

DESPERATE DASH FOR LIBERTY.

A Salem (Mass.) Swindler Makes a Bold Bid for Freedom.

APPROPRIATED \$60,000.

After a Month's Search Detective Chappelle Makes a Very Clever Capture.

A REWARD OF \$1000 OFFERED.

The Prisoner, Clarence Murphy, Alias A. M. Clark, Says It Is a Case of Mistaken Identity.

United States Deputy Marshal P. S. Chappelle made what will probably prove an important capture yesterday in the person of C. M. Clark, who is supposed to be Clarence Murphy, an absconding clerk of the Salem Savings Bank.



Clarence Murphy, Handcuffed, as He Appeared Yesterday at the City Prison.

in front of the Fireman's Fund building talking to a gentleman. Confident that he had spotted the right man, he waited until Murphy had reached the corner of California and Sansome streets, when he was arrested.



Clarence Murphy, as He Appeared When Clerk of the Salem Bank.

tion. Half staggering and running, he made for the corner of the street used by the patrol wagon, but before he reached it Chappelle fired a shot, hoping to scare him into submission.

was from or when he came to San Francisco. "It is just a case of mistaken identity," he said. "Some man, I suppose, has committed a crime, and they arrested me for it. Why did I try to escape? Well, that is easily answered. I objected to the inconvenience of staying here pending a long investigation, so I endeavored to get away. I decline to say more than this until I have seen a lawyer."

One day the directors thought it wise to cover the books, not that he was under the least suspicion, but simply because it was a duty long neglected.

The examination occurred in the second story of the bank building and had proceeded but a few moments when the directors came across something that aroused their suspicions. Murphy excused himself by saying that he desired to get some papers which would explain matters. He never went to the bank below, however, when he reached the hallway; he made a dash for the nearest window and without a moment's hesitation leaped to the ground, twenty-five feet

below. Jumping into a buggy which happened to be hitched near by, he drove leisurely away. That is the last the people of Salem have seen of him. C. M. Clark, who is thought to be the absconding clerk, first came to San Francisco about five weeks ago. He was accompanied by his wife, and the two engaged rooms at 109 Powell street. During their three weeks' stay Mrs. Clark, according to the proprietor's story, appeared very unhappy. She often complained of the life she was forced to lead, saying if the husband did not soon begin a new life she would leave. She spoke of her husband as a gambler and an utterly profligate fellow.

The couple left the Powell-street house nearly three weeks ago, intending to make their home in Alameda. On January 22 Clark again applied at the Powell-street lodging-house for a room, though on this occasion he was not accompanied by his wife. He explained that she was in Alameda, but would probably join him in a day or so. So far, however, she has not put in an appearance, and it is thought that she has finally determined to leave him.

Clark or Murphy at one time prospected through Southern California. He was first heard of at Horonito, but suddenly disappeared from there, and has succeeded in remaining in hiding until located by Chappelle. The Salem authorities have been notified of the arrest.

VICTORY MAY BE DEFEAT.

A Favorable Opinion Which May Recoil on the Southern Pacific.

FRANCHISE-HOLDERS' RIGHTS.

Grants of Privileges Are Not Grants of Land, Says the Supreme Court.

The Southern Pacific has won a victory in the Supreme Court; but the laurels of victory may change to the cypress of defeat on many a piece of disputed territory, for every point upon which the Southern Pacific wins are the ones most strongly in evidence against the railroad in cases much nearer home than the one just decided.

The Southern Pacific wanted to run a line through Redlands, in Los Angeles County, but the prize franchise location—Park avenue, in Laguna Park—had already been taken up by the Southern California Railroad, an offshoot of the Atchison, Topeka and Santa Fe. The Southern Pacific negotiated for possession of the avenue, and to head off any such maneuvers the Southern California Railroad built a spur track along the greater part of the avenue and erected a flag station along the coveted line. The Southern Pacific sued and the Superior Court gave it possession. The defendant railroad appealed, and now the Supreme Court affirms the decision rendered below. In the decision there is much for the Southern Pacific to congratulate itself upon; there is also much food for reflection.

The original franchise of the Southern California Railroad was secured by application of the property-owners whose property abutted upon the avenue. It had a clear right of way down the highway, but the right of way was not being used, and the Southern Pacific, in running its line south, applied for permission to run over the unused franchise. Suit was brought to compel the sale of the right of way, and the Superior Court ordered it sold.

In affirming this decision the Supreme Court announces some new points upon the legal status of franchises, and some of them stand out with particular force. A franchise, it says, is not a grant of land; it is the grant of a right to use a piece of land for the benefit of the people, not for the benefit of the grantee. It follows, then, in the opinion of the court, that when a franchise is granted and the land included in the grant is not used, the franchise is not made use of, another person or corporation, having for an object the public good, may step in and make use of the unused franchise; for unless he use his franchise for the public good, the original grantee cannot prevent the use of his unused rights of way by a person or corporation who will better serve the people.

Commenting upon the fact that a track had been laid down at a station built, the Supreme Court again brings balm to the victims of unused Southern Pacific franchises, while at the same time it brings victory to the corporation itself. The spur track and the station built for the flag station was never bothered by passengers or care of freight that did not pass. The line in prospect by the Southern Pacific was a through line, and its presence on the avenue would bring more benefit to the people than the spur track and the little flag station put there to prevent its passage.

The Supreme Court says further that one line has the right to run over the franchise of another when the interests of the people demand such a condition of affairs. It is like two railroads crossing a mountain range through the same pass, says the opinion of the court; the original road has the second road to pass over its franchise, the intruding line paying only so much damages to the first occupant as its presence actually causes.

Some striking analogies to the position of the beaten Southern California road are found in some of the familiar franchises of the Southern Pacific. Only a few days ago, roared to action by a franchise which is still merely shadow, but which prevents a better service furnished them, the residents of Ashbury Heights and of the district south of the park brought suit to have forfeited the rights of way with which the Market-street Railway Company or the Southern Pacific had gridironed the streets surrounding the property.

FILCHER IS WRATHFUL.

The Manager of Our Exhibit at Atlanta Criticizes His Disparagers.

CALLS MRS. McCANN A PEST.

A Letter Written by F. W. Crandall Is Denounced as Being Utterly Untruthful.

J. A. Filcher, the secretary of the State Board of Trade, is wrathful. He returned Wednesday from Atlanta, where he was Commissioner-General of the California exhibit, and yesterday learned for the first time of extensive anonymous criticisms of the California exhibit and saw some of the unfavorable comments made in regard to himself by persons concerning whom he felt free to express his opinion.

The principal thing he objected to was a letter from F. W. Crandall, printed in the Examiner of January 23. In this letter Filcher was accused of complicity in an attempt of two men to beat the railroad out of its fare by riding in one of the cars carrying the exhibit back to this State. William Harris "was allowed to occupy the office with impunity, to drink wine galore, get drunk and lie behind the Ventura car exhibit for half a day at a time. In the face of all this, he is sent to California to open a bottle to encourage the company with his many favors, and."

"The entire article is one batch of falsehoods," declared Mr. Filcher. "Why Crandall should write them I do not know. Why, at the time this letter was written was expressing great friendship for me and gratification at the results we had achieved. Besides, I gave him work when the State Development Committee, by which he had been sent out, told him it was unable to let him have more money."

"The fact is that I exposed the hide-placing of the men. They had assisted in packing the cars. One of my assistants, I learned later, helped them to secure their papers and I was aware of all this and had the head freight clerk of the Atlanta and West Point Railroad open the car. "The men were discovered, of course, and hauled out. I learned that they were taken to jail. As I knew they were not criminals I secured their speedy release. Later they bought tickets and are now in this City, I believe."

"Harris never hung about the exhibit. The only way he ever drank there was when I opened a bottle to encourage the men who were doing extra work to hurry the preparation of the exhibit. Once he came to the exhibit intoxicated. I at once put him out. Later I heard he had come back while I was away and had gone into a back room and slept. I gave him a lecture and never saw him intoxicated again."

"Some of the most severe criticisms of Mr. Filcher came from a 'Mr. Glick' and Mrs. L. A. McCann. The latter was appointed a commissioner with four others by Governor Budd. "I'd like to find this man Glick," said Mr. Filcher warmly. Then he added: "Some of the most prominent gentlemen from all over the country who would like to do the same thing. I did not know him, although he introduced a party of influential business men to me, and on the strength of his apparent connection with the exhibit borrowed money from all of them. They never got it back."

"As to Mrs. McCann, she was a pest and tended to make the exhibition ridiculous. Mrs. Alice May Forter, the other lady commissioner, and Redding via Harris, did much good for the State. Mrs. McCann was really harmful. She wore an enormous badge on which was the label: 'The Commissioner from California.' Once she took exception to some praise that was being given to the management of the exhibit, and in the parlors of the Kimball House said I was merely her janitor and box-opener; that she was the only K. B. present and if my face was black I would be known as her porter. This was heard by a half dozen people, friends of mine, who expostulated with her."

AND "CONFUSION" REIGNED.

Lord Sholto and His Mummies Abandoned Their Advancement Agent.

He and Lady Douglas Still Hopeful and They Stop at the "Golden West."

"Lord and Lady Sholto Douglas" is the highly aristocratic entry that tops the page of the arrivals at the Golden West Hotel on Ellis street for Wednesday. It was not a forgery. The lord and his petite lady are at this hotel, their northern tour with a company producing "Confusion" having been cut short by several unforeseen accidents.

"The theatrical manager's life isn't a very pleasant one sometimes," Lord Sholto said last night, with a wan smile. "It's all right when there is plenty of money in the box-office. But then there are other times."

A look full of sorrowful memories accompanied this statement. "Wasn't your trip financially a success?" was asked. "Oh, yes," he said, quickly; "that is, taken as a whole. But we encountered rains, and up in those northern towns when it rained every one stays at home, you know we hadn't been advertised and get an audience. So we decided to come back home."

"It may seem a nice, easy thing to be managing a theatrical organization. But when there isn't actually enough in the box-office to pay the rent and for the lights one is likely to wish he were doing something else. "The rain upset a lot of our plans. But to make matters worse our advance agent, a fellow named 'K. B.,' decided to resign. Yes, sir; he left us without a word of warning. "That stopped the tour, of course. We had to cancel a whole lot of dates. You see, we couldn't expect to go into a town where we hadn't been advertised and get an audience. So we decided to come back home."

Lord Sholto said he was thoroughly pleased with his theatrical experience and intended to continue it. His company, he explained, would require some change, and he is now engaging a leading lady and two or three other members, who will materially add to its strength. Their next trip will be to the southern route. Dates are being booked now, and as soon as definite arrangements are effected, which will be in about a week, they will start out again.

Lady Sholto is quite chafed at the success she has achieved in legitimate roles. She occupied a box last night at the Alcazar and was much interested in the lines of "The Canting Scoundrel." "Yes, indeed," she said, turning from the subject to tend to follow the line on which I have begun. I have just begun to realize how much I have to learn. But, really, I'm sure I'll be a success. "I know I was pretty bad in my specialty," she cried, with a generous smile. "But now, I'm good in the parts I will be able to undertake the ingenue."

Lady Sholto declared the tour had been a remarkable success throughout. Everywhere, she said, they had been enthusiastically received. "And, oh, I had a lovely reception at Sacramento," she exclaimed. "That was where we played last. The people were awfully kind—kinder than they were here. They called me seven times, and every time I came out they seemed to applaud louder."

NEW TO-DAY—DRY GOODS.

GREAT SPECIAL PURCHASE OF LADIES' KID GLOVES AT ABOUT HALF PRICE!

In connection with the Clearance Bargains offered in every department we to-day place on sale a GIGANTIC SPECIAL PURCHASE of Ladies' Kid Gloves which we bought and in turn offer at

STUPENDOUS REDUCTIONS FROM REGULAR PRICES!

- At 45 Cents. 2000 pairs 5-HOOK UNDRESSED KID GLOVES (genuine Foster hooks), in tan, mode and slate shades, regular value \$1, will be closed out at 45c a pair.
At 55 Cents. 1600 pairs BIARRITZ KID GLOVES, in slate and mode shades, regular value \$1, will be closed out at 55c a pair.
At 65 Cents. 1800 pairs 8-BUTTON LENGTH MOUSQUETAIRE UNDRESSED KID GLOVES, in tan, brown and slate shades, also black, regular value \$1, will be closed out at 65c a pair.
At 75 Cents. 1200 pairs MOCHA GAUNTLETS, in navy blue, regular value \$1 25, will be closed out at 75c a pair.
At 75 Cents. 1100 pairs 5-HOOK KID GLOVES, in tan, brown and slate shades, also black, regular value \$1 25, will be closed out at 75c a pair.
At 75 Cents. 1000 pairs 4-BUTTON GENUINE MOCHA GLOVES, in navy blue, regular value \$1 50, will be closed out at 75c a pair.
At 80 Cents. 1000 pairs 4-BUTTON KID GLOVES (large buttons to match gloves), in dark, medium and tan shades, also black, regular value \$1 50, will be closed out at 80c a pair.

MANUFACTURER'S SAMPLES!

At 75 Cents. 150 dozen KID AND UNDRESSED KID GLOVES, 4, 6 and 8 button length, colors and black, plain and embroidered back, regular prices \$1 25, \$1 50 and \$1 75, choice of lot 75 c a pair.

Advertisement for Orientals gloves, featuring a large illustration of a hand in a glove and the text 'Orientals MURPHY BUILDING, Market Street, corner of Jones, SAN FRANCISCO.'

RAILROAD TRAVEL

LOW RATES BY RAIL TO PORTLAND, OR.

MONDAY, FEBRUARY 3, 1896. Leave from S. P. Co's Ferry landing, foot of Market at 8:00 P. M. including berth in Pullman Tourist Sleeper. \$7.50

First-class tickets, including berth in Pullman Standard Sleeper, \$15.00 SPECIAL NOTICE. This train will not stop to deliver or take on passengers at intermediate stations, nor will tickets be sold or baggage checked to such points.

Through Tickets for Puget Sound Points on Sale at Reduced Rates. For further information apply at 613 MARKET STREET (Grand Hotel Ticket Office), San Francisco.

SOUTHERN PACIFIC COMPANY. (PACIFIC SYSTEM.)

Trains leave and are due to arrive at SAN FRANCISCO, CALIF. FROM NOVEMBER 20, 1895.

Table with columns for LEAVE, ARRIVE, and various train routes like 6:30A Hayward, Niles and Way Stations, 7:00A Atlantic Express, Ogden and East, etc.

NEW TO-DAY.

Everybody knows that from 50 to 75 per cent commission is being paid for physicians' prescriptions. We have been fighting this contemptible robbery for five years. Don't be robbed any longer. Bring your prescriptions to us and we will save you from 50 to 75 per cent on the price.

NO PERCENTAGE PHARMACY, 953 Market Street.

Our prices on everything always the lowest. Hot Water Bottles, 2 quarts, \$0 45. 4x6 1/2 San Jose and Way Stations, \$2 00.

CHICAGO LIMITED.

Leaves Chicago every day at 3:30 P. M., carrying Pullman Sleepers and Tourist Sleepers to Chicago via Kansas City without change. Annex cars for Denver and St. Louis.

NOTARY PUBLIC.

CHARLES H. PHILLIPS, ATTORNEY-AT-LAW and Notary Public, 638 Market St., opposite Palace Hotel. Residence, 1620 Fell St. Telephone 370. Residence telephone, "FIRE 2591."

Weak Men and Women

Should Use DAMIANA BITTERS, The Great Mexican Remedy; gives Health and Strength to the Sexual Organs.

GRAIN BAGS FOR FARMERS.

Prison Directors Meet and Fix the Price at Four and a Fifth Cents.

Large Quantity on Hand—Speculation as to the Successor of Director Devlin.

Farmers of the State will be interested to learn that there is a supply of what are considered excellent grain bags now available.

Yesterday the State Board of Prison Directors held a special meeting at Director DePue's office in this City. There were present Directors Neff, Fitzgerald and DePue. Director Hayes is in the south and Director Devlin, whose term has expired but whose tenure continues until a successor is appointed, was in Sacramento.

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