LOADED TO THE GUARDS

Steamer Leaves San Francisco For Klondyke.

MUCH FREIGHT IS LEFT BEHIND

Twelve Hundred People Watch 347 Depart.

Throngs About Every Shipping Office That Has Even the Remotest Alaskan Relations Have By No Means Been Diminished—Even Women Anxious to Reach the Land Where It Is Believed Nuggets May Be Had For the Asking.

San Francisco, July 27.—Spear street dock was the scene of more excitement this morning, when the steamer State of California sailed for the north, than has occurred there for many years. Fully 1,200 people gathered to witness the departure of the steamer, and the departing miners for the Yukon gold fields were given an enthusiastic farewell. The wharf was piled high with freight, although the vessel was loaded to her utmost capacity, even the hurricane deck being utilized for the storage of canned goods and other supplies. Three hundred and forty-seven people embarked in the vessel, 233 of whom were cabin passengers.

NO DIMINISHING.

The throngs about every shipping office that has even the remotest Alaskan relations have by no means diminished. It would seem that the only circumstances which prevents the wholesale depopulation of San Francisco is the limit in the transportation facilities.

Not only strong men whose broad backs and bronzed faces tell of previous experiences with the labor that literally sweats the brow, but clerks and professional men and women in hundreds are seeking them, not only for information but also for transportation to the land where nuggets are to be had, they think, for the picking up. Every day sees some way of overcoming the difficulties in reaching the Klondyke, and the fleet of steamers and schooners pressed into the service is growing steadily.

The latest of the Klondyke transportation schemes is being engineered by Captain Herriman. He has been approached by a number of persons anxious to go to Klondyke, and in response to numerous requests has mapped out a plan for reaching the diggings by the middle of September. He will charter a large sailing vessel, and the party will consist of 60 men, each of whom will take one ton of provisions. No one will be permitted to go unless he takes this quantity.

STRICT RULES.

Each one will be charged $225 for the trip, and Captain Herriman thinks that for this sum he can land them in Dawson City before Sept. 20. The ship will carry a large lighter and a steam launch which will be used to tow the lighter from the vessels to the Klondyke. After reaching St. Michaels, cargo and passengers will be transferred to the lighter. Captain Herriman will return to San Francisco in the vessel, and the party will be conducted to their journey's end by an agent of the firm who is thoroughly acquainted with the river.

The Alaska Commercial company's steamer Excelsior which leaves here today, will not make another trip to Alaska before June of next year. All the accommodations to be disposed of for this trip have been sold, and the fact well advertised, but would be passengers continue to throng the company's office. The Commercial company not only declines to sell any more tickets, but its representatives do all in their power to dissuage applicants from attempting the trip until next year.

Some 20 or 30 have endeavored to secure accommodations for the first trip next June. The company declines to bind itself so far ahead, although a number of applicants would be willing to put up a forfeit and agree to abide by any terms the company might make for the next year's trip.

NOT TWO THOUSAND.

Only Forty or Fifty Graves at Forty Mile.

Returned Yukonites deny the story told by Frank Mosi of Great Falls, Mont., to the effect that 2,000 graves at Forty Mile post tell of the terrible sufferings of the goldseekers. F. G. Bowker says that so far from being over 2,000 deaths on the Klondyke during the past three years, there was nobody there to die until something less than a year ago, and since then there have been three deaths in that whole district, so far as known. In the graveyard at Forty Mile post, which has served for all that section for some years past, there are only between 30 and 40 graves.

HARD LUCK STORIES.

Two more miners from the north came in on the City of Pueblo yesterday, and registered at the Commercial hotel. They are Henry Dore and J. E. Boucher, and both tell tales of the hardest kind of experiences.

Thirty days on flour and water, and $30, taken from the ground in eight months, is but a portion of Dore's experience. Of all those who have reached the city, his tale is one that ought to make those without experience think twice before plunging into unknown dangers.

J. E. Boucher left his home in Washington three years ago, went in by Juneau and the Chilcot to Forty Mile, and had the usual run of poor luck. He went to work for $12.50 a day, but that soon gave out, and he then went prospecting.

"I had no better success at this than at other work, and was pretty well disgusted, when I heard of a strike at Klondyke. I struck a good claim, and cleaned up about $10,000. I am going back home to enjoy myself till next spring, when I will go back again, if I do not sell out in the meantime."

Dore and Boucher brought out nearly $20,000, but they decline to give the exact amount.

ON STEWART RIVER.

Wonderfully Rich Quartz Has Been Discovered There.

Sacramento, Cal., July 27.—The latest rumor from Alaska is of a discovery of wonderfully rich quartz in large quantities on the Stewart river. Particulars are vague, and beyond the fact that the ledge is a large one, and that the rock assays $200, nothing can be learned.

This, if true, will mean much for the Klondyke district. The Stewart river runs into the Yukon not far above Dawson, and it is reasonable to suppose that the placer gold now being found below may have its origin in the mountains at the head of the Stewart and neighboring rivers and creeks.

Will Find Out Everything.

Denver, Colo., July 27.—W. P. Bonbright, Sherwood Aldrich and other Colorado Springs capitalists, have incorporated the Klondyke Gold Exploration company. They propose to ascertain in a systematic manner the exact prospects of the new district, the hardships to be endured by the men, and everything of value to the mining man. The company is capitalized at $1,000,000, with shares at $1 each.

TROOPS TO LEAVE.

Captain Ray, Five Officers and Fifty-six Men Selected.

Seattle, Wash., July 27.—Captain Ray, United States army, with five officers and 56 men, will leave Seattle for Circle City, Alaska, via St. Michaels, Aug. 5.

Orders have been sent to San Francisco to ship a year's supply of clothing which will include 160 woolen blankets, axes and all tools necessary to be used in "hutting." Twelve improved conical tents will be shipped to Seattle today from Philadelphia by express.

Passage has been secured for the United States officers and their men on the North American Transportation & Trading company's steamer Cleveland, which leaves Seattle Aug. 5. Each man's fare will cost the government $150 and each ton of freight will be charged for at $80.

The dominion government is to send 75 additional mounted police to the Klondyke, there being 25 there now. The men will leave for Victoria on a Pacific Coast Steamship company boat in a few days. They will go in from Dyea, traveling light, getting provisions after they get in.

The steamship City of Topeka will sail tomorrow morning from Seattle with 210 passengers. She goes only as far as Juneau, whence a majority of the passengers will branch out for the mines. The steamer Islander will sail tomorrow from Victoria for Dyea with over 200 passengers. Nearly all those going on the Islander are from Seattle.

The next vessel sailing from Seattle for Dyea will be the steamer Rosalie, chartered last Saturday for two trips. Already the 150 passengers allowed by the inspectors have been booked for the Rosalie, and 20 more are hanging anxiously about the office awaiting the chance of some one dropping out at the last moment. The steamer Edith, chartered by the same parties and also scheduled to sail July 31, will take north 60 horses at $22.50 a head.

In an interview tonight with the Associated Press correspondent L. M. Turner, who spent 11 years in Alaska and the Arctic regions in the employ of the government, said:

"It is about time to call a halt on this mad rush to the Klondyke gold fields. Hundreds of men are going as far as they can, relying on others to help them. That help will be meager enough, and scores will certainly endure hardships that death alone will relieve. The transportation companies cannot possibly accommodate the number going by way of St. Michaels. The small river steamers will not afford room for one-third the number going by that route. The provisions will have to be furnished by the transportation companies and two-thirds of the passengers will board at St. Michaels or along the Yukon, and they will not see Dawson City until next spring. Many of those who go by way of Dyea will be compelled to winter at the headwaters of the Yukon."

WOMAN'S OPINION.

Great Gold Finds and No Danger of Starvation.

Chicago, July 27.—Mrs. Eli Gage, daughter-in-law of Secretary of the Treasury Gage, reached her home in this city today after a three months' stay in Alaska with her husband, who represents the North American Trading company at Dawson City.

Mrs. Gage says the report of the rich harvests of gold are not exaggerated. While admitting that hardships are to be encountered she declares that there is no danger of famine during the coming winter.

MUST PAY ROYALTIES.

Decision By the Canadian Government.

Ottawa, July 27.—At the close of the second sitting of the cabinet this evening it was announced that the government had decided to impose a royalty on all placer diggings on the Yukon in addition to $15 registration fee and $100 annual assessment. The royalty will be 10 per cent each on claims with an output of $500 or less monthly and 20 per cent on every claim including above that amount yearly. Besides this royalty it has been decided in regard to all future claims staked out on other streams or rivers that every alternate claim should be reserved for public purposes and sold or worked by the government for the benefit of the revenue of the dominion.

Cold Day For New York.

New York, July 27.—This is the coldest July 27 on record of the weather observator. The minimum temperature was 60 at 3 and 4 o'clock this morning.

NO PAPOOSES FOR HIM.

Matter of Pronunciation Spoiled the Child's Name.

Washington Star: A man who was bald with the exception of a small red fringe which reached around the back of his head from ear to ear was waiting for the lawyer when the latter came into his office.

"I want to consult you on a rather unusual case," he said, after greetings had been exchanged. "What I came to find out is this: Can a person's name be changed?"

"Certainly. All he has to do is to show some good and sufficient reason for adopting another name, and it can be very easily arranged."

"I know that. But can it be done without the knowledge or consent of the party most interested?"

"Why, of course not."

"I was afraid you would say that, but maybe when you hear all the circumstances——"

"But there are no circumstances which will permit you to change a man's name without his knowledge. There are lots of mean things you can do behind a friend's back, but I'm glad to say this is not one of them."

"But this person isn't a man."

"The same thing applies to a woman."

"But it's not a woman either. It's my 10-months-old baby. The trouble is that we're having too much education in our neighborhood. I honestly believe that what I am trying to do is for the baby's own good. My wife and I were anxious to give him a name that would have a substantial sound and at the same time be associated with classical tradition. So we hit upon 'Cicero.'"

"That's a very good name."

"Your remark shows how easy it is to be deceived. We liked it first rate until our eldest girl got into the high school. One day she came home and informed us that we were mispronouncing the baby's name. 'It isn't Sissero,' she tells us; 'it's Kickeroo.'"

"That's the pronunciation usually taught now."

"So I learned upon inquiry. And if you'll take the case I am willing to go to any expense to change his name to Thomas or John or Jeremiah or most anything that won't sound as if we had taken an Indian papoose to raise."

Over the 'Phone.

Cleveland Plain Dealer: "Yes, this is Maud. Oh, is that you, George? Well, what did papa say? What's that? You didn't mind what he said? Well, what did he do? Good gracious! Did he? And you can't sit down? Where are you now, George? In the hospital! Dear, dear!"

SHOT THROUGH THE HEART

A Tragedy on Commercial Street Early This Morning.

NEGRO SOLDIER THE VICTIM

Elisha Compton Killed By Lizzie McAfee, Colored.

Occurred In a Shooting Gallery—Two Women Make a Statement and Claim the Affair Accidental—An Inquest Will Be Held This Afternoon.

In a dingy shooting gallery on Commercial street, one shot and a shrill cry were heard at 12:45 o'clock this morning, and the first passersby who arrived saw Elisha Compton, a private in company B of the Twenty-fourth, lying in a pool of blood with a bullet piercing his heart. The woman who held the gun and uttered the scream was Lizzie McAffee, a colored girl, and by her own admission she was the slayer of the soldier. Circumstances surrounding the tragedy indicate that the shot that killed Compton was fired accidentally.

ELISHA COMPTON. LIZZIE M'AFEE.

WITH A TARGET RIFLE.

A small 22 rifle, used for target purposes, was the weapon with which the deed was accomplished. Mystery surrounds the taking off of the colored man. When the shot was fired the woman and the man were the only persons in Waring Brothers, as the proprietor had gone a moment before into an adjoining room.

EYE WITNESSES.

Billy Nelson and A. F. Moore, compositors on the Tribune were passing through Commercial street shortly before 1 o'clock. They heard the shot, and an instant later saw the colored woman rush out in a frantic manner, crying wildly for "police." When they entered the little gallery, Compton was lying prone on his back, with a pool of blood under him and a blurred red spot discoloring his shirt front directly over the heart. They raised his head to make him breath freer, and as they did so the dying man made a frantic effort to speak, but blood choked him, and he died with the half uttered words on his lips.

THE WOMAN.

Lizzie McAffee, who is notorious from having been landlady of the State street house where Thomson was recently shot by his wife, told a wild yet coherent story of the occurrence. Two other girls, Maggie and Claude Williams, entered the gallery with her and Compton, but they had gone out before the shooting occurred.

THE WOMAN'S STORY.

"We had just paid the proprietor for the shots," said the excited colored girl shortly after the fatal occurrence, "and he had gone into an adjoining room. I had been using the rest when shooting, and I still had my elbow on it with the gun in my hand. Compton said, 'Now, I will use that.' I replied, 'Will you?' and then I turned, and as I did so the trigger got caught and the gun went off and Compton fell. That's all I know of it."

A large crowd gathered around the spot and the policemen had difficulty in holding back the more eager ones. Miss McAffee was put in the patrol and taken to the station, where she will remain until the inquest.

THE INQUEST.

The remains of Compton were taken to Evans' undertaking parlors. Today at 2 o'clock the inquest will be held at the office of Acting Coroner Sommer.

RACES AT BUTTE.

SEASON OPENS IN A SATISFACTORY MANNER.

Catrika Wins the 2:24 Class—Tom Tucker the 2:18—Los Preistos the Five Furlongs—Flashlight the Six Furlongs—Other Events.

(Special to The Herald.)

Butte, Mont., July 27.—The Butte race meeting opened today with a good day's sport, and an attendance of fully 12,000 people in spite of the labor boycott against the racing association. It was the largest attendance in the history of the track. Summaries:

First race, pacing, 2:24 class, two in three, purse $600—Catrika (Lafferty) won first and third heats; King Altamont (Huber) second. Best time—2:20¼.

Second race, trotting, 2:18 class, two in three, purse $700—Tom Tucker (Wall) won in two straight heats; Metior (Miller) second. Best time—2:18.

Third race, running, five furlongs, purse $300—Los Prietos (Golden) won, Ray Heath (Shaw) second, Greenback third, (Morse) fourth. Time—1:03¼.

Fourth race, running, six furlongs, purse $350—Flashlight (Shaw) won, Dorah Wood (Morse) second, Polish (M. Brown) third. Time—1:16.

Fifth race, running, one mile, purse $350—Daylight (Ames) won, Devil's Dream (Golden) second, Lady Hurst (Holmes) third. Time—1:42¾.

Sixth race, running, three furlongs, purse $250—Red S (Sullivan) won, Harry N (Powers) second, Lon Watkins (Golden) third. Time—1:35½.

Allotment of Indian Lands.

Washington, July 27.—Secretary Bliss today approved two schedules of allotments of land in severalty made by the Chippewa commission to the Boise Fort and Deer Creek reservations.

On the Boise Fort reservation 693 allotments of lands in severalty made of acres allotted is 55,212. Added to this are 435 acres reserved for the subagency, village and cemetery purposes. On the Deer Creek reservation are four allotments and the total acreage covered by the allotments is 296.

At Chicago.

Chicago, July 27.—Five favorites won today at Harlem. In the closing event, though, Roger B. backed from 30 to 1, beat Enchanter who was the keenest betting choice of the day. Results:

First race, seven-eighth mile—Lady Dixon won, Faustonic second, Bellville third. Time—1:30½.

Second race, five-eighths mile—Hardly won, Bruin second, The Cheat third. Time—1:04.

Third race, three-fourths mile—The Deuce won, Amy Wade second, Whitcomb third. Time—1:14½.

Fourth race, one mile—Sunburst won, Gracie C. second, Overalla third. Time—1:43½.

Fifth race, half mile—Domosetta won, Ophelia Copeland second, Chinkapin third. Time—:51¾.

Sixth race, three-fourths mile—Roger B. won, Theresa N. second, Enchanter third. Time—1:17½.

At the Aqueduct.

New York, July 27.—It was another dreary and uncomfortable day at Aqueduct today, and the rain poured all the afternoon, although it did not seem to make much impression upon the track. Results:

First race, about seven furlongs, selling—Discount won, Langdon second, Yankee Doodle third. Time—1:27 2-5.

Second race, mile and one-sixtenth, selling—Marshall won, Flames second, Sapelo third. Time—1:52.

Third race, five furlongs, selling—Attainment won, Tor II second, Tommy O third. Time—1:03.

Fourth race, one mile—Storm King won, Divide second, Arabian third. Time—1:44¼.

Fifth race, five furlongs, selling—Oxnard won, Juda second, La Gitana third. Time—1:03.

Sixth race, five furlongs, selling—Oriolan won, Christabel second, Lucid third. Time—1:03¼.

At St. Louis.

St. Louis, July 27.—Track slow, weather clear. Attendance 5,000. Results:

First race, purse for maiden 2-year-olds, five and a half furlongs—Del Hart won, Chiquita second, King's Guard third. Time—1:12.

Second race, selling, six furlongs—Botanic won, Polly Hatton second, Rose d'Or third. Time—1:17.

Third race, selling, one mile—High Noon won, Virginia M second, Basquil third. Time—1:45.

Fourth race, selling, mile and 70 yards—Royal Choice won, Schiller second, Nannie L's Sister third. Time—1:48⅝.

Fifth race, selling, seven furlongs—Silver Set won, Can Gallop second, J M B third. Time—1:31.

Sixth race, purse, for maiden 2-year-olds, five and a half furlongs—Chiffon won, Domsie second, Adlie B third. Time—1:11.

THE DIAMOND.

Chicago, July 27.—Three errors by the Reds' infield, a steal, a passed ball and a scratch, single gave the Colts three runs in the first. The visitors made one in the fourth and tied the score in the eighth on Thornton's error and a bunching of four hits. Everett, the first man up for the Colts in the tenth, lined a four-bagger into the right field bleachers. Attendance, 3,800. Score: Chicago, 4; Cincinnati, 3.

Louisville, Ky., July 27.—The Brooklyns had on their batting clothes this afternoon and piled up 12 runs off Magee in two innings. Miller finished the game after the seventh. The Colonels could not hit Kennedy. Attendance, 2,200. Score: Brooklyn, 14; Louisville, 2.

St. Louis, July 27.—The Browns played another great game today and defeated the Bostons. Hart was in great form and but for Lally's errors, he would have shut out the leaders. He redeemed himself in the eighth inning by a remarkable running catch on which he made a double play. Attendance, 3,000. Score: Boston, 2; St. Louis, 5.

THE COURT.

Chicago, July 27.—In the tennis tournament today the games resulted as follows:

Singles:

Neal beat Herrick, 6-0; 6-1; Fischer beat Nealy, 6-0; 6-1.

Collins beat McQuislon, 6-1; 6-4.

Sheldon beat McQuislon, 6-1; 6-8; 6-1.

Myers beat W. B. Johnson, 6-0; 6-2; Conde beat Carter, 6-0; 6-4.

Morris Johnson beat Lloyd, 9-7; 8-6.

Doubles:

Patton and Hobbs beat Turner and Hoagland by default.

Collins and Wrenn beat Conde and McKeever, 6-3; 6-3; 6-3.

Davenport and Parrett beat Wilson and Talmage, 6-4; 6-4; 6-4.

Carver and Waidner beat Patton and Hobbs, 6-0; 6-2; 6-4.

Ware and Sheldon beat Daveport and Parrett, 6-1; 6-1; 6-0.

Bond and Myers beat Street and Carter, 6-3; 6-2; 6-2.

He Spoiled the Ideal.

Hardware: It don't do for anyone, especially one who is selling goods, to tell all he feels and knows. Something should be kept in reservation. I have a grandson who illustrates the point. A man drove up to the store the other day and hailed me with: "I hear your son has a horse to sell."

"Yes," said I. "He has a fine little bay mare he would part with."

"Fetch her out," said he.

We went back to the barn, followed by 5-year-old Jim, my grandson. The mare was brought out and the visitor was quite taken with her. He asked her age, looked her over, found out the selling price, and then asked:

"Any bad habits?"

"No," said I promptly.

Young Jim stood with his hands in his pockets, his legs apart and his hat on one side. As I answered he looked up, and in a shrill voice exclaimed:

"She balks."

"She does, sonny?" said the man. "That's a good boy, always tell the truth."

"The kid doesn't know what he is talking about," said I. "Sometimes she shies, and that's what he means."

Young America turned an indignant eye on me. "Now, grandpa, you know she does. Didn't dad build a fire under her to make her go?"

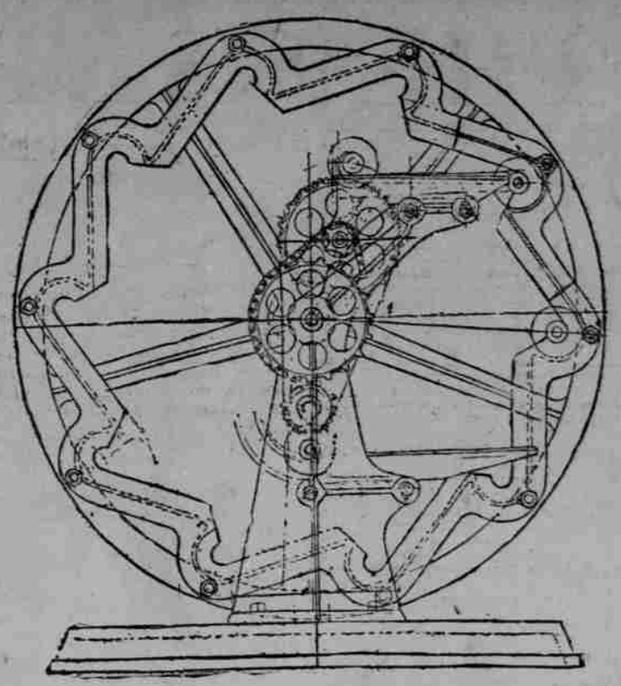
The stranger patted him on the head and gave him a nickel.

"You don't want her?" I said.

"No, I don't think I do."

I said nothing to the boy. He will know more when he is older.

A PERPETUAL MOTION MACHINE.



The Hackman Fuelless Motor Company was incorporated in Milwaukee, July 2, for the manufacture of a machine, invented by Fred Hackman, of this city, which is an approach to a perpetual motion machine, says the Milwaukee "Evening Wisconsin." The apparatus is very simple, consisting of a wheel turning on its own axis, supported by ball bearings, to reduce the fraction to a minimum, and having on inner edges pockets. Into the latter weights are dropped, starting the revolution of the wheel, and passing from one pocket to the other down a fraction of the circumference of the wheel, they then run onto a track which forms a radius of the wheel, and are caught by a chain having other pockets to receive them. The chain, by an arrangement of cogwheels, raises the weights, and drops them once more in the upper pocket, on the inner edge of the big wheel. One weight is being raised by the chain, while the other three are falling in the wheel's pockets, and causing the revolution.

The leverages on a 2-foot wheel are in the proportion of 1 to 12, and the power of a 12-foot wheel will be from 175 to 200-horse power. The statement has been indorsed, it is said, by the best engineers and mechanics in the city. —St. Louis Globe-Democrat.

ATTEMPTED JAIL BREAK

City Prisoners Nearly Succeed In Getting Out.

THEY HAD SAWED THROUGH THE IRON BARS.

The Plan Discovered By Patrolman Tom Milner—Thirty-five Men Were Probably In the Plot.

An attempt to break jail was made last night by the prisoners in the city jail, and their plans almost succeeded. At 12:20 Patrolman Tom Milner came to the police station and just as he was about to enter, he heard a sound somewhat resembling the kicking of a horse. He went in and asked Driver Armstrong if he had heard a noise out at the jail. Armstrong replied that he had, but had not succeeded in locating it. Both thought it was an attempt to break jail, so Milner went around into the alley behind the jail and listened.

Presently the sounds, which had ceased upon the appearance of the officers, began again, and Milner discovered that the prisoners were endeavoring to remove the heavy wire screen in front of the window in the northwestern corner of the jail. The fact was reported, and an examination of the jail was immediately made.

In the northwestern corner of the jail is a small room with a window facing north. This window was covered with heavy steel bars an inch square. Outside of this was fastened a very heavy wire screen. Four of these steel bars had been completely sawed in two and removed from the window and the wire screen was being forced out when the work was discovered and stopped. The door leading into that room was a heavy one made of strong iron grating. This had been removed from its hinges and was laid upon the floor. Piled upon and around it were long strips of blankets that had been torn up and were to be used as a rope with which to descend. Evidently the door was to be used to fasten one end of the rope.

The upper floor of the jail, on which was located the window that was to be used, was crowded with prisoners, there being about 35 of them. When the officers entered the jail they all pretended to be asleep and were entirely innocent of all that was going on. But undoubtedly if they had had but a few minutes longer there would not have been a man left to tell the tale.

WHAT THE LAW DECIDES.

A bond to indemnify a sheriff against liability for failure to execute final process, when given by the person against whom the process was directed, is held, in Harrington vs. Crawford (Mo.) 35 L. R. A. 477, to be invalid on grounds of public policy because it is intended to prevent the officer from duty his duty.

The preference of honorably discharged soldiers and sailors in appointment and promotion without regard to their standing on any list, which is given by New York constitution, article 5, section 9, is held, in re Keymer (N. Y.) 35 L. R. A. 447, not to exempt them from examination, but to operate when as a result of examination they are placed upon a list from which appointments and promotions can be made, and a statute exempting them from examination is held unconstitutional.

False statements and representations which are merely expressions of opinion upon matters of conjecture and uncertainty are held, in Hedin vs. Minneapolis Medical and Surgical institute (Minn.) 35 L. R. A. 417, to be, generally speaking, not actionable, although there are many cases in which the false assertion of an opinion will amount to fraud, as in a case where a party possesses special learning or knowledge on the subject with respect to which he expresses an opinion, and the person to whom he makes it is ignorant on the subject, and is injured by relying on the opinion. With this case is an exhaustive annotation reviewing the multitude of cases on the subject of the expression of opinion as fraud.

The damages for the wrongful but not malicious ousting of a tenant from possession of a part of a rented farm are held, in Irwin vs. Hess (Pa.) 35 L. R. A. 415, to be the difference in rental value of the farm with and without such part, although a portion of it had been planted at the time.

The damages recoverable by one who gets a telegram, for a mistake in the price in an authority to sell goods are held, in Ferrero vs. Western Union Telegraph company (D. C.) 35 L. R. A. 548, to be limited to such difference in price, excluding any lors of profits on a contract of resale which he made on the faith of the telegram, but failed to carry out because he had himself refused to receive the goods without any excuse except his disappointment caused by the mistake in the price.

The measure of damages for delay in delivering a cipher telegram are held, in Fergusson vs. Anglo-American Telegraph company (Pa.) 35 L. R. A. 554, to be limited to the amount paid for its transmission.

A division of the use of the water power in each channel of a river where it is divided by an island and the interest of riparian proprietors upon both channels have become intertwined, if not amalgamated, is held, in Warren vs. Westbrook Manufacturing company (Me.) 35 L. R. A. 388, to be within the power of a court of equity so as to adjust all the rights of all the parties in the whole water power in both channels. The same cause holds that long existence and use of dams across both channels of a river where it is divided by an island may so affect the flow of water that the natural flow is no longer the rightful flow, and that the owner of one end of a dam may acquire a prescriptive right in the continued maintenance of the other end.

Damages which arise from the proper construction and maintenance of a highway, including such fills, cuts, ditches and culverts as a proper construction and maintenance may require, are held in Churchville vs. Beethe (Neb.) 35 L. R. A. 442, to be compensated in the proceedings for opening the highway, and therefore an action to enjoin the construction of a culvert across a highway will not lie when the culvert is reasonably necessary for the road.

The New Head of the Crocker Family

New York World: George Crocker, who, by his brother's death, now becomes the head of the family, is a New Yorker who has been prominently mentioned three times in late years:

First—When he married Mrs. Emma H. Rutherford of San Francisco.

Second—When he won $500,000 dollars by keeping sober five years.

Third—When he filed plans for a 20 story building at 70 and 71 Broadway, the land costing him $1,600,000.

Charles Crocker, the father, died September 22, 1889, and in making his will failed to bequeath a portion of his property to George, who was of a convivial nature.

Instead the parent placed 400 bonds of the Southern Pacific Railroad company in the hands of the other two sons in trust for George, with the proviso that if, within 15 years after the death of the founder of the trust, George Crocker should remain sober for five consecutive years, the principal should be turned over to him. George Crocker won the prize.

Mr. Crocker has made his residence in this city chiefly at the Waldorf hotel. His wedding in St. Thomas' church in June, 1894, followed by a reception in the hotel, was a brilliant affair. His bride brought him $250,000 and spurred him on to win $500,000 by sobriety.

Mr. Crocker's dip into real estate will cost him $3,000,000 by the time his building is finished. He also bought 181 acres of land at Hunter's Point for $650,000.

The Cost of Straws.

St. Louis Republic: "The straws through which we imbibe mint juleps and other supposably cooling decoctions in summer cost the saloon men about as much as do their free lunches," said a red-faced man who sat at a table in the St. Nicholas cafe, slowly sipping a julep through a couple of straws. "I just found this out the other day, and I have felt sorry for the saloon men ever since, because every fellow who uses a straw feels that it is his duty to destroy it with his drink. The saloon men get their supply of straws from the big glass houses, and most of these establishments keep a regular force of hands employed all through the summer season, cutting and preparing the straws for use. Usually somebody has to be sent to the country to select the straw from the farmer, and then it has to be handled with great care in getting it to the city. This of course is an item of expense which must be made out of the saloon men. The straws have to be of the uniform length of about ten inches, and if there are flaws in them they are of no use whatever, so that the work of preparing them is very particular."

Both Caught It.

New York Press: "Jolliam's plan to curru favor with his employer didn't work worth a cent."

"No?"

"No. He took the old man riding on a buckboard and the horse bolted into the gutter."

"Yes?"

"And Jolliam got the bounce."

Genuine Grief.

Cleveland Plain Dealer: "I suppose it makes you feel pretty serious to have your husband go to that far off gold field?"

"Yes, it does. He's consumptive, you know, and I'm afraid he won't live to get out enough stuff to make it any object."

DISMISSAL OF ANDREWS

Forms the Theme of an Editorial In the London Chronicle.

SERIOUS BLOW STRUCK AT LIBERTY

Means That Monopolists Intend to Rule.

Conflict Is Certainly Approaching Which, Once On Will Shake the Union As It Was Shaken By the Great Slavery Question—Educational Institutions In America Endowed For the Benefit of Monopolies Apparently—A Vision of the Future.

London, July 27.—The Daily Chronicle this morning devotes an editorial article to the dismissal of Benjamin Andrews from the presidency of the Brown university, which action is regarded as the most serious blow the capitalist oligarchy has yet struck at social, economic and intellectual liberty in America.

The Chronicle says: "There is no doubt that, like Professor Bemis, who was dismissed from the University of Chicago, President Andrews was dismissed because he warned his countrymen against the growth of great monopolies. It seems certain that a conflict is approaching that will shake the Union as it was shaken by the great slavery question. It looks as though the splendid millionaire endowments of American institutions had the unworthy motive of the promotion of the interests of the monopolists. We anticipate a great wave of opinion against the pretensions of the monopolist class as dangerous to freedom. This movement will lead to the substitution of public for private control and ownership of the private colleges and universities."

WAVE OF FANATICISM.

Another Proof That It Is Sweeping the Northwest Frontier.

London, July 27.—The Times this morning prints a special from Simla which says yet another proof is given of the wave of fanaticism which is sweeping along the northwest frontier. The story is curious, as showing how quickly the tribesmen can be gathered, and how readily they respond to the appeal of fanaticism. Since the Chitral campaign ended the Swat valley has been perfectly peaceful, trade has developed and the Swatis have been contented and have shown no sign of disaffection. On Monday, however, without the least warning the whole population underwent a sudden change. The first news that reached Malakand was that the disturbance had occurred at Panna near Chakgara bridge. A few hours later news was received that the mullah, a priest who is well known locally, gathered a force of armed men, raising the cry of "holy war." In the evening it was reported that he was advancing toward Makaland and preparations were made to send a column in the morning to disperse the gathering. The Tribal Levies, who fled as the mullah advanced, reported that Makaland would be attacked at 3 o'clock in the morning. The camp was alert, but the attack was delivered at 11:30 at night. An attempt was made to surprise the camp and a fight ensued, which resulted in the tribesmen being repulsed.

Nothing is feared now but that the report of the rising spreading rapidly may stimulate the tribesmen to attack the expedition to the Tochi valley.

Evacuation of Thessally.

Berlin, July 27.—The Cologne Gazette says that several of the powers, including Germany, have adopted the standpoint that the evacuation of Thessaly by Turkey cannot be demanded unless indemnity by Greece is paid or guaranteed. As payment of indemnity by a loan is out of the question, the only alternative, the Gazette says, seems to be international control of Greek finances, and unless some such guarantee is included in the treaty of peace between Greece and Turkey it is questionable whether Germany will recommend the sultan to accept the treaty.

Probably Andree's Balloon.

Rotterdam, July 27.—A letter from Captain Lehmann from the Dutch steamer Dordrecht appears in one of the papers of this city in which he says he saw a curious object floating in the White sea on July 17, which was neither a ship nor a dead whale, but which resembled a balloon and Captain Lehmann suggests that it may have been Andree's balloon which he saw.

Gothenburg, July 27.—Lieutenant Svendenburg, son-in-law of Dr. Otto Nordenskjold, the Arctic explorer, reports from Ascension that if nothing is heard from Herr Andree in six weeks it is not likely that anything will be heard from him this year.

The Idiot on the Roadway.

Pittsburg Dispatch: A man who drives a horse at full gallop into a street crowded with bicycles or other vehicles is a fool and a hoodlum in possession of one means of exhibiting himself. A man who scorches a bicycle through a street equally crowded, or over crossings thronged with pedestrians, is exactly the same kind of fool and hoodlum, mounted on another kind of vehicle. Both should be sternly suppressed by exemplary punishment. It happens to be the misfortune of the new vehicle that the bicycling idiot is most numerous at present, and owing perhaps to his greater facilities for getting away, has not been suppressed.

Dr. William Judkins of Cincinnati has resigned from the humane society of that city because when he wished to experiment on a vagrant dog the society refused to let him use the dog for such vivisection.

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