

AMUSEMENTS. BALDWIN THEATRE—"The Wife." COLUMBIA THEATRE—"The Ensign." MOROSCO'S OPERA-HOUSE—"Under the City Lamps."

PICNICS AND EXCURSIONS. EL CAMPO—Sunday, August 4.—Japanese Aerial Carnival.

CITY NEWS IN BRIEF. All the theaters were crowded last evening. The wife of Low Ah Sing obtained a divorce yesterday.

Judge Slack has rendered a decision that the street law of 1893 is unconstitutional.

The executive committee for the Italian festival announced its final arrangements yesterday.

Three additional jurors were obtained yesterday for the trial of Mrs. Worthington, making nine in all.

The Macdonough heirs are suing Attorney E. F. Preston for \$25,000, alleging neglect of their business.

A bundle of deerskins was seized on the steamer Humboldt upon her arrival from Eureka yesterday.

The winning horses at the Bay District yesterday were: Bloomsbury, Virgie A, Venus, Nevada and Arctic.

John T. Haviland bequeathed upward of \$50,000 mainly to his wife and other relatives, with \$5000 to charity.

Edward D. Spring wants an accounting from the superintendent of the Consolidated California and Virginia mine.

Fresno vineyardists are placing with the State's Free Labor Bureau several large orders of men to harvest the grape crop.

Under instructions from Mayor Sutro, George T. Gaden yesterday began the work of experting the books of the Park Commission.

The half-million club has been asked by the State board of Trade to accept a series of lectures for the California exhibit at Atlanta.

A bust of Leland Stanford has been presented to the Palo Alto University by the widow. It will occupy a well chosen spot in the museum.

The meeting of the School Board yesterday was occupied mostly in considering changes in the rules and important committee reports.

Tod Sloane, the jockey, and Captain Harris, proprietor of the Santa Clara stables, were arrested last night for driving in Golden Gate Park.

In the case of Daniel Johnston, a coroner's jury yesterday returned a verdict of manslaughter against William Weisman and John Comerford.

James Mearns' bazar, 1500 Powell street, and Jerry McCarthy's saloon on Market street, near Fourth, were entered by burglars early yesterday morning.

The one-story frame factory of the San Francisco Co. on Seventh and Commercial streets was destroyed by fire last evening at a loss of \$5000.

Captains Douglas, Short and Stone were retained by the Police Commissioners last night and sentenced to prison for a month.

Mrs. Dr. Schmidt was yesterday held to answer before the Superior Court by Judge Gaden for the murder of Mrs. Louis Hauser, and her bonds were fixed at \$100,000.

Dr. Somers, head surgeon at the Receiving Hospital, and Drs. Berry, Deane and Mays, assistant surgeons, retired from duty yesterday, their places being filled by the new appointees.

Mrs. L. E. Willett, 31 Fulton street, was taken to the Receiving Hospital yesterday suffering from alcoholism, and died three hours afterward. Her body was taken to the morgue.

Pete Cramer, alias "Frenchy," a notorious thief, was arrested yesterday, and when searched at the City Prison a tinny and a watch were found in his pockets.

Two additional jurors were sworn to try the Durrant case yesterday, making four altogether. They are M. R. Dempsey, 36 Glenn avenue, and Nathan Crocker of 1912 Bush street.

Mate Thomas Whitmore, whose body was found in the hold of the bark McNear on her way from San Francisco, was ordered to be buried at sea yesterday.

W. O. Eades, chief locating engineer of the Electric Traction Company, resigned yesterday, taking the position of chief assistant engineer of the Valley road. He will have supervision of the Valley road.

The board of directors of the Mechanical Institute, which resulted in the resignation of three of its members, came to light yesterday. There were cliques and personalities in the body.

Deacon Meyer Strauss' name was dropped from the membership roll of the First Congregational church because he wrote a private card that reflected upon Dr. C. O. Brown, the pastor, and Deacon I. H. Morse.

AROUND THE WATER FRONT

Thomas Whitmore, the Dead First Mate of the Bark McNear.

GETTING IN LOWER MASTS. Shipping Matches as "Japanese Ware"—Seizing Deerskins. Ships Due.

The dispatch from Nanaimo yesterday morning, stating that the body of Thomas Whitmore had been found in the hold of the bark McNear when the vessel was fifteen days out from San Francisco, bound north, cleared up a water-front mystery.

The day before the vessel sailed from this port, Whitmore, who was first mate, went ashore, saying he was unwell. He had been drinking, and as he was not seen to return it was supposed that he was

place of meeting Major Hooper were designated at the Occidental Hotel, Wednesday, August 14, at 8 P. M.

Major Hooper, commander-elect, will say something to the assembled companions on that eventful occasion. He was elected commander last May, but has not yet been installed.

Under instructions from Mayor Sutro, George T. Gaden yesterday began the work of experting the books of the Park Commission, which for the past eleven years have been kept by the secretary of the Park Commission, Miss V. Block.

So far as he has gone, Mr. Gaden finds the records and books have been excellently taken care of. He will thoroughly expert the

books and all records pertaining to the expenditure of moneys during the past three years, in order to ascertain just how the park appropriations have been used.

His report will be made to the Mayor personally.

Three coasters, the ship Kate Davenport, bark Annie Johnson and barkentine Portland, left Tanglefoot Island, Alaska, recently, stating that the moorings at which this vessel lay were defective and they giving away, the Raphael drifted on the reef before her own anchors could check her.

The officials of the company state that after the fires that nearly destroyed the Corona and Santa Rosa they overhauled several cases shipped by Solomon, and while they were labeled "Japanese ware" they contained matches.

A demented woman was found wandering around the water front yesterday, telling people whom she met that she was trying to escape from conspirators who were pursuing her.

The officers of the Fish Commissioners yesterday seized a bundle of deerskins on board the steamer Humboldt, which had just arrived from Eureka. It is alleged that they were from animals killed out of season.

William Moore, a boatman, was arrested yesterday afternoon on the water front, charged with battery upon Carl F. Necha, the proprietor of a boarding-house on East street.

Moore is a hard character and the man who beat Oyster Jack about a year ago, from which injuries the latter never recovered.

The Pioneer Yacht Club will have an outing at Angel Island next Sunday morning, leaving Powell-street wharf at 10 o'clock.

The deep-water ships expected to come in this week are: The Benjamin Sewell, 157 days from New York; Guy C. Goss, 154 days from Baltimore; Port Patrick, 152 days from Antwerp; Sierra Nevada, 138 days from Liverpool; Otterburn, 132 days from Newcastle, England; Lord Templemore, 150 days from Maryland; Earl, 138 days from Burges; Alice, 180 days from Swansea; the Arkwright, 78 days; Castor, 66 days; Miltonburn, 90 days; and Dominion, 66 days from Australia.

San Francisco, July 16, 1895. To the Board of Officers, Commanding of California, U. S. DEAR SIRS AND COMPANIONS: I have the honor to request the presence of all companions of the order as my guests at the Occidental Hotel on the occasion of the next meeting of the commandery.

WILLIAM B. HOOPER, Commander-Elect.

Companions Skelding and Schenck lost no time in urging immediate acceptance of Major Hooper's agreeable proposition.

A unanimous vote of acceptance was recorded. More than that, the time and

energy of the board of officers of the Occidental Hotel, held July 17, the following invitation was submitted:

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A SETBACK FOR THE CITY.

Judge Slack Declares the Street Law of 1893 Unconstitutional.

THE POTRERO-AVENUE CASES. In Overruling the City's Demurrer the Judge Gives an Important Decision.

A decision rendered yesterday by Judge Slack of the Superior Court makes the street law of 1893 unconstitutional as special legislation, though an appeal will be taken and the decision will have no effect until the case is passed upon by the Supreme Court.

This decision is in the suit of Helen A. Landers vs. the Board of Supervisors, for a writ of review to annul the proceedings of the board in the matter of opening Potrero

avenue, the suit of A. C. Weber vs. Street Superintendent Ashworth et al., and the suit of Robert R. Hind vs. the City and County et al., asking that these defendants be enjoined from proceeding under the act.

The whole matter relates to the extension of Potrero avenue, which these three plaintiffs are endeavoring to prevent. The City began the extension proceedings under the street law passed March 23, 1893, applicable to cities of over 40,000 inhabitants, which law repealed the act of 1889.

When the suits against the City were begun, the City and County Attorney presented a demurrer, and it is on this demurrer that Judge Slack has handed down the opinion that the act of 1893 is unconstitutional.

The Judge quotes the opinion of Justice Temple of the Supreme Court in the case of Dorsey vs. the Mayor of San Jose, and he says:

"The act is special legislation, because it applies only to cities and counties of 40,000 inhabitants and over; and being special legislation it is unconstitutional, because it applies to a case, to wit, eminent domain, where a general law can be made applicable, contrary to the constitution, article 13, section 25, subdivision 33."

If, as in this decision, the law of 1893 is finally set aside, the previous law will again go into effect, reviving the commissions for the opening of Market, Post, Sixteenth, Nineteenth, Twenty-first and Twenty-second streets, and possibly affecting other street and sewer projects.

It is the general opinion at the City Hall that the decision will affect the new Election Commission. The act creating this commission applies to cities of 150,000 people, or more, and it is held that if Judge Slack's decision is maintained this act will also have to be regarded as class legislation.

At this pretty and comfortable playhouse, the exciting naval drama "The Ensign," with the full strength of the Frawley Company, witnessed last evening by a large audience.

The stage setting is superb and the thrilling situations rivet the attention of the onlooker from the rise to the fall of the curtain.

The naturalness of Little Mildred when she appears before President Lincoln to plead for the release of the ensign and offers him her dog for a pardon for him wins for her deserved applause every evening.

The drama will be continued until Sunday night and will be requested by "All the Comforts of Home."

Morosco's Grand Opera-House. The crowded house at Morosco's last evening was proof of the popularity of the melodrama "Under the City Lamps."

It is a play full of action, with much natural dialogue characteristic of the people the dramatist has placed on the boards. There are a number of striking scenes which form splendid tableaux.

The tank scene, during which a blind girl is thrown in by an old hag and is rescued by the hero, is very exciting.

The ever-pleasing opera "Maritana" still fills the Tivoli Opera-house nightly and with an audience that is delighted with the singing of West, Hartman, Laura Millard and other members of the ever-popular troupe.

The excellent variety programme presented at the Orpheum is a great drawing card. The acts of the many artists win the plaudits of the audiences, all being meritorious.

German Theater. "Der Weiss Hirsch" (The White Deer) is to be presented on Sunday evening by the Conried German Comedy Company at the Baldwin Theater.

The piece contains many witty sayings, funny situations and droll combinations.

Macdonough's Theater. On Monday night next Hoyt's "A Black Sheep" will be produced at the Macdonough Theater, Oakland, and will be continued for two nights and Wednesday matinee.

A Consolidated Virginia Mine Stockholder to Sue the Superintendent. Edward D. Spring, a leading stockholder in the Consolidated California and Virginia mine, is about to sue D. B. Lyman, the superintendent of the mine, for an accounting.

He will also demand, it is stated, an investigation of the superintendent's actions as the representative of the stockholders at the mine.

Mr. Spring, according to Mr. Lyman, the mine was paying monthly dividends at the rate of 25 cents a month, but these were suddenly cut off.

The stockholder intimates that he will charge the superintendent with misprudence in his knowledge of the mine for stock manipulations.

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A NEW BLOCK ON MARKET.

Offer of Chicago Capitalists to Mrs. Florence-Blythe Hincley.

AT LAST IN POSSESSION. The Heiress' Attorneys Say She Has Complied With All Legal Formalities.

Mrs. Florence Blythe-Hincley has complied with all the legal formalities and is now practically in possession of the long-contested fortune which makes her a conspicuous figure among the wealthiest women of the country.

Such is the view of her attorneys, who consider the great legal war over the Blythe estate ended.

Yesterday afternoon the bonds and decrees were recorded and Mrs. Hincley, accompanied by her husband and her attorneys—W. H. H. Hart and Thomas B. Bishop—went to the office of Public Administrator A. C. Freese and made a formal demand for the estate.

Mr. Freese postponed his answer until to-day, and said that he might apply to the Supreme Court for instructions.

"The appeal will be useless and is none of the Administrator's business," said Mr. Hart afterward. Mr. Freese stated that he did not wish to keep the property from Mrs. Hincley, but desired to prevent a suit. He proposes to act cautiously because of the appeals from rival claimants, two of whom have already warned the Administrator not to turn over the estate.

The heiress had a debarment and confederated during her conference with her attorneys at W. H. H. Hart's office yesterday, and she tripped to the elevator with the smiling abandon of a care-free child.

When questioned as to the disposition of the estate, she said she would accept of her property, Mr. Hart said she had not signified her intentions as yet, but that she was in receipt of an offer from Chicago capitalists who desired to lease the block bounded by Market, Grant avenue and Geary streets.

They proposed a long term lease and their offer included the erection upon that site of buildings which would have no superior in San Francisco, and few if any, in the United States.

It was probably that if the Chicagoans secured the lease they would immediately begin the work of removing the present buildings and the construction of the new.

There are some doubts against the estate, which, with the attorneys' fees, will absorb about a third of Mrs. Hincley's newly acquired wealth.

The present value of the estate is believed to be \$3,000,000 and \$4,000,000. According to an appraisal made a year ago it is worth \$3,348,831. It consists chiefly of the block in this city which stands for two-thirds the amount of the fortune and the improvements thereon, a share in the City of Little in Mexico, and a large tract of land in Mexico valued at \$200,000 in money is in possession of the Public Administrator.

There is some personal property, including jewelry once the property of Blythe. Promissory notes and further cash on hand aggregate about \$200,000.

NEW HOME FOR CHILDREN. Sisters of the Holy Family Establish a Branch on Sixth Street.

The Sisters of the Holy Family have decided to establish a branch of their "day homes" in the thickly populated district south of Market street and have already secured quarters for the beginning of their good work.

The plan adopted is to begin on a small scale and extend the accommodations as demands on the institution grow from time to time.

With this end in view the dwelling-house at 425 Sixth street has been rented and placed under the care of Sister Dolores. There are eight rooms in the house. These will be divided into classrooms, and there will also be a refectory and kitchen with a department for very young children.

For the present it is believed that the accommodations will be ample, but once the day home is firmly established the Sisters' community will look around for a building site and build a suitable house or rent a large place adapted to the caring and teaching of children.

The Sisters have four institutions now in this city. One is on Powell street, in the North Beach district, where several hundred little folk are taught, fed and cared for six days a week while their mothers are out working for a living.

Another is on Hayes street, near Poik, and it houses just as many children during the day. The mother-house is at Hayes and Fillmore streets, and is a four-story building on a new branch south of Market street.

The move to Sixth street has been long under contemplation, for the very reason that that neighborhood more than any other in the city verges upon being an institution in its midst.

As soon as the new home is furnished and ready to receive children it will be thrown open, and working women will then be made acquainted with its objects.

The new home has been dispatched to the Minister of the Interior at Rome, asking in the name of the Italian colony that the worship of Christoforo Colombo, with King Humbert's nephew on board, be sent to San Francisco in time for the 20th of September.

A grand banquet to the officers is already being planned.

The Railroad Commission. The Railroad Commissioners met yesterday and discussed the proposition of inclining the Oakland and Haywards electric line with

HOSPITAL CHANGES.

Dr. Somers, Berry, Deane and Mays Are Relieved. Dr. Somers, head surgeon at the Receiving Hospital, and Drs. Berry, Deane and Mays, assistant surgeons, retired from their positions yesterday.

Dr. Berry was on duty till midnight, and he was relieved by Dr. Thompson, one of the new appointees. Dr. Weil, head surgeon, and Drs. Fitzgibbon and Bonnell will all be on duty to-day at their respective assignments.

Steward Trewin will not retire for about two weeks yet.

The retiring surgeons have earned the gratitude and respect of all who have been brought to the hospital by their skill and attention. Dr. Berry has been assistant surgeon for nearly five years and Dr. Deane for four years.

Outside of the patients those who have had business at the hospital have always been treated by them and by Dr. Somers with the utmost courtesy, and they carry with them the sincere wishes of many for their future success.

George Knight Still Holds On. George A. Knight still holds the office of attorney of the Board of Health. Dennis Spencer has asked him in a courteous manner to give it up, but Mr. Knight does not comply with the request.

The way is now open for Mr. Spencer to institute quo warranto proceedings and thus bring the case into court to test whether the position is elective or appointive.

Replying to a suggestion that the Governor had nothing else to give his old friend Dennis Spencer, Mr. Knight said: "Yes, he had. There was Code Commission money, worth \$3000 a year. Why didn't he appoint Spencer to that position instead of appointing him attorney for the Board of Health after he had cut off the appropriation for the salary of the place and gusted the position as useless?"

ROYAL Baking Powder has been awarded highest honors at every world's fair where exhibited.

NEW TO-DAY-AMUSEMENTS. BALDWIN THEATRE. Last 3 Nights! Last Matinee Saturday! DANIEL FROHMAN'S LYCEUM THEATER COMPANY!

To-night (Thurs.) and Sat. Night—Only Times. THE WIFE. Friday Night Only. THE CASE OF REBELLIOUS SUSAN. Saturday Matinee—Only Time. AN IDEAL HUSBAND!

SEATS READY TO-DAY FOR TOO MUCH JOHNSON. WITH WILLIAM GILLETTE AND THE ORIGINAL CO. (Management of Charles Frohman.) Engagement Begins Next Monday Evening

CALIFORNIA THEATRE. LAST 5 PERFORMANCES OF THE FUNNY GARDEN. HOYT'S BLACK SHEEP. WITH WILLIAM GILLETTE AND THE ORIGINAL CO. DON'T MISS SEEING THE TRILBY DANCE!

The Great Eastern Sensation. Last Matinee Saturday. Last Performance Sunday Next. Baldwin Theater—Monday Next, Aug. 5. "TOO MUCH JOHNSON." WITH WILLIAM GILLETTE.

Columbia Theatre. FRIEDLANDER, GOTTLOB & CO. LESSEES AND MANAGERS. "With all his skill the Jeweler is far behind the Bill Poster, for the latter often makes genuine diamonds out of paste."

OUR COMPANY ATTRACTS IS PURE AN DIAMONDS. The Glorious Grand Drama "THE BENS-GIN" BY THE FRAWLEY COMPANY.

TIVOLI OPERA-HOUSE. MRS. ERNESTINE KRELLING Proprietor & Manager. EVERY EVENING THIS WEEK. WALLACE'S Ballad-Opera. "MARTHA!"

FIRST APPEARANCE OF GEORGE H. BRODERICK BASSO. Popular Prices—25c and 50c.

MOROSCO'S GRAND OPERA-HOUSE. The Handsome Family Theater in America. WALTER MOROSCO... Sole Lessee and Manager. EVERY EVENING AT EIGHT. Second and Last Week of JOSEPH J. DOWLING In the Big Eastern Success. "UNDER THE CITY LAMPS!"

Evening Prices—25c and 50c. Family Circle and Gallery, 10c. Usual Matinees Saturday and Sunday.

ORPHEUM. O'Far