatures have been attended by very heavy rains in Washington, Oregon and Northern California which have proved unfavorable. Further improvement in the condition of winter wheat is generally reported.

North Dakota.—The exceptionally heavy rains of the past week have stopped all work in the northern and eastern portions of the State. Considerable seeding has been done in central and southern portions. The grain first sown is coming up.

South Dakota.—The temperature has been considerably above normal; showers frequent and copious and sunshine ample. Seeding has been retarded some in central and northern counties by rain. Growth of all vegetation has been rapid and healthy. Gardening and corn ground plowing general.

Nebraska.—Good growing week, but the excessive rains and continued wet soil have retarded the work. Corn planting has progressed slowly, and is about half completed in extreme southeastern counties. Early planted corn is coming up nicely in southern counties. Small grains and grasses have made exceptionally fine growth.

Missouri.—The week has been favorable for all crops. Corn planting has been retarded by rains in the southern section. Early corn has a good stand, and cultivation has commenced. All grains and grasses are doing well, but need rain in a few northern counties. Army worms are doing some damage in the southeastern portion.

Iowa.—Frequent showers, with excessive rainfall and cloudiness in northern and central districts, have retarded plowing and planting. Planting is well advanced in portions of southern districts. Winter and spring grain and grass are making notable progress.

MCKINLEY HIGH JINKS. Grand Wind-up of the McKinley League Last Night.

The McKinley League gave a grand high jinks wind-up at its headquarters at the Golden Eagle Hotel last night, with Major W. A. Anderson filling the position of master of ceremonies. Many delegates partook of the hospitality of the club, and rousing McKinley speeches were the regular order of business.

Governor Budd was a guest of the evening, and responded gallantly to a call for a speech.

Prominent among the other speakers were: Frank L. Coombs of Napa, Sam Shortridge of San Francisco, Barry Collins of Santa Clara, Dan Cole of San Francisco, H. Lindley of Los Angeles, F. R. Dray of Sacramento, and others. A high time was had until the small hours, and all present enjoyed themselves thoroughly.

THE SWEENEY FAMILY. It is Said Its Members Have Declined Employment.

A number of kind-hearted persons have been taking food, etc., to Mrs. Sweeney and her two sons, who occupy a cabin on ground owned by James Pearson north of the Pioneer Mill, and who were reported to be in destitute circumstances.

A citizen who lives near by the cabin informs the "Record-Union" that the two sons, some 17 or 18 years old, have been offered employment at \$1 a day, but could not be induced to accept it.

Mr. Pearson has allowed them to use the cabin and stove, and gives them pasture for their pair of horses, but having satisfied himself that the boys do not want to work he intends to shorten their stay there.

The "Record-Union" does not wish to do the family the slightest injustice, but as reputable persons say that more than one offer of employment has been refused by the youths, it advises those who are giving them supplies to investigate the situation, lest they be imposed on.

Estates in Probate. Lizzie Bell, by her attorneys, Alexander Miller & Gardner, has as administratrix of the estate of Helen M. Cuyler, deceased, petitioned the Superior Court for permission to sell the real property of the estate.

W. B. Miller, by his attorneys C. H. Oatman and W. W. Rhoads, has filed a petition for letters of administration on the estate of Clara G. Comassi, deceased. The total value of the estate is estimated at \$2,200. On the 22d inst. the petition will be heard.

Still on Trial. The Oppenheim case occupied all of yesterday's session of Department Two of the Superior Court, over which Judge Prewett of Placer is temporarily presiding. It is entirely a family disagreement over the manner of administering the estate of the late Raphael Oppenheim. It will probably be concluded to-day.

C. L. R. S. Party. The invitation party of the Catholic Ladies' Relief Society to be given in honor of Marysville Society No. 2, will take place at Turner Hall on Friday evening, the 8th.

Accident to a Wheelman. Otto Hanson, the merchant tailor, while wheeling on Tuesday was collided with another wheelman and thrown with such violence as to break one of his arms.

First Apricots. The Producers' Fruit Company shipped yesterday from Winters the first crate of apricots to leave the State. They were grown by F. Herbert Buck, and were shipped by express to Chicago.

The Nonpareil

The Silk Sale of the Year Commences at 9 O'clock This Morning.

- 1,000 YARDS OF CHOICE SEASONABLE SILKS. LOT 1—Fancy Silks for Waists, including taffetas, surahs and satins, in stripes and small brocades. Per yard..... 55c LOT 2—Fancy Silks in a large assortment of stripes, checks, plaids and satin duchesse. Pretty for dresses or fancy waists. Per yard..... 75c LOT 3—Brocades, stripes and plaids, in the newest colorings and designs. Suitable for waists or skirts. Per yard..... 89c LOT 4—Contains some of our choicest Silks in large designs in both Persian and Dresden designs, in light and medium shades. Desirable for bodices or fancy waists. Per yard, \$1 10 Black Satin Duchesse in a large assortment of figures for dresses. Per yard..... 69c LOT 5—Black Brocaded Indias and Satin Duchesse in new and stylish designs for skirts or dresses, 24 inches wide. Per yard..... 75c LOT 6—Black Figured Gros Grain Silks in an excellent quality for waists, skirts or dresses. Per yard..... 85c LOT 7—Black Satin Rhadame and Black Faille Silk of good quality. For sleeves, trimmings or linings. Per yard..... 48c

Wasserman, Davis & Co., AGENTS FOR BUTTERICK PATTERNS. Corner Fifth and J Streets, Sacramento.

AMUSEMENTS.

At the Clunie Opera-house this evening the Hodges Stock Company, now closing its engagement here, will present the spirited and romantic comedy drama "La Belle Marie." In this play Miss Tittle personates a character and assumes disguise in a manner in the highest sense artistic. It is a fine study and stands greatly to her credit. Mr. story is especially strong and very greatly sinks self in the character assumed, a thing in itself indicative of ability of fine order, since self-consciousness in dramatic art is always weakness.

At the Metropolitan Theater next Tuesday evening Miss May Powers will be tendered a benefit by citizens of Sacramento. There has been arranged for the occasion an interesting and varied musical and literary programme. Admission has been fixed at the low figure of fifty cents. Tickets are now on sale at Purnell's book store, and will be exchanged at the box office of the theater Tuesday for reserved seats.

Wallace Bradford, appellant; City and County of San Francisco et al., respondents. Action to enjoin the defendants as Supervisors and as Auditor and Treasurer of the city and county from incurring any indebtedness or expenses against said city and county during the months of May and June, 1896, whereby there shall be a deficiency in the income and revenue of said city and county provided for fiscal year of 1894-95 and from ordering any supplies or materials for said city and county for its maintenance or any department thereof, whereby there shall be created an indebtedness in excess of the revenue and income provided for said city and county government for said fiscal year 1894-95; also for injunction restraining the Supervisors from levying any tax or making any provision for raising money for the payment of such deficiency out of the public funds provided for the fiscal year 1895-96, etc. Reversed, with instructions to court below to overrule demurrer with leave to defendants to answer.

Section 18 of Article XI. of the Constitution of the State of California as amended in 1892, provides: "No county, city, township, Board of Education or school district shall incur any indebtedness or liability, in any manner or for any purpose, exceeding in any year the income and revenue provided for it for such year without the assent of two-thirds of the qualified electors thereof, voted at an election to be held for that purpose, nor unless, before or at the time of incurring such indebtedness, provision shall be made for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due, and also provision to constitute a sinking fund for the payment of the principal thereof on or before maturity, which shall not exceed forty years from the time of contracting the same. Any indebtedness or liability incurred contrary to this provision shall be void."

The duty of a Board of Supervisors is two-fold: First, to provide the funds and revenue to support the government; second, to expend them for such support. The former is the predicate of the latter, without the performance of which primary duty no duty to expend the revenues can arise until the electors shall have authorized such expenditure by a two-thirds' vote, etc.

There can exist no "duty" to contract debts and liabilities on behalf of a city in a case where the Constitution expressly prohibits it.

A court of equity will restrain the levy and collection of an illegal municipal tax at the suit of a taxpayer and property-holder.

(Sac. No. 2.—Department Two.—Filed May 5, 1896.)

W. H. McKenzie, respondent; Scottish-McKenzie and National Insurance Company, appellant. Recovery for loss by fire. Reversed.

An express warranty is a stipulation inserted in writing on the face of the policy on the liability of such insurance contract depends. If a warranty be a statement of facts it must be literally true; if a stipulation that a certain act shall or shall not be done, it must be literally performed.

To have a watchman who during the night only visited the works before bedtime and again at 2 or 3 o'clock in the morning, and also during the rest of the night slept in a house from 350 to 400 yards from the mill, and from which it was only partially visible, is far from complying with a covenant or warranty that during such time as the within described buildings or works are idle, or not in operation, whether closed for repairs or during the absence of workmen, or otherwise, one or more watchmen shall be on duty day and night in and immediately about the said buildings or works.

The ordinary negligence of the insured and his agents is a part of the risk which the insured takes upon himself, and the existence of which, where it is the proximate cause of the loss, does not absolve the insurer from liability. But willful exposure—gross negligence—negligence amounting to misconduct, etc., will release the insurer from such liability.

PERSONAL MENTION. R. F. Priest, representing a Florida corporation, is in the city.

Mayor Suro of San Francisco took a peep at the convention yesterday.

James Millar, the well-known Dixon farmer, was in the city yesterday.

Dr. Fred Tyrrell is visiting his sister, Mrs. January, in Concord, Contra Costa County.

J. B. Giffen is in receipt of a letter from Fred A. Taft, formerly a Truckee lumberman, but at present living in his old home, Dedham, Mass. Mr. Taft is also well known in this city. He writes that he is enjoying life in a quiet way, as well as his physical infirmities will permit.

The Civics Club. To-night the Young Men's Club of Civics will hold its regular meeting in the lecture-room of the Congregational Church. The subjects to be discussed are "The Powers of the Mayor," and the report of the Committee on the Health Department.

What a Pleasure. To see at a distance and read with the same lens (glass), no split to detract from the vision. This was made possible by calling on F. de Wolfe Hennah at The Normandis, Tenth and K. Examination and consultation free, and you are under no compulsion to do any business.

Ice-cream and cakes, 10 cents a dish. Otto, opposite Plaza.

MISCELLANEOUS.

A Few Words to the Point.

A \$3 FOR \$2

Is a new line of Ladies' Fine Vici Kid (not the common dongola kid), made with new square or razor toes, neat patent leather tips, kid or cloth tops; a solid, neat and excellent fitting shoe. Considered excellent value in any store for \$3. OUR PRICE, \$2. AA to EE wide and all sizes.

Another Special

Is a Ladies' Fine Vici Kid LACE SHOE with fine black cloth tops, long drawn out needle toes, stylish pointed patent leather tips, single, flexible soles; as stylish as any \$5 shoe in town. OUR PRICE, \$2.50. AA to EE wide and all sizes.

The same style of Lace Shoes, made of the new shade of dark tan kid, fine cloth tops to match and needle toes. AA to EE; all sizes. PRICE, \$2.50.

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MRS. F. SULLIVAN, 519 J Street, Sacramento.

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