

JUDGE ROSS AFFIRMED

A Verdict for Mrs. Stanford by the Court of Appeals.

SUIT FOR \$15,000,000.

The Question of Individual Liability Is Exhaustively Considered.

STATUS OF THE GOVERNMENT.

The United States Supreme Court Will Be Asked to Pass Upon the Question.

It is our judgment that the terms of the contract between the United States and the Central Pacific Railroad Company, which is the subject of the individual liability of the stockholders of that company, fully meet the requirements of this exposition of the law.

It has been urged upon the argument that the directors of the Central Pacific Railroad Company, one of whom was the defendant's testator, have wrecked that company, have depleted its treasury and have thereby acquired private fortunes of great magnitude.

The question before the court is one of the interpretation of the law and the contract of the parties in interest. The inquiry is not aided by reference to the inequitable conduct of the directors of the Central Pacific Railroad Company after the contract was entered into.

The rights of the defendant in this case are to be measured by the same rules that would apply to an obscure stockholder, innocent of wrong to the Government, and unclothed with power to direct the action of the corporation as an officer thereof.

The rights of the defendant here depend upon the contract and the law applicable thereto. They may not be impaired by reason of the inequity, if any there were, of the defendant's testator in his dealing with the United States.

This was the conclusion reached yesterday in the appeal handed down by the Circuit Court in the case of the United States vs. Jane L. Stanford, executrix of the last will of Leland Stanford, deceased.

The opinion, which covers some thirty-six pages of typewritten matter, first proceeds to rehearse the facts connected with the creation of the debt, the various acts of Congress relating to the building of the road and its bonding.

The question arises whether or not it was the intention of the United States that the stockholders of that corporation individually be liable for the default of the railroad company.

The relation of the United States to the railroad corporations is touched upon, reference being made to the condition of the country, the situation of the territory affected by the railroad improvements and the purposes that the United States had in view in fostering the enterprises contemplated in the act.

The important point of the whole case—that of the individual liability of stockholders—is treated at considerable length. It is pointed out that in incorporating the Union Pacific Railroad Company Congress provided for a portion of the stockholders to stand as surety for the corporation.

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will be appealed to the United States Supreme Court.

REJOICING AT STANFORD.

Dr. Jordan Drawn in a Carriage by Four Hundred Students.

PAOLO ALTO, CAL., Oct. 12.—From the time President Jordan's telegram announcing the favorable decision was received this morning until 9 o'clock this evening excitement continued to increase among the students.

When the train pulled in it was greeted with salvos of cheers and with fireworks. President Jordan and his wife were escorted to a decorated carriage drawn by 400 students and taken to Roble Hall, one mile distant, where bonfires had been lighted.

Dr. Jordan said: "I understand this to be a celebration not to me, but because I stand for Stanford University. I remember having heard something last summer to the effect that 'the glimmer of the glamour is no more.' I don't know that I would recognize a glimmer of it, but I can say to you, one, but I do know that we seem to be on the winning side. I remember some five years ago having seen the President of the United States in a carriage as I am now surrounded by a crowd like this in some respects, different in others. He didn't look half as happy as I feel, and appeared to wish he had something more tractable on his hands than the United States. In conclusion, all I can say is that the glimmer of the glamour will never be no more, and this university will never close its doors."

Dr. Jordan's remarks were frequently greeted with applause. When the finished hours taken at his home, and to see students were invited to his residence. For twenty minutes the crowd passed through the house, shaking hands with Dr. Jordan and his wife. The students did not disband until 9 o'clock this evening.

ENGLISHMEN AT HOME.

Joaquin Miller Discusses Them Before the Channing Auxiliary.

More Liberty and Less License Permitted Across the Water.

Carlyle Visited.

Joaquin Miller proposed to read San Francisco a few pertinent topical lessons last evening when he lectured before the Channing Auxiliary at the First Unitarian Church.

The address was entitled, "London Folk Comparatively," and the poet of the Sierras grew enthusiastic as he described Englishmen in various walks of life.

Mr. Miller is an admirer of the Englishman. His lecture was intended to impress his audience with the conviction that the inhabitants of this continent can learn much from the lives of their cousins across the water.

"There is more happiness to the square inch in London," said Joaquin Miller, "than either in New York or San Francisco—a great deal more. Why? Because there is more heart there. There is more liberty in London for man, woman and child than in any other country. The Englishman's house is his castle, now as it ever was. A man's private affairs are respected. They have laws there, and they are enforced. I maintain that there is more liberty over there simply because there is less license. Is it not a noticeable fact that when an Englishman acquires wealth he goes home to be absolutely free to do as he pleases? He is not a beggar abroad to do so."

"I want no better friends than the people I met in England. Immediately you enter a man's house there you feel yourself a man—gentleman, a King."

Mr. Miller, in describing some of the people he had met in London, touched upon a visit he paid with Lord Houghton and Thorndyke Rice to Thomas Carlyle.

It was a foggy November day when they called upon the great philosopher. In conversation in the room turned upon the immortality of the soul and religion. Said Mr. Carlyle: "Gentlemen, I want to say that there is one thing in the world worse than a wife, and that is a woman without religion."

"What is that?" they all asked. To which answered Carlyle, "A woman without religion."

The poet then described one of the Literary Fund dinners which he attended. These dinners had their origin in Tom Hood's refusing to accept a purse of gold, even when in dire need of it. The particular dinner mentioned by the lecturer was attended by notable men, among others by the Prince of Wales, Lord Salisbury, the King of the Belgians and the Prince Imperial.

The speaker had a good word to say for the English custom of pensioning authors. "Saturday night in London," he said, "is the next scene presented by the lecturer to the mental vision of his audience. He pictured the thrifty household going shopping late Saturday night, the bustle in the streets, the immense crowds, vast and yet orderly. He compared the manner in which the Sabbath day is observed in London and in New York and in San Francisco.

Mr. Miller brought his address to a little incident showing how the law is enforced in England. He said: "One of James Gordon Bennett's bright young men started a paper in London called The Hornet. In one of the first issues a well-known banker was libeled. He was known and within fifteen minutes of the commencement of the action a verdict for \$5000 was returned."

The last part of the lecture was devoted to a description of a visit to Germany, and an interesting account of the maneuvers under Von Moltke and Bismarck.

The lecturer was introduced by John P. Irish, and among those who were present were: John Hittell, John Taylor, Miss Kirkland, Mrs. Clark, Mrs. Mullen, Mr. and Mrs. Lovell White, Mr. and Mrs. Horace H. Fox, Mr. and Mrs. George W. Beaver, John Barry Jr., Mr. and Mrs. J. C. Bigelow, Sumner Bugbee, Mr. and Mrs. Leslie Burns, Mr. and Mrs. Denman, Mr. and Mrs. Edgar Kelly, Dr. Stebbins, Mr. and Mrs. Louis M. Johnson, David Farquharson and Mr. Church.

HERMAN OELRICHS HERE.

The New Yorker Came to Look After His Wife's Interests in the Fair Will Case.

Herman Oelrichs arrived here from New York yesterday morning and took up his quarters at the Palace Hotel. His presence here is made necessary by the status of the Fair will case, before Judge Slack.

Mr. Oelrichs said yesterday that business would keep him here for some time, probably six weeks or more. He was not accompanied by his wife and Miss Fair, who have remained in the East. He says that they have no intention of coming out here for the present.

CALIFORNIANS IN WASHINGTON.

WASHINGTON, D. C., Oct. 12.—Among the coast arrivals are: R. L. Sawyer of Los Angeles, B. Rawlins of Sacramento and Lewis D. Stack of San Francisco. Ex-Senator Felton is expected here from Philadelphia to-morrow.

M. Maurice Courant is authority for the statement that the invention of printing is due to a Chinese, King Tschai, who had movable types cast as early as 1403.

AN EXECUTION BY FIAT.

Way the Democratic General Committee Will Probably Die.

AND MAX POPPER HAS RISEN.

Some Gossip About the Watkins Committee and Its Individual Strength.

The local Democratic mess is simply fermenting now. Since the meeting of the Deputry committee on Thursday night to begin the interesting work of making a brand-new anti-Buckley machine and the whoop-up at the Occidental Club on the same evening both factions of the party have been quietly but very busily at work perfecting plans and strengthening their positions.

The next formal movement will probably be the meeting of the new committee of fifty within a week. When the Deputry committee and the committee of twenty-five appointed by Chairman Watkins thus get together and coalesce it will adopt some plan of reorganization, which will by that time have been decided on by Gavin McNab, Max Popper, Sam Braunhart and one or two others of the present Junta.

Then, it is expected, the present general committee will be killed and a new one created with neatness and dispatch.

The method by which the McNabers will gather the entire party to themselves is yet a little hazy, but the promise of it rises more clearly and definitely. The committee of fifty, half of which was somewhat arbitrarily appointed at the last municipal convention and whose powers have recently been arbitrarily decided by the Junta, and the other half of which is wholly an arbitrary creation of Chairman Watkins, will create a new general committee by direct appointment and by virtue of the sovereignty it declares to belong to it.

In creating this new party organization of 450 three short steps will be expediently taken. The fifty will first appoint themselves members of the new general committee. Then they will add all members of the present committee who voted for A. A. Watkins for chairman or who will renounce Buckley with sufficient evidence of good faith. Then they will complete the 450 by adding carefully selected anti-Buckley men, and if the other wing of the party gets so much as a few minutes or so of the public ear, the new general committee will not be through the grace of the McNabers.

The Junta is playing trumps now. This plan of giving seats in the new committee to members of the present one who will stand in with the Junta is one of them.

Conclusion of the Forty-Sixth Annual Convention of Masons.

It Was a Satisfactory Session and Showed That Masonry is Flourishing.

The forty-sixth annual convention of the Grand Lodge of Free and Accepted Masons, California jurisdiction, was called to order yesterday morning for the last time. The only business before the convention was the installation of officers elected the day previous, and the announcement and installation of appointive officers.

The grand officers elected installed were: Grand master, Edward Myers Preston; deputy grand master, Dr. Thomas Lucas; senior warden, Thomas Flint Jr.; grand treasurer, Edward Coleman; grand secretary, George E. Johnson.

After the installation of Grand Master Preston he announced the following appointments: Grand chaplain, Rev. George Edward Walk of San Francisco; grand orator, Jacob Voorsanger, San Francisco; assistant grand secretary, Andrew J. Hare, San Francisco; grand clerk, William E. Stone, Elsinore; grand marshal, Edward S. West, Santa Cruz; grand standard-bearer, H. A. Powell, Oakland; grand swordbearer, Henry Keyes Stockton; grand Bible-bearer, Jerome B. Richardson; Woodland; senior grand deacon, William Petty, Sacramento; junior grand deacon, Ralph Lowe, San Jose; senior grand steward, James F. Bedford, Anderson; junior grand steward, James F. Drake, Redlands; grand pursuivant, James B. Cooke, Colusa; grand organist, Samuel D. Maher, San Francisco; grand Tyler, James Oglesby, San Francisco.

Committees were announced as follows: On Jurisprudence—N. Greene Curtis, A. R. Conklin, H. N. Rucker, William Johnson, W. J. Tinnin.

On Finance—J. H. Neff, C. L. Patton, E. S. Valentine, H. H. Knapp, C. E. Stone.

"In many respects the convention just ended has been one of the most satisfactory we have ever had," said Grand Master George E. Johnson. "In attendance it has never been equaled, and everything passed off in a manner very pleasant to all concerned. The reports of the various delegates showed that the lodges all over the State were increasing in membership. There were three new lodges instituted, all in the southern part of the State. This would be considered a very good showing for a convention held at this time of the year under the average for us. On the other hand, not a single lodge went out of existence during the past year, and the old lodges all showed increased strength."

"The proceedings of the convention were harmonious and the results very satisfactory."

Opening Performance of a Melodrama and Variety House.

The house on Howard street that was once Morosco's opened last night as the People's Theater. There was an audience that packed every corner of the big building and left very little standing room in the aisle near the entrance, which serves as a foyer.

The building has been painted outside and redecorated inside, though the alterations in the interior arrangements are not entirely completed. The house is now lighted completely with electricity.

The style of entertainment that was inaugurated last night is not to San Francisco, though it is not a novelty in the East. It consists of a double bill which offers the theater-goer a heavy melodrama sandwiched with a light and airy variety show. For instance, after seeing the evil genius of the play villain through a whole act, the audience can forget his deeds of darkness in watching the gyrations of Tom, Darrell Vinton was Gordon Chumley and W. T. Gleason took the part of Dicy Morris, proprietor of the Elysium Concert Hall. All these old favorites were much enjoyed. Miss Leona White, who played Eliza, is evidently an actress of good competence, but Miss Leonore White, the

other lady of the cast, was scarcely audible beyond the footlights.

The other performers were Pietro Sasso, Jean Wiener, J. C. Glenn, H. C. Bradley, W. C. Belmont and H. J. Douglas. In the concert hall scene, young Corbett and Billy Armstrong had a boxing bout, which caused a number of voices in the audience to make themselves heard, cheering the pugilist with friendly advice and encouragement.

The variety specialties between the acts included acrobat, dances and vocalists, among whom the Zanfanelas, the flying demons, made the best hit.

COL. ANDREWS TO RETIRE.

He Desires to Take Life Easy and to Enjoy the Fortune He Has Earned.

Colonel A. Andrews' famous Diamond Palace is to pass into history with the end of the current year. He has determined to retire from business, having, as he said in the course of an interview yesterday, made his fortune and being desirous of casting off the cares of trade before he became too old, though he diffidently admitted to having attained the Biblical limit of three score and ten.

The colonel has been in business in this State for nearly half a century, the greater part of that time in this city. He opened his diamond emporium at its present location with a cash capital of just 60 cents twenty-three years ago, and raises with a fortune of \$500,000, which he proposes to invest in city property. The \$54,000 which it cost to fit up his magnificent establishment, which is reputed to be the finest in the world, was borrowed from several local capitalists, and his \$90,000 stock of jewelry, diamonds, etc., was given him on credit.

He has had many celebrities of both continents as patrons. Among many of the orders given him have run into the tens of thousands. The most notable transaction was the sale to the late Senator William Sharon of a brooch for \$75,000. This was set in a 68-carat diamond and valued at \$68,000, which was surrounded with twenty-four smaller gems.

The late Mrs. Robert Johnson was also a liberal purchaser of jewels of high value. Among her greatest treasures, which were recently dispersed at auction, was a locket necklace of the Empress Eugenie, which she had purchased at the Diamond Palace. Mrs. Sunderland of this city, now a resident of Washington City, is the proud owner of a quartz jewel chest for which she paid the colonel \$10,000.

His list of patrons included the names of J. G. Eastland of this city, General George T. Beauregard, Ex-Governor S. D. McHenry of Louisiana, now Chief Justice of that State; Jefferson Davis, Mrs. Harrison, wife of the ex-President, Lillie Langtry, Adelina Patti, King Kalakaua and the late Ex-President McMahon of France.

Black serge coat, white duck trousers, Russia calf shoes, wide brim white straw hat with black band and percale shirt is what Brummel's country "get-up."

NEW TO-DAY.

Among the many articles on display will be a most extensive assortment of Embroidered Linens, Lace, Trays, Tea Cloths, Doilies, etc., in entirely new designs and effects, both commenced and finished pieces, at lower prices than ever. Also a new invoice of selected Linen Drawn Work at reasonable prices.

GRAND OPENING ART ROOMS

Tuesday, Wednesday and Thursday, October 15, 16 and 17. Everybody Welcome Whether With a View of Purchasing or Not.

Art Linens.

Among the many articles on display will be a most extensive assortment of Embroidered Linens, Lace, Trays, Tea Cloths, Doilies, etc., in entirely new designs and effects, both commenced and finished pieces, at lower prices than ever. Also a new invoice of selected Linen Drawn Work at reasonable prices.

Cushions.

A most magnificent display of new cushions in entirely new designs in hand embroidered, hand painted and plain tones. Beautiful goods must be seen to be appreciated.

Oriental Embroideries.

Some of the handsomest goods ever brought to this coast, comprising Table Covers, Cushion Tops, Piano Drapes, Mantel Drapes, etc., all of which will be on display during our Artroom opening.

Fancy Art Goods.

Our elegant line of made up Holiday Goods is now open for inspection, and includes the newest ideas in appropriate and desirable holiday gifts at prices which place them within everybody's reach.

Art Materials.

To our lady patrons who wish to make up articles themselves we can show hundreds of new designs and supply them with all the newest materials for fancy work.

Stamping.

Our prices have been greatly reduced. We do the best and most artistic stamping, and have the largest assortment of entirely new designs to be found in the United States.

SPECIAL NOTICE.

We wish to call attention to the fact that many of the novelties on display that have been imported this season are single pieces and are in styles which cannot be duplicated; therefore we urge our customers to make their selections early.

NEWMAN & LEVINSON EXTRA

125, 127, 129, 131 Kearny Street, 209 Sutter Street.

OUR PRICE \$1.50 PER PAIR.

ON SALE At Our Glove Department, 125 to 131 Kearny Street, AND ALSO AT OUR BRANCH, 742 MARKET STREET.

NEWMAN & LEVINSON

THE OWL DRUG CO.

Our Prescription Departments

Are the features of both our establishments. 2-Quart. \$1.00 each 3-Quart. \$1.50 each 4-Quart. \$2.00 each

THE OWL DRUG CO. CUT-RATE DRUGGISTS.

HAND MIRRORS, Manicure Articles. In Celluloid, Flash, Florence, and Nickel Silver.

THE OWL DRUG CO. DEPT FOR Trusses, Shoulder Braces, Elastic Stockings, Etc.

HARTFORD FOUNTAIN SPRINGS Country Orders filled at our regular Cut Rates. Write for Price List.

NOTROUBLE TO SHOW GOODS ONE PRICE TO ALL.

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