# FAMOUS ANGUS-CRAVEN CASE.

## Given to the Jury, but They Were Unable to Reach a Verdict.

### Understood to Have Been Eight to Four in Favor of Defendant.

**The Supreme Court Renders a Decision in the Oakland Water Front Case, Holding That the Transfer of the Property Under Legislatice Act of 1868 Was Legal.**

SAN FRANCISCO, Sept. 13.—After five months of a bitterly contested trial the famous Angus-Craven case was submitted to the jury by Judge Slack at 1 o'clock this afternoon, and that body retired to deliberate upon its answers to the three momentous questions referred to it. These are:

First—Were the pencil deeds in controversy signed by the late James G. Fair?

Second—If so, were they duly acknowledged by him?

Third—Was there a conspiracy existing between Mrs. Nettie R. Craven, Mrs. Elizabeth Haskins and James J. Cooney, which had for its object the looting of the Fair estate?

Sept. 14th—After being out ten hours the jury in the Angus-Craven case reported that they were unable to agree. It is understood that they stood eight to four in favor of Mrs. Craven. Judge Slack, acting as chancellor, will hear arguments in the case this (Tuesday) morning.

## OAKLAND WATER FRONT.

**The Supreme Court Renders a Decision in the Case.**

SAN FRANCISCO, Sept. 13.—The Supreme Court to-day decided the case of the city of Oakland against the Oakland Water Front Company. In substance, the opinion of the court is that the Oakland Water Front Company is the owner of all the land between high and low tide on the north side of the San Antonio estuary, from the intersection of the northeast boundary line of the city with the estuary, down the estuary to its mouth in the bay, thence to "Ship channel," thence northerly and easterly, along the bay front of the city to its northerly boundary. It denies the title of the Water Front Company to the land between high and low tide around the eastern or Brooklyn basin, or on the south side of the estuary, and between low tide and the three-fathom or four-fathom line, as the term "Ship channel" was indeterminately claimed to mean by both the city of Oakland and the Water Front Company.

The claim that the people of the State of California still held title to the lands in controversy by reason of the want of power in the Legislature to alienate it in the way it was attempted to be alienated, though vigorously supported by Justices Harrison and Henshaw in the dissenting opinion, is denied by the opinion of the court.

The prevailing opinion of the court was written by Chief Justice Beatty, and concurred in by Justices Temple and Van Fleet. It makes 20,000 words. The following is a summary:

"The grant of the town of Oakland of its water front in the Act incorporating Oakland in the year 1852 is legal. The attempt to transfer the water front to Horace W. Carpentier in the same year is illegal, the Legislature not having conferred upon the Town Trustees such power. All efforts to legalize this transfer subsequently and until 1868 were not legal, because such Act could not be retroactive. The 'compromise of 1868' transferred to the Oakland Water Front Company the land granted the town in 1852, because the State Legislature had expressly conferred upon the city of Oakland by legislative Act the power to make such compromise as might be necessary, and acting under this authority the transfer was made.

"The water front is defined to be only the land between high tide and low tide, and does not include the East Oakland Basin or the Alameda tide lands which were claimed by the Water Front Company in this suit. These tide lands are held to be without the Chicago decision, which is declared to effect only navigable waters."

Concurring opinions were also rendered by Justices McFarland and Garoutte.

In rendering a dissenting opinion, Justice Harrison said in substance: "The States holds title to all tide lands and lands under the water, and cannot transfer title in large parcels. The Legislature had no power to delegate to the city of Oakland the right to transfer this land absolutely to anyone, and consequently the grant to Carpentier in 1852 was illegal. Subsequent efforts of the Legislature to confirm this grant were illegal, because these Acts could not be retroactive and they have no power to take such act. The compromise of 1868 was not a transfer of title, because the Legislature had no power to delegate such power to the city. Any attempt to define the original grant is held to be unnecessary, such Act not being asked in this suit, both parties agreeing as to description. The Chicago decision is held to be broad enough to cover both tide lands and lands under navigable waters."

Justice Henshaw also dissented.

## LOSS OF THE NEVARCH.

**Captain Whitesides and His Wife Arrive at Seattle.**

SEATTLE, Sept. 13.—Captain Whitesides and wife of the whaler Nevarch, which vessel was lost in the Arctic, together with thirty-five of her crew, came down on the steamer Humboldt, which arrived from St. Michaels to-day.

The Nevarch left San Francisco on March 2d last and entered the Arctic Ocean in July. She soon got caught in the ict at a point 120 miles northeast of Point Barrow. At first the Captain thought the ship could be extricated from its position, but on July 29th they realized there was no hope of such an event. They hoisted signals of distress, trusting that the revenue cutter Bear or some of the other whalers of the fleet would see them and come to their assistance. But the fog came and obscured them for days. They drifted rapidly northward with the icebergs. Finally they decided to leave the ship.

On August 14th the whole crew took the three small boats and started across the ice. After dragging them for five miles they came to open water and embarked. The current caught them at once, and before they had gone ten miles they were in another ice pack. Then they discovered that they only had five days' provisions and they abandoned the boats and started across the ice on foot. They all got back safely, and then commenced preparations for a second attempt to save themselves. All but eight men decided to push across the ice fields on foot.

The weather was not bitterly cold, but it was foggy and disagreeable, and necessitated more clothing than was conducive to rapid travel. For this reason a limited amount of food was carried, for they thought they would surely reach the Bear or one of the whalers within two or three days. The eight men left on the boat thought they were better off than on the ice, and were left to their fate.

Away across the treacherous ice went the thirty-seven men and the gritty woman. But one day out the Captain and his wife and seven others changed their minds about the likelihood of saving themselves by the method they had undertaken. They would come to open water now and then, which impeded their escape, while often they would find it necessary to go far around massive icebergs, rearing their percipitous sides directly in their path. Nine of the party went back to the ship, leaving twenty-nine on the ice. Nothing has been heard or seen of these twenty-nine men since that day, August 12th.

The party got back to the ship safely, and on August 14th made another start with eight in the party, Captain Whiteside, his wife, first mate Blaine, fourth mate Read and seamen Scott, Lechow, McLean and Peters. They took a small canvas boat, into which they put a week's provisions. It was a heavy load for the little craft, but this was the last hope they had, and they had to take desperate chances. Only the fact that the sea was comparatively quiet accounts for the miraculous escape, for any rough weather would have instantly swamped them. They got into clear water in a few hours, and paddling through the fog and darkness, avoided, as best they could, the drifting ice. They pushed on for hours. Finally they could go no farther, and they got out and walked over the ice. For sixty hours they kept on, first walking and now and then taking to the small boat. At last land was seen. The land proved to be Copper Island, a barren, desolate spot, from which position they were rescued on the following day by the Bear.

Captain Whitesides thinks the twenty-nine men left on the ice are surely lost.

## SALMON CATCH.

**The Largest Ever Known in the Northwest.**

PORT TOWNSEND, Sept. 13.—An official report filed at the customs house here to-day by Inspector Webber, whose detail has been at Point Roberts for the past three months, show that the catch of the fishing season just closed is the largest ever known in the northwest. The Alaska Packing Company, at Point Roberts, alone put up 95,000 cases, using 65,000 salmon. Altogether 2,500,000 fish of the sockeye variety were caught off the mouth of the Fraser River during the season, and nearly as many humpback salmon were taken from the traps and left on the mud flats to die and decay. As a result of the unprecedented large run this season, fishermen predict a light run for the next three seasons. While prices last year for fish ranged from 10 to 25 cents each, this season the fishermen were glad to sell them at 3 cents each.

## EX-COLLECTOR SAUNDERS.

**Government Officials Investigating His Career.**

PORT TOWNSEND (Wash.), Sept. 13.—In connection with the investigation of the official career of ex-Collector of Customs Saunders, Special Agent Leslie Cullom arrived this morning, accompanied by Special Agents Whitehead and Lewis of the New York District, Dr. J. E. Gardner, official Chinese interpreter of San Francisco, and Deputy United States Marshal McLaughlin of Seattle. The latter arrested Ah Gee, who acted as Saunders' chief interpreter during the latter's official reign. The entire party left for Seattle at noon, but stated that they would return to-night to further prosecute their investigation.

**Annie Laurie Sues for Divorce.**

SAN FRANCISCO, Sept. 13.—A sensation was created in newspaper circles to-day by the announcement that Mrs. Winfield S. Black, better known as "Annie Laurie," had commenced suit for divorce against Orrin Black, also a newspaper writer, upon the ground of extreme cruelty. The Blacks were married in Stockton on June 10, 1891, and have one child, Jeffrey Black, now 5 years old. The defendant is employed on the New York "Journal," with which paper Mrs. Black was also connected until recently.

**Merritt and St. Claire Discharged.**

GILA BEND (Ariz.), Sept. 13.—Merritt, the young hopo charged with the murder of Druggist Pratt, and St. Claire, the butcher accused of complicity, were discharged to-day by the Coroner's jury sitting on the case. No evidence of any value could be found against them, and the blood stains upon their clothing were easily accounted for. The general theory now is that the crime is the work of several half-breed Papago Indians, who have loafed around the village for months.

## BITTEN BY A MAD DOG.

**A Young Boy Dies From Hydrophobia at Fullerton.**

FULLERTON, Sept. 13.—Five weeks ago Harry Cox of this place, aged 8 years, was bitten by a spitz dog at Long Beach. The dog, which was supposed to be mad, was kiled after biting other parties. The Cox boy was taken suddenly ill Saturday night, when he died with hydrophobia. The first few hours of his sickness he would swallow food with difficulty only, and on attempting to take liquid nourishment or water was immediately thrown into spasms. Older members of the family were bitten by the same dog, but up to the present time show no signs of illness from the bites.

**An Enjoyable Affair.**

LOS ANGELES, Sept. 13.—The reception given the Dovenor party this morning at the Chamber of Commerce was one of brief duration, but it was particularly enjoyable alike to hosts and guests. Mayor Snyder and the city and county officials, as well as a number of prominent Los Angeles men and women, acted as a Reception Committee. Brief remarks were made by Congressman R. B. Dovenor of West Virginia, General James A. Walker, John Bankhead of Alabama and Congressman Brumm of Pennsylvania. The speakers enthusiastically indorsed San Pedro as a harbor site.

**Train Robbers Still at Large.**

STOCKTON, Sept. 13.—George Williams and George Schlagel, who attempted to hold up the Los Angeles express near Ripon last Wednesday night, are still at large. Last night two men attempted to hold up Ed Mangin and wife who were driving from San Jose to Stockton. Two men ran up to the buggy at the San Joaquin bridge, and would have halted the couple had not Mr. Mangin whipped up his horse. From description given of the men the officers have no doubt that they were Williams and Schlagel.

**New Railways in Arizona.**

PHOENIX (Ariz.), Sept. 13.—E. G. McLennith to-day filed with the Territorial Secretary notice of intention to build local railway lines approximating 640 miles in length in the northwestern part of the Territory, the main line being from Kingman to Whitehills Camp. A. E. Root and several other capitalists interested in Whitehills mines are stated to be behind the project.

**Funeral of Abel Stevens.**

SAN JOSE, Sept. 13.—The funeral of the late Abel Stevens was held this afternoon at 2 o'clock in the parlors of the Vendome Hotel, Rev. R. S. Cantine, pastor of the M. E. Church, officiating. A large number of friends and prominent ministers were present. The body was taken to Alhambra this evening, where it will be interred to-morrow afternoon.

**Three Prisoners Break Jail.**

SALT LAKE, Sept. 13.—A special to the "Tribune" from Pocatello, Id., says: A. Monroe, O. Kendall and Charles Hogan, the three men from Butte, who were in jail here awaiting trial on a charge of robbing the Oregon Short Line station at McCammon, Id., on August 8th, broke jail this morning, and fled to the hills.

**Dishonorably Discharged.**

MODESTO, Sept. 13.—The trial by court martial of private M. T. Andrews, who assaulted Captain D. W. Morris at the National Guard encampment at Santa Cruz last month, has resulted in a sentence of dishonorable discharge from the Guard. This carries with it disfranchisement for a period of one year.

**McCamish Murder Trial.**

LOS ANGELES, Sept. 13.—The defense in the McCamish murder trial was begun to-day, the testimony mostly confined to statements of various witnesses that both the defendant and McCoy Pyle had good reputations. The defendant took the stand and reiterated his story of the robbery by tramps.

**A Child Burned to Death.**

UKIAH, Sept. 13.—The home of Thomas Hawkins, a farmer, who lives near Greenwood, was destroyed by fire this morning, and his five-year-old daughter perished in the flames. The origin of the fire is unknown.

**A Brakeman Crushed to Death.**

VIRGINIA (Nev.), Sept. 13.—Francisco Gomas, a brakeman in the yard of the Virginia and Truckee Railroad was caught between two cars to-day and crushed in a horrible manner, dying an hour later.

**Fatal Accident in Mendocino.**

MENDOCINO, Sept. 13.—John Flannery, a resident of this place, met with a fatal accident while working on the county road Saturday afternoon. In company with others he was excavating rock by the roadside, when the rock caved in from above him.

**Stolen Dress Found.**

Captain Fisher and Officers Maley and Talbot, while patrolling the alley between K, L, Front and Second streets, last night found a bundle tied up in paper. On examination it proved to be a woman's dress. It is of black sateen, with an oakleaf and acorn figure. It was probably stolen and thrown there by the thief.

# LATEST FROM THE KLONDIKE REGIONS.

## The Humboldt Arrives at Seattle From St. Michaels.

### Brings Sixteen Passengers and About Fifteen Thousand Dollars in Gold.

**Report That the Steamer Eliza Anderson, Supposed to Have Been Lost, Is Safe at Dutch Harbor—Old-Timers in the Mine Districts, Frightened at the Influx of Prospectors, Coming Home, Fearing That Hardships, Suffering and Perhaps Murder Will Will Result Before the Winter Is Over.**

SEATTLE, Sept. 13.—The steamer Humboldt arrived this morning from St. Michaels. She brings fourteen passengers and about $15,000 in gold. The Humboldt also brings the news that the sidewheel steamer Eliza Anderson, from Seattle, which was reported lost, is safe at Dutch Harbor.

The Humboldt was eleven days from St. Michaels. The steamer Eliza Anderson is anchored in Dutch Harbor, where she arrived on the 4th instant, and where she is now detained by revenue officers. Her passengers have by this time entered the Behring Sea on a schooner chartered for that purpose. Two of the passengers on the Anderson were so frightened that they gave up their search for gold, and returned south on the steamer Humboldt. Mayor Wood of Seattle, who chartered the Humboldt, is still at St. Michaels, but letters received from him indicate that all is well with him, and that the stories of dissension and strife on the part of the members of his expedition are untrue.

The Humboldt brings back advices which reiterate the stories of the untold wealth of the Klondike and Yukon, and verify the previous rumors of the shortage of the food supply in the interior. "There will be privation, sickness, starvation, scurvy and death on the Yukon this winter," is what the returning gold hunters all say.

Only seven of the passengers on the Humboldt have money. It is impossible to induce them to say how much money they have, but the purser of the Humboldt gives the following figures: G. A. Wanger, $900; E. Turner, $500; J. F. Crieder, $2,000; W. Urquhardt, $900; J. D. Rogers, $2,000; D. F. Atkins, $4,500; Captain J. Whiteside, $4,200.

J. N. Secretan, who came back on the Humboldt, and who has but very little cash, says he came out to avoid starvation at Dawson. Said he:

"Thus far upwards of 1,500 men have pushed their way over the passes from Skaguay and Dyea, and have arrived at Dawson City. The influx of miners over the passes has frightened the old-timers in the interior, and all that can command money are coming out to winter in the States, and thus avoid what they believe will be a winter of hardship, suffering and perhaps murder and thievery. We left Dawson on July 26th on the steamer P. B. Weare. At midnight on the 27th the steamer ran on a bar near Circle City. After waiting seventeen days there we were transferred to the steamer Healey, and arrived at St. Michaels on August 25th. Next day we took the Excelsior to San Francisco. On the morning of August 28th the Excelsior went aground in ten feet of water in the Behring Sea, seventy miles from land. The passengers moved seventy tons of coal from her hold to a lighter, and at midnight she floated, having broken two blades of her propeller. She arrived at Unalaska on September 1st. On the 2d they tried to beach her, and on the 3d succeeded. On the 4th they took off her propeller and on the 5th put on a new one. She sailed via Unger for Dutch Harbor on September 6th, where we took the Humboldt for Seattle. On the way from Dawson I have paid three fares. First to the North American Trading and Transportation Company for passage to Seattle, then $120 to the Excelsior, and again $75 to the Humboldt."

W. B. Price of Danville, Ill., who went up on the Eliza Anderson, and who left that vessel at Dutch Harbor, returned on the Humboldt. He said: "The entire trip was a series of mishaps. The third day out from Dirions' Entrance bad weather came on, and the wind blew terrifically. The waves would lift the guard up and leap in under it. During the first night after the storm began the rudder chain broke five times. Of course, after this broke, there was no controlling the boat. Every minute it seemed that she would go over. The passengers were thrown out of their bunks, the crew was insufficient to man the pumps, so the passengers took them in charge. I was put in command, and divided the passengers up into squads of four men each. Each squad worked two hours. I also did the sounding, to see how much water there was in the hold. We kept this up for forty-eight hours, and during that time the Anderson drifted back one hundred miles. The second day of our trouble the other boats of the fleet were in sight. Then the Merwin, which was being towed by the Holyoke, along with the Bryant and Politofsky, broke loose, and the Captain of the Holyoke turned about with the other two boats in tow, and picked up the Merwin.

"The next place we reached was St. Paul, on the Kodiak Island. We should have taken on coal enough there to get to Dutch Harbor, but could not get it. After leaving St. Paul the sea was heavy and we were forced to cruise along the shore. We arrived within 160 miles of Dutch Harbor when coal gave out. We were rigging a small boat to send out for relief, when we sighted a small fishing smack with one man in it. He told us we could reach an abandoned cannery about twenty miles distant, where coal had been lying for five or six years. We had enough coal to reach that point. All day long the passengers worked in a drizzling rain to take on that coal, and finally on September 4th we reached Dutch Harbor.

"Captain Hooper of the revenue squadron boarded us at Dutch Harbor and seeing the unseaworthy condition of the Anderson, forbade her to go further. It was not necessary for him to go below deck, but immediately upon seeing that we had insufficient life boats he gave the order to tie up there. The passengers of the Anderson, with the exception of George Scott and myself, raised $1,000 to charter the schooner Barisoff to take the passengers from there to St. Michaels. The conditions on the trip of the Anderson from Dixon's entrance to Dutch Harbor cannot be pictured too vividly."

It was a remarkable statement that Captain Chilcott, one of the incorporators of the company which runs the Anderson, is reported to have made to Captain Bonnifield of the Humboldt this morning. The reported remark was as follows:

"We knew that the Anderson was unseawrthy, especially for an ocean voyage, but we were bound to get her there, anyway. We put her in charge of one of the best sea captains on this coast, Captain Powers. If anybody could get her there he could."

The complete passenger list is as follows: Dr. A. C. Posey, Mrs. E. Cronister, G. A. Wanger, E. Turner, J. F. Crider, W. Urughardt, J. F. Williams, Captain J. E. Whiteside and wife, W. B. Price, George Scott, J. N. Scretan, Mrs. Woodford and five children, J. B. Rodgers, D. F. Atkins and Mrs. A. Clark.

HARDSHIPS OF SKAGUAY.

KANSAS CITY (Mo.), Sept. 13.—F. W. Gates of the ranch firm of Vail & Gates, Los Angeles, Cal., and Arizona, who is in the city, has just received an interesting letter from C. W. Anderson, whom he grubstaked to go to the Klondike country. The letter is dated Skaguay Pass, Alaska, August 27th, and says, in part:

"I have now been about two weeks on this trail. I cannot describe the hardships of those who are struggling and enduring all the hardships that either man or beast ever endured in our endeavor to get over the mountain before the lakes and Yukon River freeze up. It is estimated that there are about 7,000 people on this and the Dyea trails and camped where the ships landed them on the beach. Many are giving up in despair and will try the Dyea route; others are going into winter quarters. We have had one continuous storm for about three weeks—mostly rain and hail. Very few have been through to Lake Bennett. The mountains are very steep and rocky; the flat places are all boggy. Many horses have been killed. It is impossible to hire packing done over this trail. Those who are hiring are paying from 50 to 60 cents per pound.

"This trail has been greatly misrepresented by the sharks and real estate boomers who are building and booming a town at Skaguay bay. They reported a passable trail, open for horses, before I left Seattle, which caused most everybody coming to ship their outfits this way. I do not know of but two parties that have been over this trail to the lakes yet, and we that are on the trail are contributing to have the trail made.

"My advice to all who anticipate going to the Klondike is not to come this route. They say there will be a famine in Dawson unless the parties going in take plenty of provisions. So I have made up my mind to take plenty with me, and I will be O. K. for the next year, even if I am compelled to go into winter quarters before reaching my destination."

COMMISSIONER SMITH'S REPORT.

PORTLAND (Or.), Sept. 13.—John U. Smith, United States Commissioner at Dyea, writes to the "Evening Telegram" under date of September 5th. He says:

"The air is full of all sorts of business schemes. There are representatives of many moneyed corporations here figuring on tramways and railroads. The right of way is what sticks them all. Alaska is a great country, but it is very hard to get any more of it than you can spread yourself out over. The trails ought to be improved, which could be done at small expense, and would be a great public improvement, but Alaska laws are so limited that no one can even get the right to make a trail or get a right of way for a road.

"The matter has come before me semi-officially, and I have ruled that only a bridge can become private property under a squatter's right of possession, and that no individual can control the trails. If anyone builds a bridge he can charge toll, or keep people off it.

"The men at Dyea and Skaguay are the most peaceable and law-abiding that I have ever met—a great deal more so than I expected. There have been a few fights, but under the present elements it is a wonder they get along as well as they do. There have appeared in some papers articles that have made mountains out of nothing.

"The Skaguay trail has been closed by the miners themselves, in order to let all turn in and improve it, and those who did not know of the arrangement have been stopped by work. No serious trouble has occurred.

"The miners are not getting over the Skaguay Pass as lively as at Dyea. It is a longer route, and the trail is new and muddy. There has consequently sprung up quite a town at Skaguay by those who have decided not to go over until spring."


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This being recognized as Silk headquarters, the heading to this item means much, for we better deserve that reputation this season than ever, due to our great preparation to meet every demand in black, colored and fancies, and this is to be largely a silk season. The fancies are most beautiful in colorings. Roman stripes and bright plaids have visited us again, and judging from what our Eastern friends say, they have come to stay and cut an important feature in fall styles in the making of smart waists and blouse bodices.

Moire Antique

Will be one of the most popular silks this fall for making smart plain black skirts to be worn with different bodices. We show a novelty in this line with satin brocade, the satin-like spots seeming to make a part of the watering; very rich. Price, $1 25 yard.

Roman Stripes

And Bright Plaids, whose beauty is irresistible, you'll find here in splendid assortment. There is a charm in first choice. Come early and select a cut for a waist at $1 or $1 25 a yard.

Black Gros Grain Silk.

This weave is too well known to require much comment. It never loses favor, but each season finds lower prices on standard qualities. You can secure an elegant black silk costume from a very superior quality of silk at 75c yard.

New Ribbons.

In Ribbons, like in Silks, Roman stripes and plaids appear. They are indeed beautiful in the blending of the new shades, and will be worn as neck ribbons, hair ribbons, belts, etc. Priced at 25c, 35c and 50c yard.

Swansdown Flannelettes,

15c YARD—These goods are to be unusually popular this season for many purposes—Children's coats and frocks, women's house robes, wrappers, etc. They are fleeced on both sides and unusually handsome in their beautiful scroll and unique designs, in bright and new colorings. We show a most complete assortment in sufficiently varied patterns and colors to please all at 15c yard.

Women's Walking Hats.

The assortment of New Fall Walking Hats shown is one of the prominent features in our Millinery Department. There are many kinds.

The Dakota, or Cow Boy Hat, promises to be quite a favorite in the West as a walking hat and the rage for the winter cycling girl. The colors are chocolate, new blue, red, green, black, gray, brown and mottled. The brim has double edge, double leather bound, with leather band and harness buckle, steel or self covered. Price, 89c.

Ladies' Walking Hat, medium crown, trimmed with three bands, black velvet, finished with neat velvet bow, brim finished with black velvet fold. Colors tan, green, brown, navy, black and red. Price, 85c.

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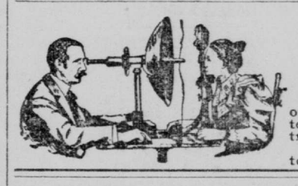

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