

THE RAILROAD WEAKENS.

Effort by the Southern Pacific to Compromise the Suits.

WHAT THE CONDITIONS WERE.

Byron Waters Offered to Reinstatement of the Other A. R. U. Men.

The Southern Pacific Railway Company has made its first move in the suits brought against it for \$500,000 exemplary damages each by Harry A. Knox, Thomas Compton and James Mullin, the three members of the American Railway Union's mediation committee during the strike last year.

Early in the month the complaint of Knox was filed by Attorney Monteith, and since then that in the Compton case has gone upon record. The Mullin complaint will be ready in a few days—as soon as his signature is attached to it.

The first move of the octopus is in the nature of a complete "come-down." It had black-listed and boycotted the members of the A. R. U. ever since the strike, and not a member of the union, it is known, and not a member of the union, is able to get work of any kind with the corporation.

Some eighteen or twenty sites have been offered, but as many involved purchases of money, and as there is no appropriation for the buying of a site, the committee looked upon such offers with a "glassy eye," as the slang phrase goes. Now it has settled down to about two propositions.

One is the offer of Mayor Sutro to give twelve acres of land on J street, near Fourth avenue, adjoining a similar sized tract upon which he will erect his library building, and the other is the proposition to locate the library on the three square blocks bounded by Fifteenth, Sixteenth, and Seventeenth streets.

It is between these two propositions that the committee is divided, and so close is the feeling that it is doubtful just how the matter will go. Dr. K. Beverly Cole, the chairman of the committee, is unqualifiedly in favor of accepting Mayor Sutro's offer.

"Well, this isn't a question of friendship, Byron," Mr. Monteith replied; "this is purely a matter of business; and you know that railroads and law offices are run on business principles and not sentiment. You fellows may have allowed a little sentiment to actuate you—sentiment of the wrong kind, it appears—but Simon-pure business principles will not allow it to be considered in the course my clients and myself have taken."

"Oh, that's all right, but look here, George," Mr. Waters resumed, coaxingly, "I will not dispute my vanity, George, but half way? I'll tell you what we will do. We will pay them their wages from the time they ceased to be in the company's employ and they will reinstate them in the positions if they will only withdraw their suits."

Mr. Monteith's answer was not satisfactory, and Mr. Waters left with a pained expression on his countenance. "We will not accept any compromise," Mr. Monteith said to a reporter yesterday afternoon; "that is, I can't accept any compromise because I have not been so instructed by my clients. All I can do is to go ahead with the defenses, and in instructions to the contrary I will push only these three cases, although I could begin proceedings in any number of damage suits if I wanted to. A great many of the men have been to me to commence suits for them since the complaint in the Knox action was made public."

Harry Knox, when asked about Mr. Waters' attempt to respect, as he described it, his case was being managed by his attorney, and, as the latter knew more about law than he did, he would not presume to instruct Mr. Monteith as to his course of action.

"I am averse to any compromise being made now," continued Mr. Knox; "the matter has gone too far and it is too late now to talk of compromising. The company had plenty of opportunities to meet with me to commence suits for them since the complaint in the Knox action was made public."

"The object of these suits is to determine whether a workingman has any right in this country which a capitalistic monopoly is justly bound to respect, and to ascertain whether the judicial system in vogue will weigh the poor mechanic and the rich capitalist equally on the scales of justice. For us to accept the temporary advantage offered would, I fully believe, be equivalent to deserting the ranks of labor in the great controversy now going on between the oppressed and the oppressors. Besides, it is only a bait anyway. I think, and if we bite at it we would find ourselves in a trap; that is, it would amount to the selling of our causes of action, which are righteous ones, for a mere mess of pottage, and what would we then have left?"

It is time for the people of California to begin disciplining the great transportation monopoly, and the treatment we have received, the depriving us of a means of livelihood, the willful and continued attempt to starve us, the constant standing up for our rights—has furnished us with a grievance which will give the people of California an opportunity to exercise the disciplinary power which a just and superior people should have over private business institutions.

consisting of white pants, blue belts, light shirts, blue jackets and white straw hats. They will carry their magnificent new bear flag in both parades.

The State Fair directors have made Tuesday, September 10, Native Sons day, and have prepared a special speed programme for the afternoon, an athletic competition for the morning and an illustrated concert in the evening, dedicated to the Native Sons. The Uniform Band, K. of P. of Truckee will parade with a drum corps of eighteen young ladies.

Native Daughters of Grass Valley and Nevada City will escort the Native Sons from those towns, who will wear white duck suits with blue sashes. The decoration committee has decided on erecting two arches sixty-five feet high on J and K streets and a tower arch ninety-five feet high, the latter to be erected by the Assembly chamber of the State Capitol will be the reception-room of all the Sacramento parlorers.

The San Jose parlorers have organized a Pullman excursion to Sacramento and intend making the cars their headquarters and sleeping quarters. Secretary Henderson said that there would be upward of thirty different bands from throughout the state and more music would be discoursed in the three days' celebration than in thirty years before.

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A LAWSUIT AS A GAME.

California Invention Suggested by the Martin Will Case.

LEGAL WHIST AS A NOVELTY.

The Inventor Is John O. Brown of the Clerk's Office to the Supervisors.

During the progress of the Martin will case the number of people who dropped into the office of the clerk of the Board of Supervisors from the upper corridors of the City Hall asking all manner of foolish questions, chiefly the way to the courtroom, took up a large part of the time of the clerks there. Mrs. Isabella Martin herself called in once or twice with a question or two, for it seems to be common knowledge that if Mr. Russell's assistants don't happen to know everything they have at least exhaustive patience—and, besides, they do know pretty nearly everything in their line.

When the lawyers began their long speeches it will be remembered the ordinary courtroom became too small for the public pressure upon it, and Judge Coffey took possession of the Supervisors' meeting-room, which adjoins the clerk's office. For days and days the shouting of the lawyers, which the thick walls could not keep out, formed an accompaniment to the routine work of the clerk's office, and people, discovering that they could get into the courtroom through the office, filed in in such numbers that the doors had to be kept locked, to the great annoyance of those who had business in the office itself.

The great interest so manifested by the public made an impression upon Assistant Clerk John Q. Brown Jr. "It's a great game," so many of them said as they jostled in and out that at last the saying carried to Mr. Brown an idea.

Yesterday Mr. Brown received through the mail official notice that his application for a patent on the idea had been granted. It is a new and, as Mr. Brown says, "a great game." It is called "The Will Case Lawsuit or Legal Whist." It is the result of several evenings' hard thinking on the part of the inventor, in which he evolved an idea in games so entirely distinctive from all others that a patent was granted.

The game has been played enough pending the coming of the patent to have already an army of enthusiastic votaries. Every one who says it is fascinating. The game represents a suit at law, where a widow is trying to uphold the will her deceased husband in favor of herself and two children against the machinations of a contestant, who brings in a child—a presumptive heir—to make claim to a portion of the fortune.

It is played with fifty-two cards upon a chart representing a trial as it actually appears, and as represented in the diagram. Each card represents a distinct and separate character, such as the judge, widow, lawyers, spectators, etc., each being a colored lithograph. The cards consist of six suits of unequal number in each suit, corresponding to the suits or groups upon the board, and five independent cards. These are the widow's lawyer, the contestant's lawyer, the contestant's child, and the omnipotent policeman.

The cards are dealt one at a time to the players, as in whist, and any number can play from two up, although four or six players make the most interesting game. No. 1 of each suit can be played first, and must be played before the next following card can be played. You must play if possible, and if not, pass.

The judge is No. 1 of his suit, and the widow's boy of the widow's suit. The object of the game is to do one of three things: First, win for the widow; second, win for the contestant's child, and third, hang the jury.

"The widow or contestant's child cannot win until the respective lawyers are played," said Mr. Brown in explaining the game yesterday. "and you cannot play the lawyers until all the juryman cards are played. Then in turn the lawyers are played, and when the widow's lawyer is played the widow may be played, thus winning for her, and likewise the same with the contestant. You hang the jury when you can dispose of all your cards before any one can accomplish result Nos. 1 or 2."

Few people realize the difficulty of obtaining a patent from the United States Government upon a game, because of the lack of the development of a principle or the grasping of a new idea. The patentee is a native Californian, and a graduate of the State University. Being wholly a native effort it is the intention of the inventor to publish the game here in San Francisco, depending upon home manufacturers to accomplish the successful inauguration of his patent.

COOK'S ACCOUNTS SHORT.

Deficit of Nearly \$3000 in the Books of the Southern Pacific Ticket Cashier.

The fact transpired Friday that the accounts of James D. Cook, ex-cashier in the Southern Pacific passenger department at Montgomery and Market streets, were short to the amount of nearly \$3000. Cook disappeared about two weeks ago in a most peculiar manner without acquainting his most intimate friends or relatives that he was going away. He left his desk in the passenger office as usual one evening, but the next morning he failed to appear. Inquiry was made but no trace of the missing cashier could then be obtained. Immediately an expert was put to work on his books. At first he failed to find discrepancies, but the examination

THE DAY DISTRICT RACES.

Wheel of Fortune Fairly Turned the Talent Upside Down.

BROKE THE COAST RECORD.

The Two-Mile Hurdle Race a Good Thing for Mestor, Ridden by Hennessy.

Joe Harvey did not attend the races yesterday to see his record-breaking filly run, but had a heavy commission down her just the same. All the books were hit hard by Hello's win. By the way the coin went in on him one would think the race all over before the flag sent them away.

Catherine the First, the sister to Peter the Great, made her maiden essay in the two-year-old handicap, seemed unable to get under-way, the first part of the race, but toward the end thawed out and showed a world of speed. Joe Piggett was originally engaged to ride Heartsease, but Mr. Macdonough had a starter in the race and refused to allow the boy to accept the mount. It made a great difference with owner Humphreys, for with Piggett in the saddle she could hardly have lost.

"Around she goes and when she stops nobody knows. This was once a familiar sound at the racetrack. The name of Joe Harvey and the wheel game were inseparable. Circumstances over which Mr. Harvey had no control arose and the busy buzz of the wheel was no longer heard. Then its owner turned his attention to horseflesh. He purchased a dainty-looking daughter of Gano and named her after the gambling device that had brought him riches—Wheel of Fortune. The chestnut filly has shown good form of late, yet when she came up in the mile and a furlong handicap yesterday with her 98 pounds up the talent couldn't see her. Oh, no! Filtrilla was the caper, and she went to the post a decidedly warm, even-tempered favorite.

Three to 1 about the Wheel and 5 to 1 each Claudius and Charmer told the story of the other starters. One spin told the story. Jones on Wheel of Fortune took the lead passing the stand, and racing the mile in 1:40 1/2 soon had the others all driving. Without a falter she maintained her lead and finishing under full sail passed the finishing post a length and a half in front of Filtrilla, and by way of coronation topped a quarter of a second of the coast record, hanging up a mark of 1:53 3/4 for the distance, which is liable to stand for some time. Claudius ran an excellent race, finishing a close third.

The fine weather brought out a good attendance, the betting ring resembling old times. Four of the six favorites won and the crowd went home in good humor. The 2 to 1 favorite, Gonzales Maid, tripped away from the post lot of stakes in the opening dash five furlongs, winning handsly in 1:03 from Suro.

The weather seemed to suit the old roan boss Jim Murphy in the second race, also a five-furlong spin, for he went out 9 to 10 favored and fairly smothered his field, winning hands down from Road Runner, a 50 to 1 shot, who ran a surprisingly good race, ridden by Frank Jackson. Gold Bug, of which great things were expected, finished a close second.

The two-year-olds in the short six-furlong handicap, furnished a very pretty contest. Heartsease on her previous fine showing was a pronounced choice, 7 to 10 most being being scarce. The majority of the pencilers made a book with the favorite barred. Grady was a well-backed second choice, with Joe K next in demand.

The flag dispatched them, Jones on Grady set out for the lead, and as he rounded the bend for home two lengths in front of the favorite, the chances of the second choice looked indeed bright. The race resulted in a win for Joe K and Heartsease, and it was a case of hammer and tongs to the wire. By superior riding Hinrichs on Joe K got there first by a head, and Grady downed the favorite the same distance for second place. The winner ran a fine race after looking apparently out of it one stage.

A five furlong dash for maidens was fifth on the card, and the crowd jostled each other in their efforts to get aboard Joecky Child. Webster's selection, Hello, they pounded the odds against him down from 2 to 1 to even money at post time. Bob Tucker, Uncle Giles and Yreka carried most of the other money bet.

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THE BURLINGAME CLUB DID NOT GRASS PIGEONS YESTERDAY.

Director Eaton of the Olympic Club May Be the Next President.

ATHLETES AND SHOOTERS.

The Burlingame Club Did Not Grass Pigeons Yesterday.

The Alameda County Sportsmen's Club held its monthly shoot yesterday at the Empire grounds, Alameda, and the following is a result at twenty-five single bluecocks, known angles: Slade 20, Seaver 20, Barney 18, Adams 14, Worth 13, Russell 13, Nelson 3. Some pool shooting followed, but few of the members participated.

Owing to the fact that the most expert trap-shooters of the Burlingame Club are at present at Del Monte arranging for the big shoot that will be held there in a few weeks, the proposed pigeon shoot which was to have taken place yesterday at Burlingame was indefinitely postponed. The Country Club will hold its second last shoot of the season on Wednesday at the Oakland track, and a large gathering of shooters is expected to be on hand to make up for the shoots they missed during the season.

It was stated last evening by a prominent member of the Olympic Club that Mr. Eaton, who is now director of the club, will be placed at the head of the regular ticket, as Mr. Crocker refused the honor, owing to business affairs, which will occupy his entire attention. The nominators intend to recommend Mr. Eaton for re-reelection, but the position declined to run against Mr. Russ, who has filled that office with great credit to himself and the club for a number of years.

The interest in athletics is increasing daily and classes are now being formed in the Athletic Association under the direction of Charles Moth, at present the instructor in the club gymnasium. A movement is on foot to arrange a match between Moth and a young farmer who lives in this county named S. W. Seaver.

The Stockton Gun Club has appointed a committee to see if a match cannot be arranged with one of the gun clubs of San Francisco. The idea is to hold three shoots, one at Oakland, one at Stockton and one at some place to be mutually agreed upon afterward. The club has offered a special medal to be contested for by members of the club.

The medal must be won four times before it can become the property of any one. There will be three more of the Kimmer medal shoots before the season closes. Richard leads Ellis by one bird for first place.

The Stockton Athletic Association intends to send a team to Sacramento on Admission day to contest in the field-day games. Several members of the bicycle annex will enter the races at Sacramento.

A feature of the Agricultural Fair here this year will be the bicycle races, something that has not been tried at previous fairs.

The boat crews are training hard for the races at Sacramento on Admission day.

Ireland's Suit for \$75,000. William Ireland Jr. filed a complaint against the Southern Pacific Company yesterday demanding \$75,000 damages for injuries sustained in an accident at Oak on January 13.

NEW TO-DAY.

Los Angeles People Indorse the Manufacturers' and Producers' Association.

C. M. Heintz, who was appointed by Governor Budd as delegate-at-large to the fourth National Irrigation Convention that is to be held in New Mexico, called at the Manufacturers' and Producers' Association headquarters yesterday.

Mr. Heintz stated that the people of Los Angeles are heartily in sympathy with the aims and objects of the association, and are very desirous of having a number of representatives sent to the southern city for the purpose of organizing a branch association similar to those in San Jose and Santa Cruz. When leaving, Mr. Heintz took 100 cards for application for membership, and promised to send that number of new members to the association.

WHEN ROBBING A SAFE.

Lewis & Anderson's Porter Caught by Detectives Yesterday.

Hundreds of Dollars Stolen From the Money Drawer in the Cashier's Absence.

Lewis & Anderson, ship chandlers, 33 East street, have been puzzled for some time over the disappearance of money from the drawer in their safe. The cashier would leave the safe-door open, but lock the drawer where the money was kept and go upstairs for ten or fifteen minutes to see that everything was right, and when he would find some of it missing.

On June 13 \$140 was missing; June 29, \$35; August 5, \$5; August 9, \$5. This sort of thing had been going on for two or three years, and the total amount of the pecuniations ran up into the hundreds. Knud Thorsen, the porter in the store. He had been employed by the firm for about three years and was always looked upon as a steady, honest, industrious young man. The firm notified the police of the suspicious and Detectives Egan and Silvey were detailed on the case Thursday last.

Yesterday morning Thorsen, as soon as the cashier had disappeared upstairs, sneaked up to the safe and inserted a false key in the drawer. He had just opened the drawer and had his hand upon the money when Egan and Silvey grabbed him by the collar. He was arrested on one charge of grand larceny and two charges of petty larceny.

Mr. Bell and Fruit Auctions. A. G. Bell, manager of the Mountain Fruit Company of Colfax, Cal., has written to THE CALL to say that a recent report of a public meeting held in Colfax contained some inaccuracies. Mr. Bell declares that he was cognizant of all the facts concerning the position of the Green and Dried Fruit Company, including open and closed auction sales when he made the deal with them, and that the members of his company are perfectly satisfied with the present arrangement.

Two Business Failures. Augusto Airaldi, a druggist at 518A Union street, has failed, with liabilities of \$895 and assets of \$500.

SPECIAL SALE OF ROYAL BICYCLES.

All strictly High Grade and Up-to-Date, in fact the best Wheel on the market to-day. WE HAVE ORDERS TO FILL FOR SPOT CASH A LIMITED NUMBER OF THESE SUPER WHEELS. Swell Racers, "Red Heads," at \$100, Regular Price \$120. Ladies' and Gents' Road Wheels at \$85, Regular Price \$105. REMEMBER, ROYALS ARE FULLY GUARANTEED. Sale will commence Monday, August 13, and last a short time only. GENERAL AGENCY ROYAL BICYCLES, 609 MARKET STREET, S. F.

Bicycle Bargains!

Pneumatics—94's and 95's—Second-hand, in first-class condition. Price from \$20 to \$60. EDWARDS CYCLE CO., Cor. Page and Stanyan Sts., S. F. RAMBLER THAT'S THE BICYCLE. Thos. H. B. Varney, 1325 Market St., San Francisco. ARE SWELL WHEELS, FAST, STRONG, DURABLE, POPULAR. "MAJESTIC" BICYCLE! TAKE NOTICE! 50 HIGH-GRADE BICYCLES \$65 CASH, OR \$200 CASH, balance in 30 days. We have sold a hundred the last six weeks. ALL GUARANTEED. NOT ONE RETURNED. Will run on any road, any weight, any height, any grade at any price. Never let this chance go by. 4 Geary Street, San Francisco. Corner 12th and Jefferson. Oakland. 71 East San Fernando. San Jose.

A 20 MULE HELP FOR KITCHEN & LAUNDRY.

BORAXO SOAP POWDER. FOR THE NURSERY TOILET WASHSTAND AND SHAMPOO, USE BORAXO BABY'S BATH POWDER.

FRATERING'S Cloaks, Suits, Fur.

The elegant stock of the late Mr. A. M. Fratering, 105 Kearny street, will be closed out, regardless of cost, commencing Wednesday, August 14th, at 9 A. M., and continuing daily until disposed of.

CONSUMPTION.

To THE EDITOR—Please inform your readers that I have a positive remedy for the above named disease. By its timely use thousands of hopeless cases have been permanently cured. I shall be glad to send two bottles of my remedy free to any of your readers who have consumption if they will send me their express and post office address. T. A. Slocum, M. C., 183 Pearl St., New York.

GEORGE H. FULLER DESK CO.

Is the Place to Buy DESKS, CHAIRS And All Kinds of OFFICE FURNITURE. 638-640 Mission St. ALL TYPEWRITERS RENTED including the SMITH PREMIER. LEO E. ALEXANDER & BRO., 218 Sansome Street.

Weak Men and Women.

SHOULD USE DAMIANA BITTERS, THE Great Mexican Remedy, gives Health and Strength to the Sexual Organs.

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