

FREDERICKS' FATE AGAIN.

The Murderer Was Hanged, but His Case Is Yet in the Courts.

HALE MAY HAVE TO ANSWER.

Supreme Court Action on an Appeal May Cause Peculiar Complications.

The Supreme Court has before it a matter dealing with a defendant in the next world, as it is called upon to determine whether Frederick's, the murderer who was hanged at San Quentin a week or two ago, is still entitled to existence.

This may not seriously concern the man who shot Cashier Herrick, but it is serious from the fact that a decision in favor of the murderer may make Warden Hale legally responsible for the killing of the prisoner, and besides that the decision may have an important effect on future executions.

When Frederick's was awaiting execution at San Quentin an appeal from the order sentencing the prisoner was taken by the prisoner's attorney, George E. Colwell. Warden Hale sought instruction from Attorney-General Fitzgerald, and by advice of the latter he carried out the sentence of death.

A hearing on the legality of the sentencing of Frederick's was pending in the Supreme Court, and though the prisoner has been hanged the appeal will be heard.

The case is to come up in the court today and the decision on the appeal may result in serious complications. If the Supreme Court finds that Frederick's was not legally sentenced at the time the present issue was raised the condemned man will have a legal right to existence and to a further hearing in the Supreme Court. The prisoner was entrusted to the care of Warden Hale at the State prison, and it will be the duty of that official to produce the man.

Of course the prisoner cannot be brought back to court for a further hearing, but he will not be affected in any way by what the highest tribunal of California may do or say on the legal technicality presented in his behalf, but Warden Hale may be placed in a position that will be embarrassing at least if he be required to bring forth the prisoner for a new sentence.

The only explanation that the Warden can offer is that he hanged the prisoner, but the Supreme Court may not be satisfied that the State's officer had a legal right to do that while an appeal was pending.

If the sentence of death is declared to have been legal that will end the matter, but the attorney for Frederick's thinks that it is not legal, and if his opinion is supported by the Supreme Court Warden Hale and the Attorney-General may have to answer in court for the hanging that nobody doubts was deserved.

FIGHTING FOR DAVIDSON.

Shipping Men of the Coast Getting Up a Huge Memorial of Protest.

A memorial addressed to President Cleveland and Secretary Carlisle by practically the entire shipping interests of the Pacific Coast, stoutly protesting against Professor Davidson's removal, attesting his rare ability and value to all the maritime interests of the coast and urging his reinstatement, is now being circulated.

This memorial is confined to the practical shipping interests of the coast, and is independent of the storm of disapproval which has come from every quarter where Professor Davidson, his lifetime of service to the Government and his distinguished work in the fields of science, are known.

In this city the memorial is now in the hands of Aaron M. Burns, the writer, and it has already been signed by sixty or more of the leading shipowners and shipping agents. Among the names are those of every large steamship company and every firm having large interests which are risked at sea.

Copies of the memorial have been sent to every important port on the coast, and when it reaches Washington it will represent the unanimous sentiments and demands of the men for whom the memorial is established on the entire Pacific Coast. The memorial reads as follows:

To the President of the United States and the Secretary of the Treasury: We, ship-owners, fishermen and marine underwriters in the Pacific Coast, have learned with amazement and great regret that Professor George Davidson, assistant United States Coast and Geodetic Survey, has been removed from his position in the Government service which he has filled with usefulness to us, credit to himself and honor to the country for half a century; and we all, without regard to party affiliations, deplore this ill-considered act of his superior officer. As men interested in shipping property and sailing men we are deeply grieved. For many years the very great practical benefits which have accrued to navigation, commerce and marine insurance from Professor Davidson's wonderful knowledge of the harbors, currents, bars, lights, landfalls and hidden dangers of his coast, all so elaborately and accurately described and illustrated in his "Coast Pilot of Alaska" and his "Coast Pilot of California, Oregon and Washington," works presented to the Government and by it printed for the public benefit. In any other country such labor as this alone would have insured him honor and a competency for life. In this country, however, the publication of these splendid works has been constantly kept himself informed of the many changes in buoys, lights and bars and of the discoveries of new dangers; that he has, as a faithful public servant should, always held this information at our disposal, and that we can always call upon him with profit.

We believe that there is no man on this coast who has such an extensive, thorough and comprehensive knowledge of this subject, so important to our interests, as Professor Davidson, and we therefore earnestly ask that he be reinstated in the service, in order that he may protect those interests in the future as he has in the past.

FOR THE ATLANTA FAIR.

Interesting Facts Concerning the California Beet Sugar Industry.

The local directors of the State Board of Trade, consisting of Messrs. Maslin, Mills, Emery and Filcher, met yesterday afternoon to discuss matters pertaining to the California exhibit at the Atlanta Exposition. They decided not to involve the board in any debts for packing until the \$9000 promised by the Supervisors at the

FOR WINTER DAYS.

You think of laying in quite a few things which may be of use to your wife. Little things that she may need. Are you sure that she will be here next winter? Have you failed to notice her tired expression and her complaints of a weak back? If you wish to be a good, sensible husband you will order for her a system builder, for she needs it. Let her take it regularly. It will do her a world of good and it may save her life. Dr. Henley's Celery, Beef and Iron is a long way the best thing you can get for her. It will do her UNMIXED GOOD. You had better think this over.

GUM-TREE BOOKMAKERS.

How a Throng of Adolescents Gamble on the Jockey Club Races.

GAME OF NICKELS AND DIMES.

"Nutty Quinn" and "Peacock" Are the Enterprising Manipulators of the Scheme.

Overshadowing the fence which girls the eastward side of the Bay District racetrack, where the California Jockey Club holds its races, is a row of spreading eucalyptus trees. They tower far above the fence, and any one who climbs among their branches may see the races almost as well as those who pay their dollar and view them from the grandstand.

But then, it is claimed by the dollar man, the tree-climbers may see the races, but they have not the privilege of throwing up their money against the pool-boxes and taking the chances of winning a snug little pocket fortune.

That is just where the dollar man are mistaken. They do not know, probably, of the existence of an organization called

Sausalito is still an incorporated town, and the citizens are indulging in a good deal of pardonable pride over the fact that a town hall is to be built and the street improvement prosecuted to a satisfactory completion. Still another cause for rejoicing lies in the renewed interest in the movement for a boulevard from there to Point Bonita.

The disincorporation idea has been practically dropped, and while the Town Trustees have been blamed for the slow progress of the paving of Water street the Trustees claim that the fault lies with the contractor, T. J. O'Connor, whose contract terminate on August 22. Charles Dexter, clerk of the Board of Trustees, who came to San Francisco yesterday to make a payment on land purchased by the town, said that O'Connor's bondsmen would be expected to carry out his contract. It has been decided that the work must be pushed. This has eased the feelings of those who favored disincorporation.

"I have just made the first payment on the land purchased by the town," said Captain Dexter. "The purchase price was \$2000, of which one quarter is now paid. The purchase was made from John Ferguson of Kearny and California streets. The land lies south of the San Francisco Yacht Club's place. It is the intention to remove the pumping plant there and then to put up a town building. The lower floor will be used by the Fire Department and the upper story for the hall and offices of the town. We shall start in early in the fall to break ground and will erect the building this winter. We propose also to make a loading place for small boats. No, we have not yet figured on the cost nor plans of the new building. We did not decide till last night's meeting of the Trustees on the purchase of the land."

J. B. Stetson, president of the North Pacific Coast Railway Company, made a proposition to the town through General Dickinson, President of the Board of Trustees of Sausalito yesterday, to grade Water street from El Monte lane to the county road. The railway company under the new rule adopted of requiring each of the property-owners to do his own share of the work or pay the town for doing it, must improve a certain part of the street. President Stetson proposes that it shall be all alike along that road. He will do the same for the species of the minutes of General Dickinson is inclined to favor the proposition and will call a special meeting of the Trustees to consider it.

The revival of interest in the boulevard from Sausalito to Point Bonita is a topic of considerable interest in the town. The project has been taken in hand by Congressman J. A. Barham, who with Congressman Loud, J. B. Stetson, Commodore Harrison, Mr. Crumpton, John Snel and J. H. Freyer, editor of the News, made a preliminary survey of the road. A petition will be sent to Congress asking an appropriation of \$20,000 to build the boulevard. The right of way has already been granted by the War Department.

ONE HUNDRED ASSAULTS.

How Josephine Amiraux, an Actress, Treated Her Husband When She Met Him.

The marital troubles of Josephine Amiraux, an actress, and her husband, Geller Amiraux, were aired in Judge Campbell's court yesterday afternoon, when the husband was tried for threatening to kill her. She told acts of cruelty and it looked bad for the defendant. When he went on the stand he told his story in such a straightforward manner that the Judge altered his opinion.

Mrs. Amiraux is a little woman, but her husband testified to over one hundred assaults within a year by her upon him on the streets and elsewhere with sticks, cobblestones, fists or anything that came handy. At one end of his watch chain he wore a police whistle specially to summon assistance when she attacked him on the street, not because he was afraid of being injured by her, but to save him from annoyance.

In answer to the Judge she said she never threatened to kill her husband nor had she any bloodthirsty intention; and he did not want to be annoyed by her. She had left his house on Page street and gone to live in a respectable quarter on Grant avenue, and as she had refused to leave there he wanted to have nothing more to do with her. The Judge called up Mrs. Amiraux, and after warning her to leave her husband alone, and to attend to the divorce proceedings were pending, he dismissed the case.

GUNST-MENZIES LITIGATION.

Police Commissionership Appeal Before the Supreme Court.

The suit of Stewart Menzies against Moses Gunst, to determine the right to the commissionership dispute, was to have been argued in the Supreme Court yesterday, but owing to the rush of business it was submitted on the briefs already filed. Judge Sanderson gave a decision in favor of Gunst several weeks ago, and an appeal from that decision was taken.

A frowny-headed, sharp-eyed youth who is called familiarly as "Nutty Quinn" is the manager of the pool-box, the said box consisting of his capacious side pocket. "Nutty" proves anything but "nutty" in the slangy acceptance of the word. In reality he is as keen and sharp a youngster as could possibly be found anywhere. He is well posted as regards every detail of each day's racing, and he has an able assistant in a lynx-eyed partner who is called "Peacock" among the boys. Whether "Peacock" ever had any other name or not is a mystery.

Just before the races begin "Nutty Quinn" takes his place at the foot of the tree and sells the pool on the first race. Those who buy receive a ticket represented by a piece of dirty paper which is stamped with the name of a horse thereon. Having purchased a ticket, the possessor can climb up the pegs driven into the limb of the tree into the branches. There he is received by "Peacock," an messenger-boy, and he can be paid or increase his wages, as he pleases upon handing over the monetary wherewithal. Thereafter, as each race is called, the occupants of the tree, through "Peacock," make their bets and get their tickets. There is evidently little confidence lost between "Nutty" and "Peacock," for the former insists on cash before climbing up and delivering the tickets. It is then that the following expressions may be heard: "Six to one on Dancing Girl."

"Ah, look at Josephine!" "Say, ain't Little Pete all right?" "Go on, that ain't Red Dick." "Hey, give me that nickel change, Peacock, or I'll smash yer." "There they go; jest git onto Charley Boots." "Aw, I don't raise yer." "Naw! Royal Flush a dandy?" "Shut yer yap and quit shaking that limb."

WEAVER MAY BE RETAINED.

His Friends Send a Petition to the Board of Health.

THE PANAMA RAILROAD.

It Will Continue as an Independent Transportation Line.

The Result of Mr. Hinton's Conference With the Transcontinental Managers.

Eugene H. Hinton, the Pacific Coast representative of the Panama Railroad Company, has been in the East since the 12th of last January on an important mission. His business was to confer with the representatives of the transcontinental railroads concerning an agreement under which the Panama Railroad Company should be recognized and a scheme of rates between the Atlantic and Pacific seaboard should be agreed upon. Mr. Hinton returned to San Francisco a few days ago.

From 1872 to February, 1893, the Panama Railroad Company had been operating on the continental roads. They had, of course, and idea that such a road existed, but they knew of it only through its relations to the Pacific Steamship Company. It is the settled policy of the Panama Railroad Company that these conditions shall never exist again. The road is to be operated as an independent line in this respect. Also informed them that if they desired to negotiate they could deal directly with us, and that we intended to be closely identified with the traffic at all times to come. That is the idea of the company, and it will be carried out.

Mr. Hinton was questioned concerning the ability of the Panama Railroad Company to pursue its independent policy. He said that it was now about a year and a half since the Panama Railroad Company assumed the operation on the Pacific Coast, between San Francisco and Panama, of the line which was given up by the North American Navigation Company. The Panama Railroad Company acquired by purchase the three steamers of the Brazilian Steamship Company and therefore operates exclusively the line between New York and Panama. Its status there is settled for all time. A large business insures also the continuance of the line between Panama and San Francisco. The business for the past few months has been at the rate of from \$9,000 to 70,000 tons per annum. There are excellent reasons conclusive to Mr. Hinton why the Panama railroad cannot fall into the hands of Mr. Huntington. Mr. Hinton read in the dispatches that Mr. Huntington visited Paris, but nothing was effected to change the relations of the Panama road to the business of the Pacific Coast as an independent line. Mr. Hinton expressed confidence that nothing can interfere with its independent operation. The line is now operating three steamers on the Pacific Coast and has been compelled, during the last sixty days, to operate exclusively on the Pacific Coast.

It seems to definitely put to rest all rumors concerning the possible abandonment of the line as an independent proposition. Mr. Hinton has talked the matter over thoroughly with the directors at New York and is fully acquainted with their intentions in the premises. He had no other information to give excepting that the strike at the Isthmus is at an end and no further detention to freight will be caused.

SCHEEL AND THE UNION. The Leader Will Not Be Allowed to Charge Rent for Costumes.

A Possibility That There Will Be Serious Trouble in the Mechanics' Fair Band.

The Musicians' Union has put itself on record regarding Fritz Scheel's proposed exaction of \$4 per week from each of the men who play in the Mechanics' Fair band, and unless the leader recedes from the position he has taken in the matter, he is quite likely to find himself in very warm water before the fair closes.

At a recent meeting the matter was thoroughly discussed, and it was unanimously agreed that Scheel had no right to demand rent for uniforms and that such a proceeding could not be allowed. An order to that effect was accordingly made, and Secretary Smith was busy yesterday sending them out to members of the union who might be called upon to help Scheel out.

The result will be that the members of the union and desert him when the first payday comes unless some other arrangement regarding the costumes is made.

Had Scheel been able to carry out his renting plan he would have netted the net sum of \$640, or enough to have taken up his notes.

The trouble with the union began at the close of the Midwinter Fair, when he owed the musicians who had stuck to him through that engagement \$1132. His failure to liquidate that debt led to his being dropped from the list of the local branch of the Musicians' Union.

He laughed at this at first, but when the board of trustees of the Mechanics' Institute refused to entertain his proposition to direct the band unless he was in good standing with the union, he suddenly concluded that the organization was a pretty good thing. He hastily applied for reinstatement and offered a plan of settlement. This was to raise \$600 cash which was allowed to return to the fold and go with his preparations for the fair.

There seems to have been an unrecurrent distrust of the leader in the minds of the union men, however, for though the five weeks' engagement at the fair at good pay seemed to be a bright opportunity the men did not fall over each other to get the jobs, and only a few days ago Scheel was practicing with twenty-one men instead of the thirty-two called for by the contract. The reason the Scheel is not able to get more men lies not only in the projected exaction of rent for the costumes, but also in the fact that the union men look with caution on Herr Scheel's financial calculations.

The contract calls for \$4000 for the entire season, of which he is to receive \$900 and the thirty-two musicians \$4000 among them. This would give each of them a trifle less than \$25 per week, the minimum salary of the union.

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NEW TO-DAY.

CITY OF PARIS

FALL JACKETS! JUST ARRIVED!

LATEST STYLES OF FALST JACKETS, Varying in prices from \$10.00, \$12.50, \$13.50, \$15.00, \$18.00, \$20.00 And Upward.

LACE CURTAINS! We Always Lead With the LATEST NOVELTIES

In Irish Points, Brussels, Swiss Tambour, Etc. IRISH POINT CURTAINS \$6.50 And Upward.

A New Line of PORTIERES From \$3.50 to \$10.00 a Pair.

SE HABLA ESPANOL. G. VERDIER & CO., SE. Cor. Geary and Grant Ave. VILLE DE PARIS.

BRANCH HOUSE, LOS ANGELES. For Pale, Worn-Out Folks.

No one fears spring sickness who uses Paine's Compound, that wonderful medicine that makes people well. No one need be pale or worn-out, with weak nerves and impure blood, if they use this grand strength-giver. Try it.

STATEMENT OF THE CONDITION AND AFFAIRS OF THE MAGDEBURG FIRE INSURANCE COMPANY.

OF MAGDEBURG, GERMANY, ON THE 31ST DAY OF DECEMBER, A. D. 1894, and for the year ending on that day, as made to the Insurance Commissioner of the State of California, pursuant to the provisions of sections 610 and 611 of the Political Code, condensed as per blank furnished by the Commissioner.

Amount of Capital Stock, paid up in cash \$750,000.00

Real estate owned by company \$449,349.75

Loans on bond and mortgage 1,285,708.55

Total assets \$5,798,253.91

Losses in process of adjustment or in suspense \$649,032.83

Total liabilities \$3,502,917.43

Net cash actually received for fire premiums \$4,232,488.90

Total income \$4,457,725.54

Net amount paid for fire losses (including \$955,122.76 losses of previous years) \$2,392,313.52

Total expenditures \$3,502,917.43

ROBT. TSCHMARKE, President. E. T. MITCHELL, Vice-President. M. FRIEDMAN & CO., 224 to 230 and 306 Stockton and 237 Post Street.

1845 PRESTON & MERRILL'S FIFTY YEARS THE STANDARD BAKING POWDER 1895