



THE SAN FRANCISCO CALL, SATURDAY, JULY 20, 1895

AROUND THE WATER FRONT

A Tug Employe Filling a Lamp Scalds Himself With Burning Oil.

ARRIVAL OF THE CODFISHERS.

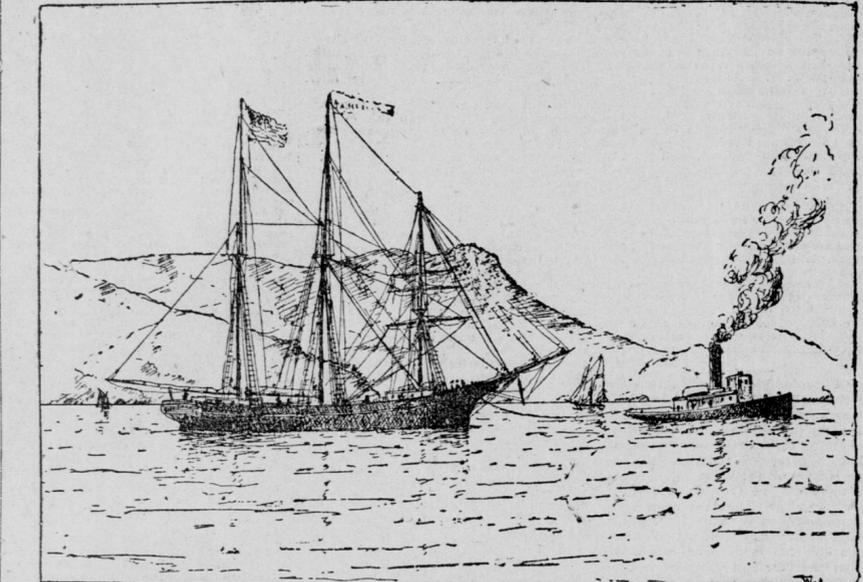
How a Chinese Used the Police to Rob a Countryman at "China Bunko."

Philip Gibbons, an oiler employed on the tug Sea King, had an escape from a horrible death yesterday afternoon that was almost miraculous.

AMUSEMENTS. BALDWIN THEATRE—"The Case of Rebellious Susan."

CITY NEWS IN BRIEF.

The Board of Supervisors has decided to recommend the appropriation of \$9000 for the exempt alien.



THE CODFISHER JANE FALKENBURG TOWING TO CALIFORNIA CITY.

in an instant he found himself enveloped in the fierce flames that completely filled the small apartment.

MEN WHO WANT TO WORK.

More Orders for Help Placed in the State's Free Labor Bureau.

Wageworkers' Unions Opposed to the Salvation Army's Proposed Farm.

The total registration at the State's Free Labor Bureau yesterday was 2500, of which 2000 applicants for work were men.

The Pacific Mail steamer San Blas arrived yesterday, bringing twenty-five passengers.

The Southern Pacific Company's tariff on granite rock from the Folsom Prison has been issued.

Arrangements have been almost completed for an interclub regatta among the Corinthian, California and Eucalypt Yacht clubs.

Robert Capelle, a ticket agent of the Union Pacific Railway, and an agent of the Burlington Route, were heavily fined yesterday.

Philip Gibbons, an oiler on the tug Sea King, while filling a lighted lamp, exploded the lamp and severely burned himself on the head and hands.

A. I. Kurd Martens, who shot himself in the saloon at 533 Sacramento street last Tuesday, died at the Receiving Hospital yesterday morning.

William Brown, alias George Donnelly, was arrested last evening and charged with grand larceny and battery.

To-morrow afternoon at 3 o'clock Rev. Selah Brown, D.D., of Los Angeles will give an interesting lecture in the Young Men's Christian Association.

The man-eating stallion, Jim Wicks, which Professor Gleason will undertake to tame next Sunday afternoon at Central Park, will arrive here from San Jose this morning at 10 o'clock.

The Western Addition Improvement Club has been organized with the following officers: President, James Bowler.

AN EXEOCUTRIX SUSPENDED. Mrs. Kate McGruder's Management of an Estate Questioned in Court.

Mrs. Kate McGruder, executrix of the estate of Mrs. Rose Horton, has been temporarily suspended from that position.

WANT IDEAS ABOUT LAWS.

Anybody Can Tell the Code Commissioners How to Fix Up the Statutes.

FOR A HUNDRED THOUSAND.

The Big Bancroft Suit Is to Be Carried Without Delay to the Supreme Court.

The \$100,000 suit of H. H. Bancroft against the San Francisco Tool Company is to be appealed to the Supreme Court.

Judge Slack granted a non-suit on the ground that the Statutes of Limitations had run against the plaintiffs' claim—that the statutes began to run from the time the fatal elevator was placed in the Bancroft building, and not from the date of the terrible accident in September, 1888.

The elevator put in by the San Francisco Tool Company was in daily use two or three years before the accident occurred, and the defendant company sets up the claim that as the elevator had been accepted, it was not liable for any damages that might accrue from accident subsequent to the time of its acceptance.

Nothing has been heard from the Code Commissioners since their appointment, but they are hard at work and very soon now will hold open sessions in this city for the purpose of receiving suggestions from lawyers and laymen who may have ideas about changing laws or making new ones.

Of course lawyers are most deeply interested in the work of the Commissioners, but there is much in it of popular interest, too.

When the accident occurred in 1888, one person was killed and five or six were more or less seriously injured.

The Bancroft Company was sued for damages, and in settlement of the several suits made payments ranging from \$500 to \$5000.

The original complaint the items of great stress, responsibility and mental wear and tear were set down opposite five figures, prefaced by the dollar sign, which brought the full amount of the claim to \$100,000.

The plaintiffs' attorneys contend that the Statutes of Limitation did not begin to run until the date of the accident, and that the acceptance of the elevator by the Bancroft people did not relieve the San Francisco Tool Company from any legal responsibility resulting from an accident which might be traced to defective construction.

Hence the appeal to the Supreme Court. The Bancroft Company paid out several thousand dollars in the settlement of damage claims, and in addition, it sets forth that by reason of the accident the reputation of the building suffered and the business of the company was injured.

It was modified in 1872 there has been a great mass of legislation enacted and the laws bearing upon a given thing are often found to be now jumbled up among the different codes and to be amended, repealed and amended again.

Then many acts framed principally by legislation whose force was neither clear and exact use of the English language nor the legal phrasing of a law, are so obscure and mixed up that nobody is sure what they mean unless the Supreme Court has declared it.

The Commissioners have first taken up the Penal Code and are at work on that, dividing the labor among them.

Others have been found not to completely cover the crimes they concern. As an illustration, when Mayor Killoch was indicted in 1881 for demanding and receiving \$50 a month which was added to the salary of a man he as Election Commissioner had appointed to a position in the Registrar's office a demurrer was sustained on the ground that no promise beforehand being shown there was no offense under the law.

It was found to be a public offense for a public officer to take part of the salary of another officer whose appointment he had procured. The statute was lame.

Not long ago in this State a man burned his own house, as he had a right to do on common law, and burned other people's houses with it.

These are illustrations taken at random. As we do not apply the common law to crimes, our criminal laws need to be amended in a specific and comprehensive way, without loopholes through which criminals may escape, and there is much in the Penal Code that needs revision and amplification.

There are things in other codes that belong in the Penal Code, because they are penal in effect.

So, all through the codes there are found laws passed with no comprehension of their effect on other laws. It has even happened that two similar laws on the same subject have been passed and been approved on the same day.

There are strange inconsistencies, such as the repealing of portions of a law and inappropriately leaving other portions standing.

The Supreme Court has many a hard tussle with California statutes, and has frequently made, in decisions, observations on the kind of laws that come from Sacramento, and acts have been characterized as "strange legislation."

The Commissioners are now piling up notes themselves, and have already received, unsolicited, many written suggestions, all of which are filed in the Commissioners' office at Sacramento.

A number of attorneys and Judges have promised to submit expositions of peculiar laws that they have especially studied. It is likely that when the Commissioners officially open the floor to suggestions by inviting ideas from anybody, there will be an avalanche from distinguished jurists and attorneys down to cranks with strange ideas and hobbies about law as it should be.

At the open sessions for the official reception of ideas particular branches of the law will be considered at particular sessions. The first session will probably be held in the Supreme Court building in a few weeks.

The report of the Commissioners to the Legislature will be a very voluminous one, and if its recommendations are adopted the reading of the statutes will be extensively changed throughout. When the four codes with their legion of amendments are thus rewritten, reconstructed and pulled together it may be possible, as it is not now, for any intelligent citizen to find out for himself what the law is on any matter.

The Commissioners are charged with recommending also new legislation which in their judgment is needed. They will recommend a good deal of legislation going to the nature and effect of civil and criminal statutes as well as to their form, expression and arrangement, and that

Recommendations by the Judiciary Committee of the Board of Supervisors.

At the meeting of the Judiciary Committee of the Board of Supervisors yesterday the petition of the Point Lobos Improvement Club for an appropriation of \$12,000 for the improvement of Point Lobos square, bounded by Bay, Chestnut, Laguna and Webster streets, was referred to the Finance Committee.

The committee recommended appropriating from the general fund \$8000 for the relief of Exempt Firemen in accordance with a law passed by the last Legislature.

N. T. Whitcomb of 205 Third street had a grievance. He stated that he had paid his taxes for 1893, and that about a month ago he received a notice that his property had been sold for the taxes.

WANT IDEAS ABOUT LAWS.

Anybody Can Tell the Code Commissioners How to Fix Up the Statutes.

FOR A HUNDRED THOUSAND.

The Big Bancroft Suit Is to Be Carried Without Delay to the Supreme Court.

Judge Slack granted a non-suit on the ground that the Statutes of Limitations had run against the plaintiffs' claim—that the statutes began to run from the time the fatal elevator was placed in the Bancroft building, and not from the date of the terrible accident in September, 1888.

The elevator put in by the San Francisco Tool Company was in daily use two or three years before the accident occurred, and the defendant company sets up the claim that as the elevator had been accepted, it was not liable for any damages that might accrue from accident subsequent to the time of its acceptance.

Nothing has been heard from the Code Commissioners since their appointment, but they are hard at work and very soon now will hold open sessions in this city for the purpose of receiving suggestions from lawyers and laymen who may have ideas about changing laws or making new ones.

Of course lawyers are most deeply interested in the work of the Commissioners, but there is much in it of popular interest, too.

When the accident occurred in 1888, one person was killed and five or six were more or less seriously injured.

The Bancroft Company was sued for damages, and in settlement of the several suits made payments ranging from \$500 to \$5000.

The original complaint the items of great stress, responsibility and mental wear and tear were set down opposite five figures, prefaced by the dollar sign, which brought the full amount of the claim to \$100,000.

The plaintiffs' attorneys contend that the Statutes of Limitation did not begin to run until the date of the accident, and that the acceptance of the elevator by the Bancroft people did not relieve the San Francisco Tool Company from any legal responsibility resulting from an accident which might be traced to defective construction.

Hence the appeal to the Supreme Court. The Bancroft Company paid out several thousand dollars in the settlement of damage claims, and in addition, it sets forth that by reason of the accident the reputation of the building suffered and the business of the company was injured.

It was modified in 1872 there has been a great mass of legislation enacted and the laws bearing upon a given thing are often found to be now jumbled up among the different codes and to be amended, repealed and amended again.

Then many acts framed principally by legislation whose force was neither clear and exact use of the English language nor the legal phrasing of a law, are so obscure and mixed up that nobody is sure what they mean unless the Supreme Court has declared it.

The Commissioners have first taken up the Penal Code and are at work on that, dividing the labor among them.

Others have been found not to completely cover the crimes they concern. As an illustration, when Mayor Killoch was indicted in 1881 for demanding and receiving \$50 a month which was added to the salary of a man he as Election Commissioner had appointed to a position in the Registrar's office a demurrer was sustained on the ground that no promise beforehand being shown there was no offense under the law.

It was found to be a public offense for a public officer to take part of the salary of another officer whose appointment he had procured. The statute was lame.

Not long ago in this State a man burned his own house, as he had a right to do on common law, and burned other people's houses with it.

These are illustrations taken at random. As we do not apply the common law to crimes, our criminal laws need to be amended in a specific and comprehensive way, without loopholes through which criminals may escape, and there is much in the Penal Code that needs revision and amplification.

There are things in other codes that belong in the Penal Code, because they are penal in effect.

So, all through the codes there are found laws passed with no comprehension of their effect on other laws. It has even happened that two similar laws on the same subject have been passed and been approved on the same day.

There are strange inconsistencies, such as the repealing of portions of a law and inappropriately leaving other portions standing.

The Supreme Court has many a hard tussle with California statutes, and has frequently made, in decisions, observations on the kind of laws that come from Sacramento, and acts have been characterized as "strange legislation."

The Commissioners are now piling up notes themselves, and have already received, unsolicited, many written suggestions, all of which are filed in the Commissioners' office at Sacramento.

A number of attorneys and Judges have promised to submit expositions of peculiar laws that they have especially studied. It is likely that when the Commissioners officially open the floor to suggestions by inviting ideas from anybody, there will be an avalanche from distinguished jurists and attorneys down to cranks with strange ideas and hobbies about law as it should be.

At the open sessions for the official reception of ideas particular branches of the law will be considered at particular sessions. The first session will probably be held in the Supreme Court building in a few weeks.

The report of the Commissioners to the Legislature will be a very voluminous one, and if its recommendations are adopted the reading of the statutes will be extensively changed throughout. When the four codes with their legion of amendments are thus rewritten, reconstructed and pulled together it may be possible, as it is not now, for any intelligent citizen to find out for himself what the law is on any matter.

The Commissioners are charged with recommending also new legislation which in their judgment is needed. They will recommend a good deal of legislation going to the nature and effect of civil and criminal statutes as well as to their form, expression and arrangement, and that

Recommendations by the Judiciary Committee of the Board of Supervisors.

At the meeting of the Judiciary Committee of the Board of Supervisors yesterday the petition of the Point Lobos Improvement Club for an appropriation of \$12,000 for the improvement of Point Lobos square, bounded by Bay, Chestnut, Laguna and Webster streets, was referred to the Finance Committee.

The committee recommended appropriating from the general fund \$8000 for the relief of Exempt Firemen in accordance with a law passed by the last Legislature.

N. T. Whitcomb of 205 Third street had a grievance. He stated that he had paid his taxes for 1893, and that about a month ago he received a notice that his property had been sold for the taxes.

The Commissioners are charged with recommending also new legislation which in their judgment is needed. They will recommend a good deal of legislation going to the nature and effect of civil and criminal statutes as well as to their form, expression and arrangement, and that

ONLY FOUNDATIONS BUILT

Work Is Stopped on the Great California-Street Apartment-House.

THE ARCHITECTS ARE UNPAID.

Ghostly Walls That Form a Queer Contrast to the Adjoining Smart Residences.

COLLISION WITH A CAR.

James Comerford Probably Fatally Injured in a Collision on California Street.

As the result of a collision with a California-street cable-car, young James Comerford lies at his father's home on Hyde street, near Pine, suffering from injuries that may prove fatal.

Yesterday morning, at 6:30 o'clock, Comerford was driving a wagon along the Cable Market on Larkin street. He turned into California street, and when opposite the cable company's power and car house was run into by a car moving from the house to the main line.

The surface of the lot on which operations were begun stood ten to fifteen feet above California street and was a mass of rock so solid that in order to get down to a level with the thoroughfare the contractors were compelled to blast it away.

Even this did not satisfy the projectors and the contractors delved several feet into the earth before the work of building up the foundations was begun.

Then when they had risen a few feet above the level of the ground, huge arches and massive walls were placed at such frequent intervals that only passages between them were left.

Weeds are beginning to make their appearance among the deserted rooms, many of which will become wells of water when the winter rains have poured a flood upon them.

Edward Steiny was arrested yesterday on a charge of falling to provide for his 13-year-old boy. Steiny was at one time a well-

FORREST SEABURY BURIED.

Theater People Attest Their Esteem With Floral Pleas.

The funeral of Forrest Seabury, the scene painter, who died suddenly after finishing a drop curtain at Morosco's, occurred yesterday afternoon from undertaking parlors in this city.

The Baldwin orchestra, under the leadership of August Hinrichs, furnished the music. The floral offerings were numerous and expressive of the esteem in which the deceased was held.

The remains were interred in Mountain View Cemetery, Oakland, a band from the Musicians' Union joining the escort to the ferry.

Neglected His Child.

Edward Steiny was arrested yesterday on a charge of falling to provide for his 13-year-old boy. Steiny was at one time a well-

known commercial traveler, but of late has neglected his children. The boy was found by the Society for the Prevention of Cruelty to Children in an old cabin on Seventh avenue and D street in a wretched condition.

are still in a state of expectancy. This claim, with those arising from the excavating of the lot and erecting the foundations, amounting to about \$15,000, represent the amounts which are thus charged to the company.

are still in a state of expectancy. This claim, with those arising from the excavating of the lot and erecting the foundations, amounting to about \$15,000, represent the amounts which are thus charged to the company.

are still in a state of expectancy. This claim, with those arising from the excavating of the lot and erecting the foundations, amounting to about \$15,000, represent the amounts which are thus charged to the company.

are still in a state of expectancy. This claim, with those arising from the excavating of the lot and erecting the foundations, amounting to about \$15,000, represent the amounts which are thus charged to the company.

are still in a state of expectancy. This claim, with those arising from the excavating of the lot and erecting the foundations, amounting to about \$15,000, represent the amounts which are thus charged to the company.

are still in a state of expectancy. This claim, with those arising from the excavating of the lot and erecting the foundations, amounting to about \$15,000, represent the amounts which are thus charged to the company.

are still in a state of expectancy. This claim, with those arising from the excavating of the lot and erecting the foundations, amounting to about \$15,000, represent the amounts which are thus charged to the company.

are still in a state of expectancy. This claim, with those arising from the excavating of the lot and erecting the foundations, amounting to about \$15,000, represent the amounts which are thus charged to the company.

are still in a state of expectancy. This claim, with those arising from the excavating of the lot and erecting the foundations, amounting to about \$15,000, represent the amounts which are thus charged to the company.

are still in a state of expectancy. This claim, with those arising from the excavating of the lot and erecting the foundations, amounting to about \$15,000, represent the amounts which are thus charged to the company.

are still in a state of expectancy. This claim, with those arising from the excavating of the lot and erecting the foundations, amounting to about \$15,000, represent the amounts which are thus charged to the company.

are still in a state of expectancy. This claim, with those arising from the excavating of the lot and erecting the foundations, amounting to about \$15,000, represent the amounts which are thus charged to the company.

are still in a state of expectancy. This claim, with those arising from the excavating of the lot and erecting the foundations, amounting to about \$15,000, represent the amounts which are thus charged to the company.

are still in a state of expectancy. This claim, with those arising from the excavating of the lot and erecting the foundations, amounting to about \$15,000, represent the amounts which are thus charged to the company.

are still in a state of expectancy. This claim, with those arising from the excavating of the lot and erecting the foundations, amounting to about \$15,000, represent the amounts which are thus charged to the company.

ONLY FOUNDATIONS BUILT

Work Is Stopped on the Great California-Street Apartment-House.

THE ARCHITECTS ARE UNPAID.

Ghostly Walls That Form a Queer Contrast to the Adjoining Smart Residences.

COLLISION WITH A CAR.

James Comerford Probably Fatally Injured in a Collision on California Street.

As the result of a collision with a California-street cable-car, young James Comerford lies at his father's home on Hyde street, near Pine, suffering from injuries that may prove fatal.

Yesterday morning, at 6:30 o'clock, Comerford was driving a wagon along the Cable Market on Larkin street. He turned into California street, and when opposite the cable company's power and car house was run into by a car moving from the house to the main line.

The surface of the lot on which operations were begun stood ten to fifteen feet above California street and was a mass of rock so solid that in order to get down to a level with the thoroughfare the contractors were compelled to blast it away.

Even this did not satisfy the projectors and the contractors delved several feet into the earth before the work of building up the foundations was begun.

Then when they had risen a few feet above the level of the ground, huge arches and massive walls were placed at such frequent intervals that only passages between them were left.

Weeds are beginning to make their appearance among the deserted rooms, many of which will become wells of water when the winter rains have poured a flood upon them.

Edward Steiny was arrested yesterday on a charge of falling to provide for his 13-year-old boy. Steiny was at one time a well-

FORREST SEABURY BURIED.

Theater People Attest Their Esteem With Floral Pleas.

The funeral of Forrest Seabury, the scene painter, who died suddenly after finishing a drop curtain at Morosco's, occurred yesterday afternoon from undertaking parlors in this city.

The Baldwin orchestra, under the leadership of August Hinrichs, furnished the music. The floral offerings were numerous and expressive of the esteem in which the deceased was held.

The remains were interred in Mountain View Cemetery, Oakland, a band from the Musicians' Union joining the escort to the ferry.

Neglected His Child.

Edward Steiny was arrested yesterday on a charge of falling to provide for his 13-year-old boy. Steiny was at one time a well-

known commercial traveler, but of late has neglected his children. The boy was found by the Society for the Prevention of Cruelty to Children in an old cabin on Seventh avenue and D street in a wretched condition.

are still in a state of expectancy. This claim, with those arising from the excavating of the lot and erecting the foundations, amounting to about \$15,000, represent the amounts which are thus charged to the company.

are still in a state of expectancy. This claim, with those arising from the excavating of the lot and erecting the foundations, amounting to about \$15,000, represent the amounts which are thus charged to the company.

are still in a state of expectancy. This claim, with those arising from the excavating of the lot and erecting the foundations, amounting to about \$15,000, represent the amounts which are thus charged to the company.

are still in a state of expectancy. This claim, with those arising from the excavating of the lot and erecting the foundations, amounting to about \$15,000, represent the amounts which are thus charged to the company.

are still in a state of expectancy. This claim, with those arising from the excavating of the lot and erecting the foundations, amounting to about \$15,000, represent the amounts which are thus charged to the company.

are still in a state of expectancy. This claim, with those arising from the excavating of the lot and erecting the foundations, amounting to about \$15,000, represent the amounts which are thus charged to the company.

are still in a state of expectancy. This claim, with those arising from the excavating of the lot and erecting the foundations, amounting to about \$15,000, represent the amounts which are thus charged to the company.

are still in a state of expectancy. This claim, with those arising from the excavating of the lot and erecting the foundations, amounting to about \$15,000, represent the amounts which are thus charged to the company.

are still in a state of expectancy. This claim, with those arising from the excavating of the lot and erecting the foundations, amounting to about \$15,000, represent the amounts which are thus charged to the company.

are still in a state of expectancy. This claim, with those arising from the excavating of the lot and erecting the foundations, amounting to about \$15,000, represent the amounts which are thus charged to the company.

are still in a state of expectancy. This claim, with those arising from the excavating of the lot and erecting the foundations, amounting to about \$15,000, represent the amounts which are thus charged to the company.

are still in a state of expectancy. This claim, with those arising from the excavating of the lot and erecting the foundations, amounting to about \$15,000, represent the amounts which are thus charged to the company.

are still in a state of expectancy. This claim, with those arising from the excavating of the lot and erecting the foundations, amounting to about \$15,000, represent the amounts which are thus charged to the company.

are still in a state of expectancy. This claim, with those arising from the excavating of the lot and erecting the foundations, amounting to about \$15,000, represent the amounts which are thus charged to the company.

are still in a state of expectancy. This claim, with those arising from the excavating of the lot and erecting the foundations, amounting to about \$15,000, represent the amounts which are thus charged to the company.

NEW TO-DAY-AMUSEMENTS.

Columbia Theatre. FRIEDLANDER, GOTTLOB & CO. LESSEES AND MANAGERS. COME THIS AFTERNOON!

CALIFORNIA THEATRE. INCORPORATED. PROPRIETORS. MATINEE TO-DAY AT 2. TO-NIGHT AT 8. THEN GO AND SEE HOYT'S "A BLACK SHEEP"

BALDWIN THEATRE. LAST MATINEE TO-DAY AT 2. LAST PERFORMANCE TO-NIGHT AT 8. DANIEL FROMMAN'S EXCEM THEATRE COMPANY.

TIVOLI OPERA-HOUSE. MRS. ERNESTINE KRELLING PROPRIETOR & MANAGER. EVERY NUMBER ENCORDED. EVERY SCENE AND SETTING PRAISED.

"SATANELLA" OR "THE POWER OF LOVE!" Beautiful Scenery! Correct Costumes! Brilliant Light Effects! Popular Prices—25c and 50c.

MOROSCO'S GRAND OPERA-HOUSE. THE HANDSOMEST FAMILY THEATER IN AMERICA. WALTER SANFORD. EVERY EVENING AT EIGHT. SEVENTH WEEK OF THE EMINENT.

"A FLAG OF TRUCE!" EVENING PRICES—25c and 50c. Family Circle and Gallery, 10c. Usual Matinees Saturday and Sunday.

MACDONOUGH THEATRE (OAKLAND). MATINEE TO-DAY AT 2 TO-NIGHT AT 8. Positively Farewell Performances. "THE OLD HO-KAY T.A.D."

ORPHEUM. O'Farrell Street, Between Stockton and Powell. MATINEE TO-DAY (SATURDAY), JULY 20. Parquet, any seat, 25c; Balcony, any seat, 10c; Children, 10c, any part of the house.

CENTRAL PARK, SUNDAY