# LOS ANGELES HERALD

DAILY AND WEEKLY.

THE OFFICIAL CITY PAPER.

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ANNOUNCEMENTS.

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The Herald

SUNDAY, JUNE 25, 1893.

## AN INDEX TO YESTERDAY.


BY TELEGRAPH — Boundless wins the American derby.... Large attendance at the world's fair.... Rebellots give the German government a majority of one in the reichstag.... Gossip about the Victoria disaster. Senator Stanford's funeral.... Bank failures.... Sporting items.... General news gleanings.

LOCAL—Sewer pipe tongues tested.... The wheelmen..... Correspondence from Chicago showing why Eulalia was disliked.... St. Hilda's hall commencement.... Society events.... The Boys' Brigade to camp at Catalina.... Train robbers' new expedients in Arizona.... The consequence of two Bob Stewarts being mentioned in a deed.... Suicide of a tramp named Larry Carnahan. Ex-Officer Kinkenbach's death attributed to that old chestnut, heart failure.... A queer insanity case.... Justice of the Peace Fleming of Coronado under arrest here.... A fiduciary renaissance.... The Seventh to parade. Mining news.


NEIGHBORING TOWNS.


PASADENA—Company's B's target practic.

SANTA MONICA—Many attractions for today.

TERMINAL ISLAND—News matters.

LONG BEACH—Local notes.

REDONDO—Shipping notes.... A Sundsy school picnic.

SANTA ANA—Banks preparing to resume this week.

POMONA—St. John's day celebration by the Masons and High school commencement.

SAN BERNARDINO—An organized gang of boy criminals unearthed.

FULLERTON—News notes.


POINTERS FOR TODAY.

NORMAL SCHOOL—Baccalaureate sermon, Dr. Thomsen, 10. a. m.

ATHLETIC PARK—Baseball, Los Angeles vs. San Francisco, 2:30 p. m.

WESTLAKE PARK—Open air concert, 3 p. m.

THE East Side bank reopened yesterday and did a good day's business. Those on this side will do likewise in a few days.

WE GIVE elsewhere a copious extract from Bland's letter in reply to Secretary Carlisle's review of the government's recent silver operations. The leader of the free coinage forces in the house analyzes the Sherman act and declares that from his standpoint the law cannot be utterly condemned until the terms of redemption of silver notes with silver are complied with by the secretary of the treasury. He finds a Democratic inconsistency in the substitution of the Sherman law for tariff reform as the chief topic of interest. Many western Democrats will agree with the chairman of the coinage committee in all he says, and whatever comes from such a source at such a time is a pertinent contribution to the debate. His views must necessarily be a factor in the deliberations of the coming session, and they must now be taken into account.

THE San Francisco Chronicle of Tuesday, in its account of the closing of the Pacific bank, takes occasion, in a way that leaves the signs of being "inspired," to attack the enterprises of Southern California indirectly and the Consolidated Electric railway in particular. This action is either the result of crass ignorance or malice. All of the great enterprises in Southern California are prosperous, and as shown by the recent addresses to the public issued by the chamber of commerce, no part of the union has as many causes for prosperity as this. The electric road is doing a splendid business, as any observer of its cars can tell. The town is full of people, retailers and wholesalers agree that business is good, more costly buildings are being erected than ever before, a great commerce is being built up at Santa Monica, even our suspended banks find the proffers of capital with which to reorganize embarrassing in their multiplicity. Can San Francisco show s much?

WHEN congress meets to reform the currency the west and south will not be shaken by the self-righteous tone of those who are saturated with English monetary literature. The problem is money for the United States, for a country with 3,000,000 square miles of territory and a range of productions extending from the cotton mills of Fall river to the orchards and vineyards of the California valleys. Our index is not England, China or Patagonia. Our question is what forms of sound legal tender currency will be most readily distributed to all the industries of the people, will best preserve an equilibrium of prices and will most nearly fix between debtor and creditor relations of equity. Is it an improper request from the west and south that the eastern representatives go to Washington with a similar purpose? We intend to be so represented, and we ask no less and no more of the northeastern states. West and south believe in American money for the American people.

### PROHIBITED MARRIAGES.

The prohibition by statute of marriages within certain degrees of consanguinity is certain to be commended on grounds of public policy. Whether that degree of prohibition should extend to first cousins is still an open question with physiologists and statesmen. Just now the legislature of Kentucky is wrestling with this proposition, but we think that body would reach better practical results if it would consider the subject of marriage between persons in whose blood runs consumption or other incurable diseases that are often inherited from the parents and too often transmitted to the children. Why should persons afflicted with congenital deafness or dumbness be permitted to intermarry? The chances are so largely in favor of the affliction reappearing in the children that the state would have the right to step in and exercise its power to prohibit the perpetuation of such a calamity in their descendants.

The issue of two persons tainted with insanity will either be tainted with insanity or be idiots. This line of affliction would stop here, for two idiots can not perpetuate their race. It is true that deaf and dumb people sometimes have children who are supplied with the missing senses, but all authorities agree in the fact that the deficiency will reappear at some time in the offsprings of such marriages. Insanity sometimes skips a generation or two, to reappear as a hereditary trait in the direct line or in some correlative branch. Byron's grandfather was an instance, and Byron himself kept up the rule.

In consumption we frequently see the unquestionable signs of heredity. Whilst the marriage of a strong, healthy man with a consumptive woman may help the matter and modify the transmission of the disease from the mother to the offspring, yet the children of parents, one of whom is a consumptive, as a rule have a tendency to that dread disease, and seldom altogether escape from its deadly effects.

One of the most interesting problems of modern social science is as to whether persons afflicted with consumption or other diseases that run in the blood and are known to be of a transmissable character should be permitted to perpetuate the curse to their progeny. This question is engaging the thought of eminent physicians in every civilized country. A distinguished German collector of vital statistics has arrived at the conclusion that in doubtful cases no one should be allowed to marry unless he or she can pass a successful medical examination to show that the children of such marriages shall not be so deficient in health or in the full endowments of nature as to be likely to become a charge on the community. No doubt this conclusion carried into the statutes would be in some instances cruel; but it would be "cruel only to be kind," for we can imagine nothing more selfish or heartless than for people to deliberately assume the relationship that will result in bringing innocent children into the world afflicted with incurable disease or carrying with them an infirmity of mind that must be a constant source of misery to themselves and all who come in contact with them.

It is the duty of the state, as far as it can decently and properly do so, to encourage the healthful development of its people. It, of course, has not the power of parental selection, neither can it exercise the office of directing the stirpiculture of the human family on the plans pursued in the evolution of the best breeds of animals; but it can certainly discourage, by prohibitory statute, the marriage of parents who will in all probability transmit to their offspring incurable disease, or deficiency in the senses, or infirmity of the mind—all of which are liable to place at some time burthens on the state which it has a right to provide against. In the ideal republic of the ancient philosopher no man or woman was allowed to marry unless he or she could show perfection of mind and body. The result was expected to produce an ideal which the world has never beheld. The notion was, perhaps, carrying a sound theory to an extreme. But there is no reason why victims of disease should be allowed to go on transmitting it to posterity without restraint.

WE NOTICE that the Hibernia Savings bank in San Francisco has refused to reopen deposit accounts with persons who withdrew their money during a slight run which was had on the bank on Wednesday last. This is, of course, possible with an institution like the Hibernia bank, which is one of the strongest savings banks in America. But it would not do as a rule. Indeed, as a rule, it would be hurtful to the general business of a community. The proper policy, and the best policy for all, is to encourage people who have yielded to the spasms of a panic to come back as soon as they can to normal and healthy conditions. Now let us take, for instance, this city. Many of the depositors in our savings banks who were carried away with the frenzy that passed over our community, rushed headlong to their banks, and when they found that the time rule had been enforced, as was right, they at once filed notice that they intended to withdraw their deposits. Now, it is not probable that a single one out of a hundred of these distraught depositors, having had time to think and to look calmly into the situation, doubts the solvency of the banks and the perfect security of his money. What these people ought to do, now that the sober second thought has had time to assert itself, would be to withdraw their notice and to leave the banks free to carry on their business on normal principles. They will see, if they reflect, that their notice of intention to withdraw actually ties up that amount of money; that the banks have no option but to provide for its payment. In so far as their action operates to this end, they help to cripple the business of the community and to make the money estringency still more constipated. If they want their money to earn money so that they can receive a profit on their deposits they must give the banks a chance to loan it out on proper security.

MCKINLEY'S admirers will be apt to keep tin-plate out of the campaign discussion in Ohio this fall. The fact that tin-plate importations have almost reached their normal standard before the farce in the last presidential campaign, remands that topic to the back numbers of political issues. After Mr. Niedringhaus and the other conspirators in the trust had laid in their tremendous stocks of tin-plate to take advantage of the increased duty under the McKinley law, there was naturally a heavy decrease in tin-plate importations. In fact, they ceased altogether. The combination had the home market cornered, and as its stocks were large they supplied that market for a long time. During the last campaign it was the Republican boast wherever a new "tin-plate factory" was dedicated that there was no foreign tin-plate coming into the country. There was not; but before the campaign was over the stocks of the trust began to decline and importation began again. Ten months' importations in the current fiscal year are now reported, and the figures show that tin plate importation is almost up to its old level. The increase in these 10 months over the same months in the preceding fiscal year has been so large that if the percentage is maintained through the two remaining months the total tin plate importation for this fiscal year will fall but 2,000,000 pounds short of the average annual importation before the McKinley law was passed. In the meantime Mr. Niedringhaus has pocketed a great fortune as a public gift. Mr. Niedringhaus is a smart man, and we are the great American people.

WE THOUGHT it would "come to this complexion at last." Hon. W. W. Foote, who has been conducting the defense in the Heath trial at Fresno, was fined $100 yesterday for disregard of the court's instructions. There has been a great deal of bounce exhibited in this trial in the cross-examination of witnesses for the prosecution, and Mr. Foote on several occasions has utterly overstepped the line of decorum in his treatment of them. Indeed he has "jumped" some of the witnesses in such a rough and tumble manner as ought to have called for the protection of the court. But the court preserved its temper and the witnesses had to take it. It seems, however, that Mr. Foote has indulged in his brusque tactics once too often.

Now that it has been shown that a bald head is sufficient disability in a soldier of the rebellion to receive a pension, we may prepare to see a wonderful accession to the list of applicants. There are but few amongst the veterans who cannot make the showing required, and it is not necessary to prove that the hirsute depletion occurred from actual casuality in the war, the number of new pensioners may become appalling.

The concert given at the Y. M. C. A. auditorium last evening by Prof. M. S. Arevalo was an artistic success. Prof. Arevalo is well known in this city as a musician of rare talent, and his concert was an artist's triumph—every number being well received by the music loving audience, and many of them were encored.

The prelude was a March, arranged by Prof. Arevalo, given by the guitar club, composed of the following artists: Mrs. L. L. Taggart, Mrs. Pearl W. Severance, Misses Lizzie Thayer, Mabel McFarland, H. T. Longstreth, H. Brodrick, Mr. V. Wankowski and Sr. M. Carrizosa.

Mrs. H. de Los Reyes Prescott sang a mezzo solo, "Stella Confidente." She has a sweet and pure tone and rendered the piece admirably. She was recalled, and gave another pretty number in answer to the encore.

The Fantasie from Martha, by Professor Arevalo, was another musical gem and was given in that light, cheerful and graceful manner so natural to the finished artist.

The guitar quintette gave the Bolero, a very pretty Spanish waltz, arranged by Professor Arevalo, the artists being Mrs. Taggart, Misses Thayer and McFarland, Sr. Carrizosa and Arevalo.

Mrs. J. B. Brown gave the Chalet Horn-Glover. She has a strong contralto voice, clear and resonant, and sang with a charming grace—her highest notes remaining sweet and clear.

The reverie, Abendruhe, by Mrs. Severance (zither) and Professor Arevalo (guitar) received a well merited encore. Mrs. Severance showed remarkable skill in her performance on this little instrument, whose strains are so sweet and melodious.

Other numbers were given, and the entertaining programme was admirably given.

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The pupils of the Ludlam school of oratory and arts will give a dramatic entertainment at the Los Angeles theater on Wednesday evening, June 28th. The programme consists of two bright and entertaining comedies, entitled A Box of Monkeys, and A Little Treasure. The comedies are sparkling in dialogue and bristling with comic action and pleasing situations. The young ladies and gentlemen who interpret these pretty sketches are well known in this city as local artists of ability, and those who attend will witness two comedies, charmingly interpreted.

Following is the programme:

A BOX OF MONKEYS, BY GRACE L. FURNISS.

| | |
|---|---|
| Edward Ralston | Mr. W. E. Pile |
| Thauncey Og etherpe | Mr. V. Wankowski |
| Mrs. Ondego Jhones | Miss J. Williams |
| Sierra Bengaline | Letha Lewis |
| Lady Guinevere Llandpoore | Gertrude Finney |

THE LITTLE TREASURE, BY SIR A. HARRIS.

| | |
|---|---|
| Sir Charles Howard | Mr. W. E. Pile |
| Capt. Walter Maydenblush | Mr. V. Wankowski |
| The Hon. Mr. Leicester Fluttermore, | Mr. B. D. Fargo |
| Lady Florence Howard | Miss Gertrude Finney |
| Gertrude, daughter of Sir Charles and Lady Howard | Miss Nanette Goitschalk |
| Mrs. Meddleton | Miss Josephine Williams |
| Jans, servant | |
| Guests | |

Box office open Tuesday.

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The Ideal Guitar and Banjo club held its final rehearsal for the season last evening. They furnish the instrumental music for the Woodbury Business college commencement exercises at the Grand opera house Monday evening, which will close their engagements for the season. The club has now a membership of 19, and is stronger than ever before. They give their next regular concert early in the fall.

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PARK THEATER.—Tomorrow evening Cinderella, a spectacle, will be put on for the week. The management promise an attractive performance, with new scenery, novel effects and a pleasing ballet.

## THE SIMPSON EXCURSION.

### Rubio Canon Invaded by a Happy Picnic Crowd.

Four extra coaches left the Terminal dept at 9 o'clock yesterday morning carrying 200 representatives of the Simpson M. E. church, distined for an expedition into the heart of the Sierra Madre mountains. In due time they had traversed the orange groves of Pasadena and reached the new and picturesque station at Altadena junction. Thence trolly cars conveyed them over the foothill mesa to Rubio cañon and through the winding labarynths of that lovely retreat until they were landed at the beautiful pavilion built across the gorge from granite wall to granite wall, and where a connection is formed with the great cable incline of the Mt. Lowe railway. Here ample lunch baskets were divested of their contents and appetites made sharp by the stimulating mountain air did full justice to the occasion. Moving about among the eager throng was the dignified form of Prof. Lowe, the projector of the mountain railroad, and the one who set all these multiform forces at work and made it possible for the people to enjoy these beautiful scenes.

During lunch, which was washed down by pure cold mountain water, announcement was made that Rubio cañon extends much further into the mountains than the pavilion where they were resting, and they were invited to penetrate into its mysteries. So a procession was formed of youths and maidens, with a sprinkling of elderly people, who wended their way over the graded walks along the mountain side and across the singing brook till they reached narrow gorges between vertical walls of granite, where they met with airy but substantial bridges, and numerous stairways climbing the more inaccessible declivities, with here and there a platform projecting out into mid air, forming a vantage ground from which to view some striking and beautiful effect in foaming cascade, tumbling and swaying waterfall or towering precipice, till at last, after climbing nearly 300 stairs and crossing numerous bridges, they arrived at the objective point of their journey, where the stream tumbles in two grand leaps over a cliff 200 feet above, breaking in rainbow spray upon the rocks beneath.

Exclamations of wonder, delight and admiration were heard on every hand. "How beautiful those feathery ferns!" "How grand this rocky gorge!" "How majestic that beetling cliffs!" "See the gnarled roots of yonder tree clinging to the mountain side!" "Behold that exquisite sheet of water gliding over those mossy rocks!" and so on ad infinitum.

Among the persons noticed in the afternoon were Prof. T. S. C. Lowe, T. D. Stimson, T. W. Brotherton, Dr. Hilton Williams, Prof. George R. Crow, and many others, who made trips to the highest accessible point in the cañon.

This excursion was given to accommodate the Simpson church Sunday school, and was not the formal opening of the road. That event will occur next week after due announcement.

## NORMAL SCHOOL ALUMNI.

### They Enjoy Their Annual Banquet Last Night.

The Normal school alumni held their annual reception and banquet last night at the Hollenbeck café. There were over 100 young lady and gentlemen members of the organization present, including the board of trustees, and the event was signalized by complete success. The affair of this year was in realty intended more in honor of the presence of Professor More, the retiring principal of the school, than for any other event.

The party assembled in the parlors of the Hollenbeck hotel where an informal reception and general reunion was held. Shortly after 9 o'clock they proceeded to the café where Caterer Aull had prepared extended courses of good things.

Mr. Louis Thorpe acted as toastmaster. About 11 o'clock he arose and announced that the speaking was in order.

A pleasant feature of the speechmaking was the toasting to Prof. More, three being given—one by Prof. Melville Dozier on behalf of the faculty, another by Miss Mary Foy upon the part of the alumni, and one by Mr. T. P. Lukens of Pasadena, on behalf of the board of trustees.

Prof. More responded in feeling terms.

Miss Hawks, preceptress of the Normal high school, then toasted Prof. Pierce, late principal of Chico, now incoming principal of the Normal school.

Prof. Pierce responded.

Mr. B. H. Donnell of '93 responded to the toast: Our Future.

An orchestra was in attendance.

## THERE WERE TWO BOB STEWARTS

### And the Result Was a Mixed Real Estate Case.

### Judge Shaw Gives an Opinion on a Demurrer Yesterday.

#### In Consequence of the Wrong Man Being on the Deed a Monkey and a Parrot Time Resulted.

In the case of William G. Bradshaw vs. William Pridham Judge Shaw yesterday filed an opinion overruling the demurrer to the amended complaint.

This was the case where two men named Robert Stewart, one white and the other colored, became very much mixed as to identity, owing to certain real estate transactions. By mistake the wrong Bob Stewart was included in a deed, and afterwards the property changed hands several times, so that the plaintiff and defendant and the various parties interested have had a monkey and a parrot time to get things straightened out.

In overruling the demurrer to the original complaint, some days ago, the court decided that the facts set forth were sufficient to make a case of a mutual mistake of fact.

Upon this demurrer to the amended complaint the defendant insists with greater emphasis upon the proposition that where land is conveyed without covenants of title, and the title fails, or it turns out by reason of some fact as to which both parties were mistaken that the vendor had no title, the vendee cannot, in the absence of fraud on the part of the vendor, recover the price paid, that the mistake alone is not sufficient as a ground for such recovery.

The court says that the complaint was evidently intended as a bill in equity to declare and enforce a trust.

The defendant in the case gained $100 from the plaintiff by reason of the mutual mistake of both parties in regard to the identity of the person who conveyed the lot in question to Grady, under whom the defendant derived title. He was not the real owner, but another person with the same name. The deed was in effect a forgery. It was true, the court says, that the parties did not have a conscious belief that he was the real owner, for it did not appear that the thought of him was at the time present in their minds.

But they were both unconsciously ignorant of the fact that Stewart was not the real owner, and of the fact that the deed under which the defendant appeared to hold the title was a forgery, and this, as the court stated in a former opinion in the case, was a mistake exactly as material as if they had discussed the question and both expressly stated that they believed he was the real owner.

If the plaintiff had received anything under the contract it would of course be necessary for him to return it, or offer to return it, as a condition to maintaining the action. But he received nothing. If possession had been delivered he would have to surrender it to his vendor, unless he had been evicted by the paramount owner. But he did not receive the possession. The possession has all the time rested in the real owner, and before the action was begun the owner occupancy of the lot. Where nothing is received, or where the thing received has no value, the court holds it is not necessary to return it. The demurrer to the amended complaint is ordered overruled.

W. F. Knapp, the well-known bicycle man, arrived in the city Friday from San Diego.

Frank Kasson, editor of that lively paper, the Redlands Leader, was in the city yesterday.

United States Marshal Calvert Wilson of Yuma, Ariz., arrived in the city today and is staying at the Hollenbeck.

J. H. Kiefer of the Troy laundry returned yesterday from a trip to the world's fair and other points in the east.

Col. J. G. C. Lee, U. S. A., late chief quarter at this point but now stationed at San Francisco, is in the city for a short business visit.

Mrs. T. Masic and Miss Maud Masic, accompanied by Howard Masic, Miss Margaret Logan and Conde Jones, left today for Camp Strange, on Mount Wilson, to spend several weeks, and will return about July 5th.

Fred B. Manchester, for over three years past special agent for the Equitable Life Insurance company, has been appointed general manager for Southern California for the Manhattan Life Insurance company of New York.

Col. J. M. Wilkins, proprietor of the Cliff House of San Francisco, is paying the city a short visit. It has been seven years since Col. Wilkins has been in the southern part of the state, and the change has been so great that but few of the old landmarks can be found.

### American Sympathy.

WASHINGTON, June 24.—Secretary Gresham today sent to Ambassador Bayard a cablegram instructing him to convey to the queen an expression of the heartfelt sorrow of the president and the people of the United States at the appalling catastrophe to the Victoria.

### Struck by a Train.

NEW YORK, June 24.—A train from Jersey City on the Erie road struck a carriage near Avondale this evening, killing Mrs. Williams of Newark, her 12-year-old daughter and two children of Mrs. Druett.


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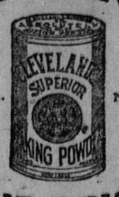


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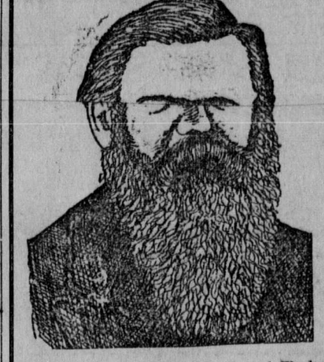

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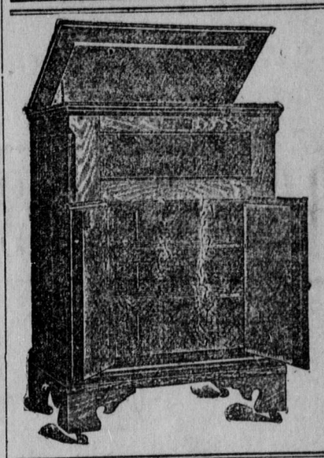

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