

THE GRAND JURY REPORTS.

An Indictment Against a Betrayer of Innocence.

MILK SUPPLY TO BE PROBED.

Judge Low Charges Attorneys With Libel—The Fire Department Investigation.

MISSIONARY SOCIETIES.

Meeting of Representatives of City Parishes in St. Luke's Church.

An Address by the Rev. Bishop Nichols on the General Convention.

Bishop William F. Nichols of the Episcopal Church, who recently returned from the General Convention held in Minneapolis, delivered an address yesterday in St. Luke's Church before the semi-annual united missionary meeting of the City parishes.

He spoke of his pleasure of returning home again and being once more in familiar places and among those who are known. He then gave a brief account of the work done in the city named, touching upon the legislative, missionary and educational features of the convention. He also dwelt upon the hospitality of the citizens of the city where the Bishops met, and declared that it was all that any one could desire.

The legislative portion of the work had, he said, been carried on in the best possible spirit and the weighty matters that came up for consideration, which include a change in the constitution, will in all probability not be disposed of before the close of the session.

For a long time the Finance Committee of the Board of Supervisors have had a doubt whether the quantity of milk which is furnished to the city is of the quality required, also, that the milk in quality was not up to the standard. The Grand Jury will investigate the subject until the facts are brought out.

Police Judge C. A. Low sent the following communication to the Grand Jury:

SAN FRANCISCO, Nov. 4, 1895. The Grand Jury of the City and County of San Francisco—GENTLEMEN: I desire to present to your honorable body charges of criminal libel against Denis Donohoe Jr. and James W. Keys. Said charges will be based upon a written communication prepared by Donohoe and Keys and sent to and published by the San Francisco Call on Saturday, November 2, 1895.

The said communication is herewith annexed, and I especially call attention to the last fifteen lines of said article, which are grossly libelous and untrue.

My reason for desiring to present the matter to the Grand Jury is that I think it would be in the best interest of the city to have a warrant in aid of the Police Court, and for that reason I desire to have this matter investigated by your body.

It is to be understood that I appear before your honorable body at the earliest moment practicable. Yours respectfully, C. A. Low, Police Judge.

Let in the afternoon Judge Low was called. He explained that the attack on him was in reference to suggestions which he made in a case of cruelty to a child of the Johnsons. The parents on several occasions had been accused of cruelty and neglect. The Judge was about to impose a heavy fine on the parents, but hearing that they expected to receive a sum of money—\$1500—from the court, suggested that the money be paid to the Society for the Prevention of Cruelty to Children to be used for the support of the child. It was suggested that this course would prevent the parents from squandering the money for liquor, and that the raising of the sum for the child's benefit would be the best way to impose a fine. The suggestion was made in open court, and at first all parties seemed to acquiesce, but subsequently the lawyers jumped at the inference that the court did not want the money reserved for the child, but for some other purpose.

The Grand Jury is not satisfied that the money for the child should be paid to the Fire Department can be paid under the existing law, yet the fact is established that the Auditor permits seven men to be paid for performing such duty. The books in the Auditor's office show that T. J. Smiley as Auditor allowed demands for seven. The point involved is the construction of the law.

It is said to be the purpose of the Grand Jury to make the Fire Department investigation particularly searching. A large amount of information has already been obtained and close examination of disbursements will follow.

ANOTHER RIVAL RAILWAY.

It Will Tap the Santa Clara Valley in Time for the Next Season.

The Fruit and Vegetables of That Section Will Come Here by the New Route.

The Santa Clara Railway Company is after its right of way and it is determined to have a competing road between here and San Jose. The steamers are being built, the rails for the road are now on the way to San Francisco, and only one thing blocks the completion of the road.

The right of way has been secured along the line with a few exceptions. These are through the property of J. W. Rea (the ex-Railroad Commissioner), J. F. Devendorf, Paul P. Austin (Mayor of San Jose), J. E. Roberts, A. C. Darby, Charles M. Shortridge and others. Mr. Shortridge is more than willing to grant an easement asked for, but as the others would not listen to reason he allowed the matter to drop. Since he has been East condemnation proceedings have been begun and the case will come to trial in a few weeks.

All of the men mentioned in the condemnation suit favor a settlement except Ray and Darby. Said A. E. Pryor, one of the directors of the new road, yesterday said that these men want \$5000 an acre for land that has been appraised at \$7, and he doesn't propose to give it to them. Any fair proposition will meet, but \$5000 an acre for swamp land is pretty steep.

Judge Spencer is working for the Southern Pacific end of the matter and is keeping Ray and Darby from making a settlement. Mr. Shortridge has been in the East and we have been unable to see him, but I am just as sure as I am standing here that he will help us in every way. We want a competing road between here and the Santa Clara Valley, and we expect to make money even at reduced rates, or else we would never have put our money in the scheme.

The American ship Aryan, which sails from New York in a few days, has 700 tons of fifty-pound steel rails aboard for the new concern. Contracts for freight steamers to run between the terminus of the

road on the bay have been let, and they will be ready as soon as the road is completed. At the head of the concern are: R. J. R. Aden, the Vallejo capitalist, A. L. Piper; H. W. Goodall, son of Captain Goodall; A. E. Pryor and several other wealthy men who are interested in bay shipping.

"Our road will be in operation before next season," said Harry Goodall yesterday, and the Southern Pacific will know it. Three-quarters of the Santa Clara Valley trade will come by our line, and while we may not at first cater to the traveling public we may in the end. It is a business proposition with us, and at greatly reduced rates we can see a big profit in running a line to deep water on the bay. Anyway, we have backed our opinion to the extent of 700 tons of steel rails and several thousands of dollars in the purchase of right of way. If we fail, why, we are just as good as dead, and that is all there is to it. But we won't fail," said he in conclusion, "and Santa Clara knows it."

The new steamers for the opposition are being built at Benicia, and the rails will probably arrive on the Aryan next March.

THE MAJOR AND HIS VETO.

Arguments Concerning Their Connection With the Tax Levy.

ATTORNEY REED IS QUIZZED.

Mr. Creswell Tells How Mayor Sutrö's Veto Could Tangle Up the City Government.

An interested audience gathered in the Supreme Court building yesterday to hear the legality of the Mayor's vetoing the tax levy discussed before the Supreme Judges sitting in banc. Nearly every office in the new City Hall had a representative present, while numbers of practical politicians were there to learn when their frowns would be likely to be drawing money from the Treasurer.

Judge McKinstry represented Mayor Sutrö, and defended that gentleman's position. He began speaking at 11 o'clock, and occupied over an hour in showing how the Mayor had the right to veto the tax levy.

He contended that the consolidation act should be read in conjunction with the revenue provisions of the State laws. The consolidation act, he showed, gave the Mayor the right to veto the tax levy. This right, he claimed, had never been taken away by subsequent legislation, and hence remained.

He quoted many cases to uphold his position. Some of these seemed apt and others very far-fetched. At the conclusion of his argument a recess was taken till 2 o'clock, and then City Attorney Creswell turned the position over to Mr. Truitt.

Mr. Creswell said that a decision of the Supreme Court in the case of the Savings and Loan Society vs. Austin, 46 Cal., had said that where provisions of the Political Code repeal the provisions of the Code, the repeal is complete and the provisions of the Code are inoperative.

He contended that the consolidation act should be read in conjunction with the revenue provisions of the State laws. The consolidation act, he showed, gave the Mayor the right to veto the tax levy. This right, he claimed, had never been taken away by subsequent legislation, and hence remained.

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FOUND ON THE ROCKS.

Discovery of a Body Supposed to Be That of George Tourtlotte.

Henry Block of 411 Greenwich street found the body of a young man on the rocks under the wharf at the foot of Powell street wharf, yesterday afternoon.

The corpse had evidently not been in the water more than twenty-four hours. Deceased was apparently about 25 years of age and was slight in figure, weighing not more than 135 pounds. The apparel consisted of a dark suit of diagonal, two pairs of trousers being worn. The dead man has blue eyes and sandy hair, with a slight mustache.

Coroner Hawkins is of the opinion that the deceased is George Tourtlotte, a young man whose disappearance was reported at the Morgue some days ago. The description given by his anxious relatives tallies almost exactly with that of the corpse.

DOCTRINE AND MISSIONS.

Subjects Discussed by the Various Preachers' Associations.

General Morgan Gives an Encouraging Account of His Work.

Rev. E. W. Wenk read a paper yesterday at the Methodist Preachers' Club on "The Scriptural View of Our Lord's Second Coming." The discussion on the paper brought out the fact that all the brethren did not hold the same theological views on the subject.

Rev. E. W. Wenk stated that much is made of certain passages, when students of the Bible draw deductions respecting Christ's second coming, but that these passages are liable to many interpretations, and contradictory results being arrived at by different men of learning, the natural conclusion is that they infuse the passages with the deductions they desire to draw from them.

But when is he to come? He is to come at the end of the world, after the ingathering of the nations, when the Jews have been converted and when Antichrist has been a large. The work assigned the church under the present dispensation.

In discussing the paper, Rev. Dr. Henry scouted the idea that the second coming is to be a personal, embodied and visible one. "Christ has come as a man, as he ever will come," said the doctor. Rev. G. H. Jones remarked that the club was versatile. A few weeks ago the brethren had applauded Dr. Varley, now the opposite side was being advanced. For himself he was not a believer in the millennium. Rev. Dr. Matthew said he believed in an actual coming. Dr. Bovard declared he had no such anticipation. Dr. Simonds also declared the idea of an actual advent.

Presbyterian Union. The Presbyterian ministers yesterday listened to an address by Rev. Dr. Gregory, California secretary of the Children's Home Society, made in behalf of the society he represented. The ministers were urged to devote Christmas offerings to the fund for establishing a children's home in San Francisco. Dr. Gregory said he did not intend to criticize organizations, but that some of them are liable to abuses. He added, "In the Children's West Oakland Home 50 per cent of the children die from neglect."

Minton and Rev. G. D. B. Minton, secretary of the executive committee of the Presbyterian Union. "Justice" was the theme discussed at the Congregational Monday Club by Rev. Philip Coombs. "Men," he said, "have ceased to regard God as a divine Shylock, and now they love to sing with Shakespeare. The quality of mercy is not strained." They have sung this sort of poetry so much that they have almost forgotten that there is such a thing as justice." Mr. Coombs regretted this lax way of looking at things. He said that he regarded justice as greater than mercy, and that a world where pure justice prevailed would be more perfect Utopia than any dreamed of by philosophers.

In discussing the paper Mark Straus, Mrs. Sarah B. Cooper and a number of other speakers placed love above justice. Professor Lloyd and Dr. Freiland also supported the view, giving theological reasons and definitions.

The following officers were elected for the coming half year: Professor Lloyd of the Oakland Congregational Seminary, President; C. Chamberlain, secretary; executive committee—Professor Cook, Rev. F. Flawitt, Rev. Dr. Moor; nominating committee—Rev. Dr. Williams, Rev. Joseph Rowell, Gilbert Dexter.

Baptist Preachers. The Baptist preachers adjourned their regular programme yesterday and met in the First Baptist Church to hear addresses on missions. General Morgan, secretary of the Baptist Home Mission Society, gave an encouraging account of home mission work among the foreign as well as among the native-born populations in large cities. Dr. Woods also spoke largely on the same subject.

General Passenger Agent Ford of the Pennsylvania System Took a Look at It Yesterday.

The new "Sunset Limited" train of the Southern Pacific was inspected by quite a number of railroad men and others yesterday at Fourth and Townsend streets. General Passenger Agent E. A. Ford of the Pennsylvania lines, who was in the City for a day or so, took a look at it, in company with General Passenger Agent Goodman of the Southern Pacific. He pronounced it a very fine piece of equipment.

The style of coach is about the same as the old Mann boudoir pattern of apartment car. When the Mann Company failed the Pullman Company bought up the facilities of the Mann and their particular improved upon, are now being brought into service by the Southern Pacific. In the East they are considered admirable for short runs, and are much used between Chicago and St. Louis and Chicago and on the Watash system in particular. They are divided into parlor apartments, each containing several berths somewhat like a steamer stateroom, and have wide windows to facilitate observation, and their particular value to the traveling public is in the ladies' parlors. They are lighted with Pintsch gas and are vestibuled.

He claimed that the law passed by the Legislature providing for all cities, including San Francisco, should be amendable to the State revenue acts was special legislation. This, he held, was true because San Francisco was the only city affected by the new law, and it had been made to affect San Francisco only.

This was the excuse for some questioning from Judge Henshaw. He wanted to know if the law of 1895, which said the revenue laws should apply to San Francisco was not a general law. If so, he wanted to know whether it was unconstitutional in form or in substance, and suggested that it could hardly be special in spirit, since it was intended to bring all the State under one law.

Mr. Reed advanced the opinion that the Mayor of San Francisco had been given the right to veto the tax levy by special legislation prior to the passage of the constitution. This law had never been repealed, and it would take special legislation, which would be unconstitutional, to repeal it. Here one of the Judges wanted to know if the Legislature had no power to repeal the law, and Mr. Reed said that at the time the new constitution was adopted.

Mr. Reed also came in contention with Judge McFarland. The young barrister

spoke of San Francisco being in the same position as other cities in the construction to be put on certain acts. Judge McFarland claimed that the City and County of San Francisco stood alone, since here the taxes were collected for State purposes as well as city, both taxes being on the same book, becoming delinquent at the same time and being collected by the same suit. In other cities this was not the case. City taxes were kept distinct from those of the State.

After the arguments were all in, the Court announced that five days would be allowed the attorneys to present their authorities, and all three of them will prepare elaborate briefs.

The court then waited to hear the arguments with regard to the legality of the appointment of the Election Commissioners. They were disappointed, however, as the matter went over till 10 o'clock on Friday morning.

Is the California Game Law a Dead Letter in This Section? STYLED "CLASS LEGISLATION."

Camponidonio & Malcolm Cleared on a Charge of Having Violated the Statutes.

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For some time the Fish and Game Warden of the county, J. A. Mogan, has been under the impression that a good many commission merchants and game and poultry dealers were selling game out of season. It was pretty well understood that restaurant men and caterers generally could get most any kind of game they wanted if they went about it right. Market hunters were shipping considerable quantities to this City from different points along the Sacramento and San Joaquin rivers, as well as from the marsh lands around San Francisco.

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Two were consigned to H. Heckmann & Co. and sent to a well-known market hunter. One sack contained fifty-two birds and the other fifty-three. In another instance a sack of ducks addressed to Kuhlmeier & Dolheguy was found to contain fifty birds. This sack came from O. B. Randall, a market hunter at Atwater. The following letter found in the sack by Mr. Mogan shows that the same sort of business has been going on for some time.

ATWATER, CAL., Nov. 2, 1895. Kuhlmeier & Dolheguy, 209-211 Washington street—DEAR SIR: Frank Hipp gave me a letter he received from you, in which you said you would handle ducks. I will send you a few today and if you are willing to handle them I will continue to ship game to you all through hunting season; but there is any danger to me in sending you ducks dump the lot and say nothing about it, and write to me right away and let me know if you will handle them or not. Please send me your address. O. B. RANDALL, Atwater, Cal.

P. S.—Please send me your address, No. 5 and one sack of No. 5 shot and 1000 No. 9 wads.

The postscript of Randall's letter betrays the fact that he is violating the game law in more ways than one. No. 9 wads are only used in 8 and 9 gauge guns, and the law expressly states that no game larger than a 10 gauge shall be used in the killing of game in this State.

"I made the seizures," said Mr. Mogan, "under a section of the fish and game laws of the State of California, which reads:

6261. Every cold-storage company and every person who has a cold-storage warehouse, tavern, hotel, restaurant or eating-house, and every marketman or other person, who shall buy, sell, export or offer for sale in this state any quail, bob-white, partridge, grouse, dove or wild duck, whether taken or killed in the State or in any Territory or foreign country, except between the fifteenth day of November and the fifteenth day of January of the following year, shall be guilty of a misdemeanor.

"In all cases I cut the sacks open before I took them from the wharf and assured myself that they contained game of some sort. In the case of Camponidonio & Malcolm I found the ducks introduced in evidence at their store, and offered to buy them. They told me that they did not sell them in pairs, but that I could have them if I would make a test case of the same. Finally I paid 50 cents for the two birds, so as to make the case a clean one against the offenders. As you see they have been acquitted by the jury. It will be a difficult thing to convict people who break the game laws so long as they carry a jury trial. I propose to go right on seizing all the game I can find just the same, and we will try them all. This morning I went down to the pier to make another seizure, but nothing was in sight. I heard that another consignment was expected, but I found when I got there that it had been stopped on the other side of the bay. There are tricks in all trades, it seems."

Attorney Hordian, who represented the defendants, said that he would fight every case that would be brought to the courts and that it would be no trouble to beat a law that was merely a legislative enactment. "The law holds," said Mr. Hordian, "that any one can shoot ducks for his own use between the 1st and 15th of November, but that they cannot be sold in the markets or by restaurants. That is simply done for the purpose of giving the members of the gun clubs a chance to get a good whack at the ducks before the market hunters get in. The market hunters are permitted to hunt from November 15 to January 15. It is mere class legislation and is unjust in the extreme."

This is the way that Mr. Hordian presented the case to the jury and with favorable results to his clients. The State was represented by C. H. Jackson, from the Attorney-General's office.

It is said that the wholesale game-dealers have raised a fund for similar cases and will fight them all out with a jury trial.

COLORED DRESS GOODS DEPARTMENT!

(SPECIAL PRICES.) At 50 Cents. 100 pieces 54-INCH ALL-WOOL STORM SERGE, in different weaves, extra good value for 75c, will be offered at 50c a yard.

At 65 Cents. 75 pieces 46-INCH FANCY WEAVES MOHAIR EFFECTS, worth \$1, will be offered at 65c a yard.

At 75 Cents. 75 pieces 45-INCH FINE FRENCH CREPON, worth regular \$1.25, will be offered at 75c a yard.

At 75 Cents. 50 pieces 54-INCH ALL PURE WOOL ENGLISH SERGE, extra good value for \$1.25, will be sold at 75c a yard.

At \$1.00. 50 pieces 47-INCH ALL PURE WOOL FRENCH CREPON, worth \$1.50, will be sold at \$1 a yard.

At \$1.25. 50 pieces 50-INCH EXTRA FINE ALL-WOOL FRENCH BOUCLE, extra good value for \$1.75, will be sold at \$1.25 a yard.

At \$2.00. 25 pieces 66-INCH EXTRA HEAVY BOUCLE, suitable for cloaking, worth regular \$2.75, will be sold at \$2 a yard.

SPECIAL!

3 cases of ASTRACHAN, 54 inches wide, will be placed on sale at \$3, \$3.50, \$4, \$4.50, \$5 up to \$5.50 a yard.

SILK DEPARTMENT!

(SPECIAL PRICES.) At 25 Cents. 150 pieces COLORED INDIA SILK, 24 inches wide, in light and dark shades, good value for 40c, will be offered at 25c a yard.

At 35 Cents. 60 pieces COLORED ALL-SILK MOIRE, in dark shades only, good value for 75c, will be offered at 35c a yard.

At 45 Cents. 30 pieces FANCY FIGURED SILK, small designs, in light and dark shades, good value for 66c, will be offered at 45c a yard.

At 75 Cents. 20 pieces FIGURED BLACK SATIN DUCHESE, new designs, heavy quality, good value for \$1, will be offered at 75c a yard.

At 75 Cents. 80 pieces FIGURED AND STRIPED TAFFETA SILK, in all the latest designs and combination shadings, good value for \$1, will be offered at 75c a yard.

At 85 Cents. 40 pieces FANCY FIGURED TAFFETA SILK, Dresden design, new colorings, good value for \$1.15, will be offered at 85c a yard.

At \$1.00. 20 pieces BLACK FIGURED GROS-GRIN AND TAFFETA SILK, 22 inches wide, new designs, good value for \$1.25, will be offered at \$1 a yard.

At \$1.25. 50 pieces CHANGEABLE FIGURED PEAU DE SOIE, extra fine quality, good value for \$2, will be offered at \$1.25 a yard.

COLORED DRESS GOODS DEPARTMENT!

(SPECIAL PRICES.) At 25 Cents. 92 pieces DOUBLE-FOLD ALL-WOOL CHEVIOTINE SUITING, in medium and bright colorings, will be offered at 25c a yard.

At 40 Cents. 64 pieces 37-INCH FINE ALL-WOOL DRESS GOODS, in fancy stripes and checks, latest designs, will be offered at 40c a yard.

At 50 Cents. 50 pieces 37-INCH NOVELTY SUITING, in all the latest two-toned effects, will be offered at 50c a yard.

At 75 Cents. 72 pieces 40-INCH FINE SILK AND WOOL CROCATTA SUITING will be offered at 75c a yard.

At \$1.00. 37 pieces 52-INCH ALL-WOOL NOVELTY BOURRETTE PLAIDS, elegant colorings, will be offered at \$1 a yard.

At \$1.00. 40 pieces 44-INCH SUPERIOR ALL-WOOL ASTRACHAN SUITING, plain colors, will be offered at \$1 a yard.

At \$1.25. 38 pieces 45-INCH EXTRA FINE ALL-WOOL NOVELTY MOHAIR SUITING, latest effects, will be offered at \$1.25 a yard.

At \$1.50. 32 pieces 44-INCH ALL-WOOL ENGLISH MOHAIR CURLS will be offered at \$1.50 a yard.

At \$2.50. 22 pieces 58-INCH NIGGERHEAD CLOAKING, in blue and black, green and black, red and black and brown and black, will be offered at \$2.50 a yard.

Our New Catalogue is now ready for distribution to our COUNTRY patrons ONLY, to whom it will be mailed free on receipt of address.

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