Daily Alta California

FREDK MacCRELLISH & CO.

DAILY ALTA CALIFORNIA.....is published EVERY MORNING and delivered to subscribers in the city at Fifty Cents per week payable to the Carriers; single copies, Ten Cents. Mail Subscribers, Eighteen Dollars per annum, in advance; for six months, Nine Dollars; three months, Five Dollars.

EVENING ALTA CALIFORNIA.....is published EVERY EVENING (Sundays excepted), for circulation in the Interior, and contains the latest news up to the hour of going to press.

WEEKLY ALTA CALIFORNIA.....is published on THURSDAY morning, and furnished by mail to subscribers at Five Dollars per annum, in advance; also, mailed to the address of persons in any part of the world. For six months, Three Dollars; single copies, Twelve and a half Cents.

STEAMER ALTA CALIFORNIA.....is published on the departure of every Mail Steamer, prepared expressly for circulation in the Atlantic States and Europe. Price, Five Dollars yearly; six months, Three Dollars; single copies, Twenty-five Cents.

PUBLICATION OFFICE,
529 California street.....Alta California Building.

RATES OF ADVERTISING:

TERMS CASH.	First Page.	Second Page.	Third Page.	Fourth Page.
One Time.....	$1 50	$1 00	$1 00	$1 00
One Week.....	3 00	2 50	2 00	2 00
Two Weeks.....	6 00	5 00	4 50	4 50
One Month.....	10 00	8 00	6 00	6 00

Twenty-six insertions constitute a month.
Advertisements continued new every day, $1 00 per square, each insertion.

SAN FRANCISCO, TUESDAY, JAN. 14.

Daily Alta California.

VOL. XX. SAN FRANCISCO, TUESDAY MORNING, JANUARY 14, 1868. NO. 6513.

LOCAL INTELLIGENCE.

THE EISNER-ROBITSCHECK TRAGEDY.

Eisner's Letter in Reply to Robitscheck—Testimony of Jacob Lustig and Alouis Taussig. Arrest of Herman Robitscheck on the Charge of Murder.

TENTH SESSION.

The investigation in this case was resumed last evening in the Fourth District Court-room:

H. Robitscheck recalled—The witness translated the following letter from Eisner, which was written in Germany. Before doing so he asked the Coroner whether he desired any one else should translate it; the Coroner said he might translate it himself. This letter is in reply to the one published in Sunday's ALTA. It is as follows:

MAUTH, November 1st, 1866.

Mr. H. Robitscheck—Dear Friend: Yours of the 19th of August, September 3d and September 10th, I have only received the day before yesterday. The reason of the delay was because I have to stay here so long. The witness said here he speaks about being sick; after he recovered he continued:] I received yours of the 19th of August, in which you unburdened your heart to me about different points. I dare not to day ever myself too much. I am in hope by next week to write you from Youngvunzlan. You write that you have used the balance of $4,066 36 for Gemal; I have nothing to say against it. I would be glad if I could hear you had drawn it out. Have you no one there to confer with, to treat so much in Genoa as represents in yours of 19th August? You have about $5,500. Had that Mr. Cohn so much up there? Would it not be better to place this capital in San Francisco? I believe the affair would have gone different if I had been with you, but I hope you will send me better reports. I believe it would be better if you could get through up there and commence something in San Francisco, but look out with you. That you have had such an end—[the witness said Eisner here used a Hebrew word ("sof,") which means "end," with Levy I cannot comprehend However, I will not complain, as you seem to give me the greatest portion of the blame, and as I hear there is no hope any more.

I have always said to you about that matter around too long. Had I been there the thing would have gone different. However, the matter lies now. Also [points to the letter] that Gustav Mrs. Steckler already, which you will have heard from her. Is she sick? Write me. I have seen yesterday your uncle Robitscheck, from Prague; I made his acquaintance in Mauth; who is not much like you are. He was there with some thousand [illegible] and H. Levy don't ask for it, keep them and give him a new note, but not for another year. Ask Rigo Kirschmann from Hamburg, if he knows me, and whether he has paid. What have you done with Tavrer? Have you received the indorsement? What have you done with McKenna, in Austin, and Geo. C. Cohn? Write me all explicitand let me know. I also beg of you not to go too far out in mining stocks, and if you don't want to go, sell out. Write me if you do, and in second. Whether I need more, I shall let you know.

P. S.—Ask my landlord, where I have lived. When you return return voyage I should fill his orders in Hamburg!

Jacob Lustig sworn—I have been acquainted with deceased Eisner about eighteen and a half years; I had a conversation with him before he left for Europe. I came to see him the day before he left; asked me, would I take some money to loan it out for him; I would not accept of it; would not be fit for me; I had no money; he said we always were friendly with me; visited me occasionally before he left; about two weeks before, I asked him whether he had made his will; he said he had; I asked him if he done anything for his brother-in-law; he said he had done all for his nephew.] He said, for his brother we would buy a rope; for his nephew he would do something; he told me he would leave a certain amount, he spoke of $1,500; he came to my house after this; this was the last conversation I had with him; he thought I Eisner asked me to attach his business; he sent me a letter from Folsom, that I should come and see him; when I came in Folsom he told me I should get, I took a buggy ride with me, brought me in the cave "there is a cave a little above Folsom; when we returned on the way he said he would I wished to make money; I told him everybody likes to make money, and he commenced to tell me I had to make money; I told him my business; he said he was losing money with his partner, Mr. Hanak; they could not agree together, and he would like to see me with him. He wanted to make a note for about $13,000 or $14,000—don't recollect exactly—and I should give him; I should get a portion of that money; told Eisner "that let it out; if you are able to do that to your cousin or nephew, I always thought he was a cousin or nephew,) I lose all confidence in you; I would not do it if you gave me that carriage full of money; I know Hanak thought a good deal of you." When we arrived at Folsom I went in the hotel; Eisner had some business attended to; he came to the cars and told me to keep it to myself what he told me; he never placed it to any person; he was divided the business (Hanak & Eisner) I told Hanak what Eisner wanted me to do; Hanak said if he would have known it, he would have broken his neck for it; Eisner came to San Francisco and went into the marble business on Market street; he was a good friend with him again; Eisner met me on California street, and I asked him what was the matter with his face; he said he had a row with Goldstein & Seller, and that he nearly bit off the thumb of his hand; I said, "Eisner, I want to know the particulars after you bring me some meat or oysters for my eyes." [Witness was here interrupted by the Coroner and requested to go on with the story in giving all the details.] Eisner and myself were sometime acquainted; if he could do a favor he would; a man offered him a business, and he would not object to it; Eisner considered me one of his most intimate friends; I thought so, at least; that is all I know about Eisner.

Alouis Taussig sworn.—Knew Eisner about eight or ten months or two years before he came to Europe; I was clerk for him in his business; he was a very excitable and passionate man; I have seen him once which led me to form that opinion; a man by the name of Sargent kept the American Exchange; the gentleman and a brother-in-law of mine—[he came to Eisner's store and bought a large marble washstand, such as they have in hotels; Sargent had a marble washstand in his place; he came and he would send for the washstand; in drilling the hole in the hole in the basin the marble slab (Eisner) was very excited at first about what the washman had done; he jumped, swore and made a noise; the workman placed the two pieces nicely together that it could not be seen; Eisner told me, I should be in the way when Sargent came for his washstand, not to allow him to look at the back side of it; the front portion seemed to be in good order. Sargent came for it; Eisner was in front of it; Sargent examined it very closely and found the crack; he would not take it; Eisner said to him that the workman had done it; Sargent said he knew it was no such thing; Sargent took up three or four balls; Eisner then spoke to him; he put the fire with his fist; did not knock him down—Sargent was a powerful man; he put the basins down after he was struck; he took off his coat and said, "Let's have a tussle together; Sargent said to him, "I will squeeze you like a mosquito—I know my blood;" I ordered the workmen, who were in the yard; they came up and separated them; Eisner said if he had not got both his hands he would not have gone out alive; Eisner then wanted me to go to a lager with him and swear that the crack was in the marble when Sargent bought the washstand; I told him I would not do such a thing; he then told me, "You are not the man for me; you would be a man for me, if you go with Folsom; I replied to him, "Thank you, sir; he paid me for the month and discharged me; I know of the Lederer affair; Mr. Lederer was a bachelor and kept a bakery on Pacific street; he offered me a situation; I was there a few days; I passed Eisner's store and he called me in, and asked me what I was doing; I answered that I was acting as private secretary to a German; he said, "Where I was going; I told him I was going to Leadville; he said, "Lederer is very sorrowful about his losses, and told me to tell Lederer that the next time he saw him he would shoot him; he said to me, "Will you be willing to shoot him? I said, "I was in company, or I would have done it then;" never had any conversation with Robitscheck about these matters to which I have testified here this evening; had some business with him about eighteen months ago.

The witness stated that he knew of another circumstance which he would like to give:

Eisner, or his Uncle Vertimer, came with him, told me that a gentleman by the name of Vertimer in Sacramento, to whom he owed, I believe, $9,000, had a attachment on the goods until he—[Eisner] would pay what he owed him, but Vertimer would not take any of any proposition which Eisner made to him; he told me he did not know whether at that time to shoot Vertimer or himself; I asked him what would be the result if he shot Vertimer; I told him he always friendly with me; visited me occasionally before he left; about two weeks before, I asked him whether he had made his will; he said he had; I asked him if he done anything for his brother-in-law; he said he done all for his nephew.] He said, for his brother we would buy a rope; for his nephew he would do something; he told me he would leave a certain amount, he spoke of $1,500; he came to my house after this; this was the last conversation I had with him; I thought Eisner asked me to attach his business; he sent me a letter from Folsom, that I should come and see him; when I came in Folsom he treated me friendly; took a buggy ride with me, brought me in the cave "there is a cave a little above Folsom; when we returned on the way he said he would I wished to make money; I told him everybody likes to make money, and he commenced to tell me I had to make money; he was losing money with his partner, Mr. Hanak; they could not agree together, and he would like to see me with him. He wanted to make a note for about $13,000 or $14,000—don't recollect exactly—and I should give him; I should get a portion of that money; told Eisner "that let it out; if you are able to do that to your cousin or nephew, I always thought he was a cousin or nephew,) I lose all confidence in you; I would not do it if you gave me that carriage full of money; I know Hanak thought a good deal of you." When we arrived at Folsom I went in the hotel; Eisner had some business attended to; he came to the cars and told me to keep it to myself what he told me; he never placed it to any person; he was divided the business (Hanak & Eisner) I told Hanak what Eisner wanted me to do; Hanak said if he would have known it, he would have broken his neck for it; Eisner came to San Francisco and went into the marble business on Market street; he was a good friend with him again; Eisner met me on California street, and I asked him what was the matter with his face; he said he had a row with Goldstein & Seller, and that he nearly bit off the thumb of his hand; I said, "Eisner, I want to know the particulars after you bring me some meat or oysters for my eyes." [Witness was here interrupted by the Coroner and requested to go on with the story in giving all the details.] Eisner and myself were sometime acquainted; if he could do a favor he would; a man offered him a business, and he would not object to it; Eisner considered me one of his most intimate friends; I thought so, at least; that is all I know about Eisner.

Alouis Taussig sworn.—Knew Eisner about eight or ten months or two years before he came to Europe; I was clerk for him in his business; he was a very excitable and passionate man; I have seen him once which led me to form that opinion; a man by the name of Sargent kept the American Exchange; the gentleman and a brother-in-law of mine—[he came to Eisner's store and bought a large marble washstand, such as they have in hotels; Sargent had a marble washstand in his place; he came and he would send for the washstand; in drilling the hole in the hole in the basin the marble slab (Eisner) was very excited at first about what the workman had done; he jumped, swore and made a noise; the workman placed the two pieces nicely together that it could not be seen; Eisner told me, I should be in the way when Sargent came for his washstand, not to allow him to look at the back side of it; the front portion seemed to be in good order. Sargent came for it; Eisner was in front of it; Sargent examined it very closely and found the crack; he would not take it; Eisner said to him that the workman had done it; Sargent said he knew it was no such thing; Sargent took up three or four balls; Eisner then spoke to him; he put the fire with his fist; did not knock him down—Sargent was a powerful man; he put the basins down after he was struck; he took off his coat and said, "Let's have a tussle together; Sargent said to him, "I will squeeze you like a mosquito—I know my blood;" I ordered the workmen, who were in the yard; they came up and separated them; Eisner said if he had not got both his hands he would not have gone out alive; Eisner then wanted me to go to a lager with him and swear that the crack was in the marble when Sargent bought the washstand; I told him I would not do such a thing; he then told me, "You are not the man for me; you would be a man for me, if you go with Folsom; I replied to him, "Thank you, sir; he paid me for the month and discharged me; I know of the Lederer affair; Mr. Lederer was a bachelor and kept a bakery on Pacific street; he offered me a situation; I was there a few days; I passed Eisner's store and he called me in, and asked me what I was doing; I answered that I was acting as private secretary to a German; he said, "Where I was going; I told him I was going to Leadville; he said, "Lederer is very sorrowful about his losses, and told me to tell Lederer that the next time he saw him he would shoot him; he said to me, "Will you be willing to shoot him? I said, "I was in company, or I would have done it then;" never had any conversation with Robitscheck about these matters to which I have testified here this evening; had some business with him about eighteen months ago.

The witness stated that he knew of another circumstance which he would like to give:

Eisner, or his Uncle Vertimer, came with him, told me that a gentleman by the name of Vertimer in Sacramento, to whom he owed, I believe, $9,000, had a attachment on the goods until he—[Eisner] would pay what he owed him, but Vertimer would not take any of any proposition which Eisner made to him; he told me he did not know whether at that time to shoot Vertimer or himself; I asked him what would be the result if he shot Vertimer; I told him he always friendly with me; visited me occasionally before he left; about two weeks before, I asked him whether he had made his will; he said he had; I asked him if he done anything for his brother-in-law; he said he done all for his nephew.] He said, for his brother we would buy a rope; for his nephew he would do something; he told me he would leave a certain amount, he spoke of $1,500; he came to my house after this; this was the last conversation I had with him; I thought Eisner asked me to attach his business; he sent me a letter from Folsom, that I should come and see him; when I came in Folsom he treated me friendly; took a buggy ride with me, brought me in the cave "there is a cave a little above Folsom; when we returned on the way he said he would I wished to make money; I told him everybody likes to make money, and he commenced to tell me I had to make money; he was losing money with his partner, Mr. Hanak; they could not agree together, and he would like to see me with him. He wanted to make a note for about $13,000 or $14,000—don't recollect exactly—and I should give him; I should get a portion of that money; told Eisner "that let it out; if you are able to do that to your cousin or nephew, I always thought he was a cousin or nephew,) I lose all confidence in you; I would not do it if you gave me that carriage full of money; I know Hanak thought a good deal of you." When we arrived at Folsom I went in the hotel; Eisner had some business attended to; he came to the cars and told me to keep it to myself what he told me; he never placed it to any person; he was divided the business (Hanak & Eisner) I told Hanak what Eisner wanted me to do; Hanak said if he would have known it, he would have broken his neck for it; Eisner came to San Francisco and went into the marble business on Market street; he was a good friend with him again; Eisner met me on California street, and I asked him what was the matter with his face; he said he had a row with Goldstein & Seller, and that he nearly bit off the thumb of his hand; I said, "Eisner, I want to know the particulars after you bring me some meat or oysters for my eyes." [Witness was here interrupted by the Coroner and requested to go on with the story in giving all the details.] Eisner and myself were sometime acquainted; if he could do a favor he would; a man offered him a business, and he would not object to it; Eisner considered me one of his most intimate friends; I thought so, at least; that is all I know about Eisner.

The undersigned jurors, convened to inquire into the cause of death of Joseph Eisner, aged about forty years, a native of Bohemia, and that he came to his death by a gunshot wound in the head, probably a pistol, on or about the 29th of December, 1867. The jury disagree as to the person in whose hands the pistol was when it was fired.

M. ENGLANDER,
A. AMBERGER,
D. NEUSTADTER,
M. LOCHBUM,
A. ROSENBERGER,
WM. HARLOVE.

The prisoner was now permitted to enter a certain and return to his cell, accompanied by officers, and officers, who will hold him in custody, though not in actual confinement, until an order of Court adjudicating the bail is made, or the Grand Jury take action on the case, and find or ignore a bill of indictment in due form.

FIRE THIS MORNING.—An alarm was struck this morning at 2 o'clock and 15 minutes, for signal-box No. 54, caused by a fire in the hoop-skirt etc. store of S. Firawski, No. 74 Second street, north of Mission. Smoke was seen issuing from the store by officer Kavanah, who gave the alarm, and burst in, to find the fire principally confined to a box of waste material, which was dragged outside. There was also fire among some rubbish in the basement, entirely disconnected from that on the first floor, but all was soon extinguished by the Department.

BOARD OF SUPERVISORS.

James H. Reynolds Elected Fire Commissioner—Order No. 733 Repealed—New Land Order Passed—Union Square Granted to the Mechanics' Institute—Proposed Decrease of Police Pay to $100—Proposed Increase of Treasurer's Pay to $6,000—Street Work Ordered—Etc.

The Board of Supervisors held a regular meeting last evening.

PETITIONS.

The following petitions were received and referred: For Nicolson pavement on Minna street, between Third and Fourth; for three gas lamps on Ross street; for the opening of Channel street and its dedication to public use; for Nicolson pavement on Commercial street, between Drumm and Davis; for the grading and macadamizing of Scott street, between Bush and Pine; for the establishment of street grades in the Potrero; for a sewer in Lewis street, to within fifty-eight (not sixty-eight) feet of Jones street; for the payment of certain bills of H. Perry, for street work; for the sidewalks in front of Leavenworth street, between Pacific and Broadway; for leave to erect a frame building on the front part of a lot on the west side of Dupont street, forty feet south of Sutter; for the rejection of the bid for planking Pacific street, between Taylor and Jones, and for cobble pavement instead.

PROTESTS.

The following protests were received and referred: Against grading the crossing of North Point and Leavenworth streets; against grading Dunn alley; against replanking Clay street, between Davis and Drumm; against a brick sewer in Leavenworth street, from Post to Geary; against sidewalks on Hyde street, between Filbert and Pacific; against allowing the North Beach and Mission Railroad Company to make a turn-out on the corner of Powell and Filbert streets; against grading Fulton street, between Larkin and Polk; against Nicolson pavement on Taylor street, between Sutter and Post; against grading Linden street, from Gough to Octavia; against a sewer in Hayes street, between Taylor and Jones and Leavenworth and Van Ness avenue; against extending Second street to Montgomery; against paving Mission street, between Third and Fourth.

COMMUNICATIONS.

The following communications were received and referred:

From J. Stewart, Jr., charging M. Greenwood, Superintendent of the Fire Alarm Telegraph, with leaving the office in charge of an incompetent person, not connected with the office; selling property of the city; collecting money for the Fire Alarm Telegraph without authority; working for officers and taking an operator in the service of the city to help him, and being himself incompetent; and Mr. Stewart prays that these charges may be investigated.

From the Superintendent of Streets, requesting the acceptance of the following streets, viz.: Bush from Montgomery to Battery; Battery from Bush to Sansome; Sansome to Battery; Bedford place, from Sansome to Battery; Bedford place, from Front to Davis; Commercial, from Leavenworth to Dupont; Jackson, from Battery to Front.

STREET CONTRACT EXTENSIONS.

On the recommendation of the Street Superintendent the following extensions were granted on street contracts: P. H. Kiss, five days for sidewalks on Post street, between Larkin street and Van Ness avenue; James Dowling, thirty days to complete grading of McAllister and Octavia; George Dougherty, thirty days to grade Jones street, between Pine and North Point streets; D. C. McIlvain, five days to plank the crossing of Harrison and Spear streets.

SALARY OF THE TREASURER.

A resolution was introduced by Mr. Cavallier, that in the opinion of the Board, the salary of the Treasurer of this city should be increased from $4,000 to $8,000.

Mr. Coleman moved to substitute $6,000 for $8,000.

Mr. Shrader moved to substitute $10,000.

Mr. Coleman said he thought that honor had been so scarcely of applicants about election time and he thought there would be no difficulty in getting competent men to take the $6,000 hereafter. The Treasurer is entitled to receive $100 per month as Fund Commissioner, in addition to the $4,000, so that his salary is really $5,200. He moved to indefinite postponement.

Mr. Cavallier said that the Treasurers of Calaveras and El Dorado get $2,000, and those of Sacramento and Butte get $3,000 each; and yet two of his predecessors have made more than $10,000 each of taxable property, and San Francisco has $112,000,000.

Mr. Ashbury said that Mr. Paxson, the late Treasurer, was a very careful and conscientious man; he had a bond as any ever given for the office, and he was conscious of his responsibility in the place. He thought it very singular that the Democratic party, which came in on the platform of reform, should so soon commence to recommend increased salaries, of course, Mr. McCoppin—"The gentleman is out of order." [Laughter.]

Mayor McCoppin said he was opposed to any increase of salaries. All the officers knew the salaries of their offices before accepting them, and a bargain is a bargain.

Mr. Nunan said the difference between $5,200 and $6,000 is so small that it is scarcely worth while to make the proposed change.

Mr. Shrader moved to strike out the Supreme Court decided in an *ex parte* case that the Treasurer is entitled to $100 per month as Fund Commissioner, but the case had been reviewed, and he had read the City Attorney's brief, and he thought the Treasurer is not entitled to the $100. The Treasurer is now not certain of more than $4,000.

Mr. Canavan said the pay is not a fair compensation for the work, capacity and responsibility implied by the handling of $2,000,000 annually.

The amendment of $6,000 was adopted, and the resolution as amended was adopted, all the Supervisors present, save Ashbury and Clayton, voting aye.

ELECTION OF FIRE COMMISSIONER.

The Board, after several unsuccessful ballots, elected James H. Reynolds, Fire Commissioner, in place of Dan Sullivan, first term expired. On the first ballot McCelland had 5 votes, Reynolds 4, and Bohen 1; on the last ballot Reynolds had 7, McClelland 3.

RESOLUTIONS.

The following resolutions were adopted:

That the Street Superintendent be instructed not to recommend any extension of time beyond 50 per cent. on the time of the original contract, and that the extensions shall not exceed 50 per cent. Passed to print.

That the Spring Valley Water Company have leave to employ valuable prisoners under guarding from their office to their reservoir. Passed to print.

That the Delegation be requested to urge the passage of an act to prevent the deposit of mud between the wharves in the Mission and Buena Island.

STREET WORK PROPOSED.

Resolutions were passed declaring the intention of the Board to order the following work: Brick sewers in the streets and avenues between the Cemetery of Taylor and Clay; of Taylor and Sacramento; of Taylor and Clay; of Taylor and Washington; of Hayes and Laguna; of Hayes and Octavia; of Hayes and Franklin; of Hayes and Gough; and in Taylor street from Sacramento to Clay; sidewalks in Hayes street, from Octavia to Hayes from Van Ness to Laguna; and in California, opposite Quincy and St. Mary streets. The following work was ordered: Sewer in the line of Bush to Sutter; Battery from California to Pine; and the streets in Steiner and Fillmore streets, the following to be graded: Willow avenue, between Larkin and Turk; Steiner from Post to Polk; Ferrer avenue, from Bryant to Folsom; Bryant, between Fourth and Fifth; Bluxome, from Divisadero to Broderick, to be macadamized, and Willow avenue, from Larkin to Polk, to be planked.

MECHANICS' INSTITUTE.

The order to grant to the Mechanics' Institute the privilege of occupying Union Square for two years for the purpose of holding Industrial Fairs, was called up.

Mr. Cavallier presented an opinion that the Supervisors have not the technical legal power to grant the use of the Square.

Mr. Cavallier moved to amend the order so that the Mechanics' Institute shall give a bond of $1,000 for replacing the Square in good condition when the time is up.

The order was passed, Cavallier alone voting no.

OUTSIDE LANDS.

An order to repeal No. 733 in regard to the disposal of the outside lands was adopted.

STREET COMMITTEE REPORT.

The Street Committee reported in favor of the following:

Protest against grading O'Farrell, between Frankin and Gough streets, and petitions for grading Tyler, between Leavenworth and Hyde streets, and for a brick sewer in Hayes street, between Laguna street and Van Ness avenue; for grading Fremont avenue, between Franklin and Gough streets, and for grading Willow avenue.

STREET ASSESSMENT APPEALS.

The appeal of Wm. Bromstrup from the assessment for the replanking of Folsom and Dore streets was taken up, and, after a hearing, was dismissed, and the assessment confirmed.

The appeal of James Phelan and M. R. Robert, was dismissed, the appellants being absent.

The appeal of J. W. Reay from the assessment for grading and macadamizing Haight street, between Octavia and Laguna, was taken up. After a long examination, the further consideration of the case was postponed till the next meeting.

ORDERS.

An order was passed to print, providing that the Police force shall consist of four captains and one hundred policemen; that the sergeants receive shall be $125 per month, and of the policemen $100 per month. All the Supervisors present voted aye except Cavallier.

STREET AWARDS.

The following contracts were awarded: To James J. Robertson, for paving Market street, from Hill to Turk, with Nicolson; Thomas Walsh, for brick sewer in Market street, opposite Tenth; Michael Ninth to Tenth; Thomas Walsh, for brick sewer in Market street, from Twelfth to Sixteenth; H. C. Ridge, for brick sewer in Leavenworth street, from Pine to Bush; James Phelan, for sidewalks on Leavenworth street, between Bush and Sutter; J. J. Conlin, for planking Clementina street for 550 feet east of Sixth; B. Stone, for planding crossing of Leavenworth and Ellis streets.

Adjourned.

A NOTICEABLE DECISION.

Judge Provines, yesterday, made a decision which will appear somewhat novel and startling to householders. The proprietor of a small hotel had a cook named John Williams, whom he discharged for some reason. Five nights thereafter the landlord heard a noise below, and going down stairs cautiously, found that Williams was there in charge through the cool hole in the rear, and passing through two doors, the lock of one of which was cut around with a knife, and was then at work with a knife cutting away the putty around a pane of glass in the window of the baggage-room. He had lighted, and having footsteps outside on the sidewalk he put it down on the floor and remained quiet until the party had passed, and then resumed his work again. The landlord went around cautiously and surprised him and asking him what he was doing there. He replied that he came there to sleep, not having any money to get a bed elsewhere. The landlord, being in doubt about that, asked him what he wanted in the baggage-room. He said he was going to get a pair of blankets; he had left his bed-ticking in the room, up stairs and we will see what can be done. They then went up stairs, and the landlord started to put on his boots, intending to hand Williams over to an officer, but the latter broke and ran out of the premises and down the street at full speed. The landlord chased him, found him hiding behind a shed, and turned him over to an officer. In his possession was found a quantity of cheese, taken from the kitchen, but no other articles taken from the house. Judge Provines, after hearing the whole case, stated said he did not see any intent to commit burglary, and the defendant must be discharged.

The theory of the counsel for the defence was that, contrary to the general impression and ruling of the Supreme Court, there are not entering a house in the night time did not in itself constitute the crime of burglary, but it must be shown affirmatively that the defendant's intent was to steal before he entered the house. If the Judge or jury believe that the defendant's declaration that he did not intend to steal was true, or even if to the contrary, they cannot legally convict the prisoner. This is the statement given by the defendant's counsel after the examination of the case, and we are given to understand that it was the ground of the release of Williams. If this position is correct, we do not see how a citizen could be protected for a moment in the defence of his home. A burglar caught breaking into any man's house might raise the plea that he did not intend to steal, but to commit murder, and not being indicted for an attempt to commit murder, must be acquitted. It is, of course, a matter of some doubt in the case of Williams, whether he really intended to steal, but it would seem to be a decidedly free and easy way of doing things, to go to cutting away the glass in doors to get from one room to another, and one might well inquire if lar diords and householders have any rights which an unlicensed outsider is bound to respect.

HIGH-HANDED PROCEEDINGS.

Attempt to Detain the Steamer "China" by Carrying off Her Shipping List—Savage Assault on a Boy.

One of the boldest and most high-handed outrages which we have been called upon to record for a long time, was perpetrated at the office of B. J. Dorsey, one of the employés of the Pacific Mail Steamship Company, at the corner of Sansome and California streets, over the Bank of British Columbia, yesterday morning, about 9 o'clock. Two men came in, and finding only the office boy (Charles Clough) there, inquired, with apparent carelessness, for Mr. Dorsey. They were told that he was out, and they then asked the boy to show them the shipping list of the steamer *China*, containing the names of every passenger on board, from first cabin to steerage, which they apparently knew Mr. Dorsey was accustomed to exhibit in the Custom House and at the Company. The boy told them that they could not see it, as it was not for public inspection. They then, after a moment's hesitation, said that they would give him two dollars and a half to let them look at it. The boy replied promptly that it is against his instructions, and that they might offer him five thousand dollars just as safely, for he would not show it. One of the strangers then seized him around the waist and held him until the other went inside the rail and got the list off the desk, when both attempted to decamp with it. As they ran down stairs the courageous and faithful boy overtook them on the landing, and snatching the list, ran back into the office with it; but before he could close the door they too were inside, and he hastily snatched a ruler from the table and dealt one of them a "sockdo-ager" across the nose, causing him to throw up his hands to protect his face. The other then hurled a heavy inkstand at the boy's head, but missed him, and the missile made a deep indentation in the wall, showing that it had force enough to have badly injured him had it hit him. Thereupon being evidently alarmed lest the noise of the struggle should call in outsiders, left hastily, not having succeeded in their attempt. It is believed that this is but one of the demonstrations being made against the Company by an organization with a view to compel the discharge of the Chinese servants on the China steamers, and substitute white ones in their place. The men were evidently posted on such matters, and knew that the steamer could not sail until a new list was made out, had they succeeded in carrying the first off, and they were also sufficiently familiar with Mr. Dorsey's habits to know just when to drop in and find him out. The police are investigating the matter and endeavoring to detect the perpetrators of the outrage.

DISASTER IN THE HARBOR.

Possible Loss of the British Barque "Oliver Cutts."

About two o'clock A. M., yesterday, as the British barque *Oliver Cutts* was coming into port in charge of a pilot, but without a tug, she went upon the rocks on the west side of Alcatraz Island, and remained fast. The *Rescue* and another tug went to her assistance, but found her so firmly and securely aground that they were unable to pull her off, and at 1 P. M., she was filling rapidly with water, and all hopes of getting her off were abandoned.

The *Oliver Cutts* came here recently from Sydney, and went hence to Nanaimo for coal, with which she was loaded when she went on the rocks. She belonged to Captain Wilson, who was in command, and was consigned to Macondray & Co., in this city.

She was insured in Sydney; her cargo of coal for $5,000 in the National Insurance Company, and her freight money for $2,500 in the Builders' Insurance Company, of this city. Capt. Jolliffe, the pilot in charge, has been eighteen years in the business, and this is the first time any vessel has met with a serious disaster while in his charge. He gives the following account of the circumstances attending her going on the rocks: He states that he was coming up the bay with a 7 or 8-knot breeze, and had just tacked everything being right, and apparently no more danger than if the ship was lying at her berth, when, before sails had all filled, she was caught by a squall, which struck her sails aback and brought her head round toward Alcatraz Island. The night was very dark, and it was raining hard at the time. The pilot finding he could not bring her head round, attempted to pass between the rock and the shore of the Island, but could not control the vessel. He then ordered the anchor to be let go, but the rain and darkness made it impossible to do it in time. Fearing that they could not get the cable clear in time, and not knowing the exact distance from the ground forward the vessel struck the rock with her stern. She rolled several times during the night, but made very little water; at daylight, about half-past eight o'clock she rolled so as to bring the rock under her bilge-strake, on the starboard side, and stove herself badly. From that time she filled rapidly.

The *Cutts* was lying easily and perfectly upright at nightfall last evening, and had not settled any after 7 P. M. All attempts to free her of water by pumping one hatch and bailing the other have been made, but it is thought the coal can be got out of her, and she may be gotten off and repaired comparatively small loss. If rough winds should come on within a day or two, there is a strong probability that she would go to pieces.

POLICE COURT.

The docket, Monday morning, comprised thirty drunks, only four misdemeanors plain, five assaults and batteries, assault with a deadly weapon and one grand larceny, with thirteen continued cases.

SENTENCES.

Michael Murphy, misdemeanor by vulgar language; $10 or five days in jail.

Michael Carney, *assault and battery upon an officer*; $30 or ten days.

John O'Connell, *alias* Feeney, misdemeanor by vulgar language; $10 or five days.

Michael Feeney, knocking down a negro woman, and savagely assaulting two negro men, without the provocation of a provocation; $50 or thirty days. He will be seen that in each of the above cases, the fines imposed are just ten times the amount which officer Lynes was compelled to pay for striking a citizen who resisted in making an arrest.

Jas. Kelly, assault and battery; $30 or fifteen days.

CONVICTIONS.

Wm. Cimler and Jas. Gilman, misdemeanor by fighting in the street; sixty-eight.

Chas. Beinady, drunkard, but not a common drunkard, ordered to pay a fine of $5.

Jack Fisher, misdemeanor, held for sentence.

John Feeney, assault and battery, held for sentence.

Andrew Seymour, assault and battery, held for sentence.

Owen Carlin, assault and battery, held for sentence.

Edward Allen, assault and battery, held for sentence.

A VICTIM OF HIGHWAY ROBBERS DIES FROM HIS INJURIES.

In Saturday morning's ALTA was a brief account of the misadventures of an old woman of Montezuma, named Griebe, who fell into the power of two strangers at the Metropolitan Theatre, got inebriated, and started with them for the Adams House, but was taken into another street, knocked down and robbed. Officer Wigmore arrested a man named John Finnegan, *alias* Fisher, on the charge of being one of the assailants of Griebe, and locked him up, while Officer Wigmore was taken to the County Hospital, where he died this morning. It is stated that Griebe had 300 ounces of Mexican gold deposited at the Adams House and in a bank in the city. It is known that she had been robbed of nothing save from the person of Finnegan to prove him guilty of robbery, and as there is now no witness against him to convict him of assault, he will probably be discharged.

THE DEATH OF GENERAL STEELE.—The death of the late General Frederick Steele is thus officially announced:

HEADQUARTERS MILITARY DIV. OF THE PACIFIC,
SAN FRANCISCO, JANUARY 13, 1868.

(General Orders, No. 1.)

The Division Commander announces with regret and sorrow the death, at his residence, yesterday, on the 12th instant, of Brevet Major General Frederick Steele, Colonel of the Twentieth Infantry, and late commander of the Department of Columbia.

General Steele entered the Army in 1842, and served with distinction in the Mexican War, being twice brevetted for gallant and meritorious services. In the late Rebellion he served with distinction at the battle of Chapultepec. During the War of Rebellion he held the most important commands, and was distinguished for services in the same, and promoted to the rank of Major General of Volunteers and Brevet Major General, U. S. Army.

His sudden death, brings grief, not only to his family circle and his comrades of the Army, but to the many friends to whom his gallant services endeared by his unsullied honor, his integrity of character, and his kind and gentle manners, during his long residence on this Pacific Coast. Few men have left so high a record of character and services as General Steele.

By order of Major General Halleck.

JAMES B. FRY,
Assistant Adjutant General.

A NEW BLOCK OF WAREHOUSES.—Maurice J. Dooly on Saturday last leased for a term of twenty years the 50 x 137 lot at the northwest corner of Sansome and Jackson streets, to Messrs. Lubbe & Farquharson, architects, are about to erect thereon a magnificent block of wholesale brick warehouses, of the dimensions of Murphy, Grant & Co.'s building. There will be four stores in all, fronting on Sansome street. The width of Market street, will be 45 feet, and of each of the others 30 feet. The depth of each will be 125 feet. There will be two lofts over each store and a basement under. All recent improvements will be introduced in the construction and finish of the building. Work will be commenced at once, and it is expected that the stores will be completed and occupied by the first of next July. The cost of the improvement will be between $80,000 and $90,000.

RIGHT TO THE POINT.—The following communication is evidently written in good faith, and we give it to the public as we receive it, *verbatim et literatim:*

"A hint to the peasant police comissoners do the fashionable gentlemen think something of taking a you but the idea of putting agood square man out it dont make no difference what his politics may be and putting man in His place who has been office under Black republicans & under Democratic such men are disgusting to the people who are appointing men for apeslon on the police Who has got thousands of dollars & who Has Been cathed Republican for the purpose of getting the government office thinik But very little of Editors of the alta oblige many subscribers in your liberal paper and show the man no show who quits his party under such circumstances."

SCHOOL REPORT.—We have received a copy of the Annual Report of John C. Pelton, Superintendent of Public Schools of this city, for the year ending October 15th, 1867. It is a volume of 240 pages, of which the first 84 are devoted to the Board of Supervisors and were printed in the Municipal Reports. The additional 156 pages are devoted to statistics—the attendance of teachers, vacations, holidays, text books, corporeal punishment, discipline during recess, school attendance, modes of teaching various branches, a list of teachers, a list of the text books, and lists of the questions put to the pupils of the high schools, and to applicants for the position of teacher.

FEW SALE OF THE UNITARIAN CHURCH.—The annual sale of pews of this Church took place last evening by auction, premiums upon the fixed seats being bid for choice. The attendance of the Congregation was full and the competition lively—a total of $5,340 in premiums being realized. This result is due, in a great measure, to the liberality of the Society and their regard for their Minister, Rev. Mr. Stebbins. It was understood of the Society for hearing of reports and election of officers will take place at the Church, on Geary street, near Stockton, on the 20th inst., and at once all this day, and from relief of any from remaining seats may be obtained.

TO BE CONTESTED.—It was reported yesterday that Chief Crowley, not desiring to see the present excellent police force of the city demoralized and destroyed, will refuse to sign the order for the removal of any of the officers who have been ordered dismissed by the Mayor and Police Judge, and that the officers supposed to be decapitated will bring a case before the Courts immediately to test the power of two of the Commissioners to remove officers on purely political grounds, without a charge of any description being made against them. The removals are not to take place until the first of February, and meantime the question will be

EXEMPT FIRE COMPANY ELECTION.—At the annual election of the Exempts, held yesterday, the subjoined ticket was successful. There was but little opposition, and not much interest manifested. There were 239 votes cast. President, John Short, Sr.; Vice Presidents, Jerry Whalen, J. G. Carson; Secretary, William Martin; Treasurer, Henry R. Reed; Executive Committee, W. W. Haney, John L. Durkee, Joseph T. Pier-on, Joseph S. Marshall, Mathew McIntyre, Daniel Bigley, John Brougham, David T