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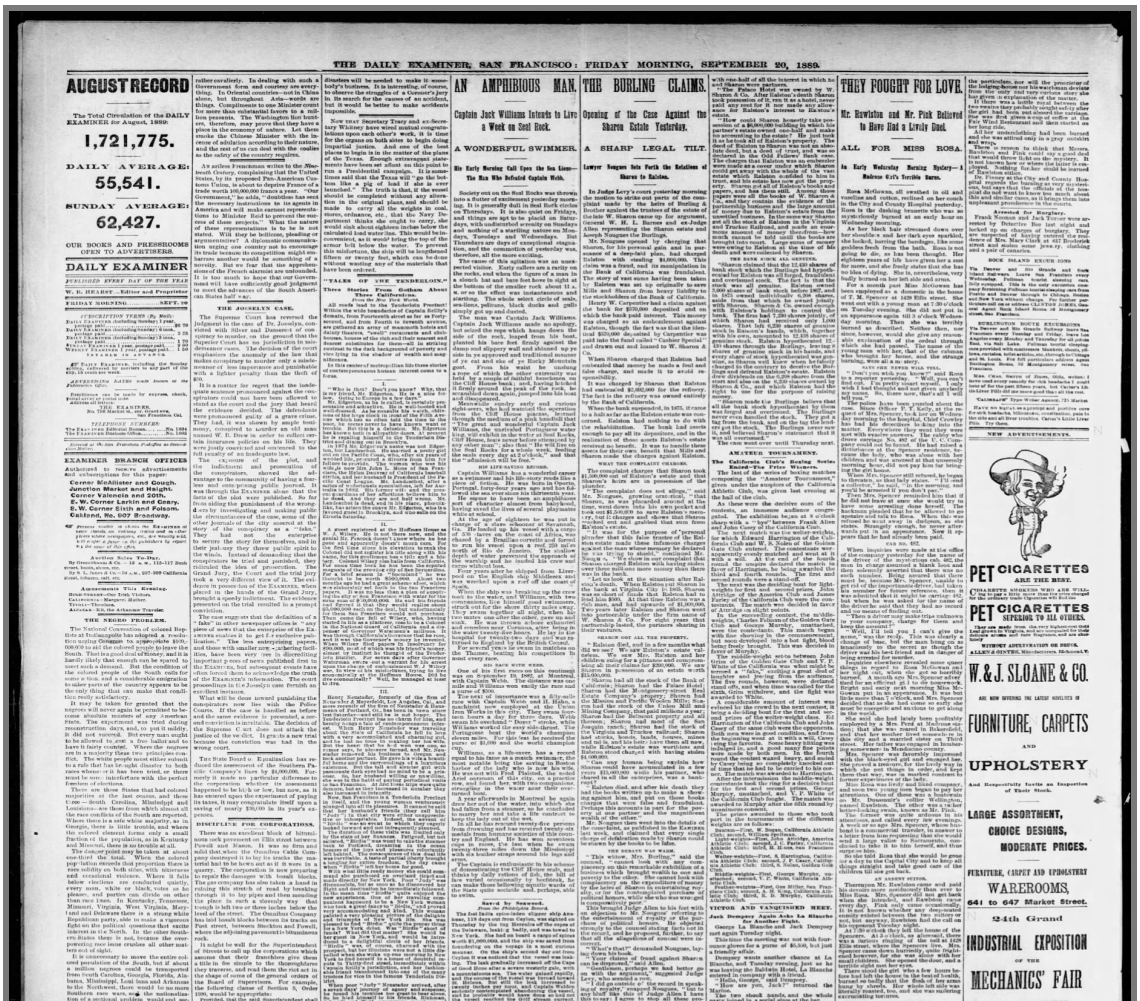

THE DAILY EXAMINER, SAN FRANCISCO: FRIDAY MORNING, SEPTEMBER 20, 1889.

AUGUST RECORD

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DAILY EXAMINER

PUBLISHED EVERY DAY OF THE YEAR.

W. R. HEARST...Editor and Proprietor

FRIDAY MORNING.....SEPT. 20

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WEEKLY EXAMINER, one year, postage paid.....1 00
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Corner Middlebar and Gough.
Junction Market and Haight.
Corner Valencia and 20th.
E. W. Corner Larkin and Geary.
E. W. Corner Sixth and Folsom.
Oakland, No. 607 Broadway.

☞ Persons unable to obtain the EXAMINER at any of the above offices will confer a favor by giving information, etc., at Room 69, 3 or 4 p. m. Paper to be published by regular News Agent.

Auction Sales To-Day.
By Greenbaum & Co.—10 a. m., 115-117 Second street, household furniture.
By S. Israel & Co.—10 a. m., 107-109 California street, tobacco, salt, etc.

Amusements This Evening.
Hand-to-Hand—New York Theatre.
California—Margaret Mather.
Tivoli—Vocal and Instrumental Concert.
Bush—Mr. and Mrs. Sidney Drew in Comedy.

THE NEGRO PROBLEM.

The National Convention of colored Republicans at Indianapolis has adopted a resolution asking Congress to appropriate $500,000,000 to aid the colored people to leave the South. That is a good deal of money, and it is hardly likely that enough can be spared to meet such a demand. But the condition of the negro in the South is a matter of more than a local interest, and a considerable emigration to other parts of the country appears to be the only thing that can make that condition really satisfactory.

It may be taken for granted that the negroes will never again be permitted to become absolute masters of any American state. The experiment was tried during the reconstruction period, and the result was that it did not succeed. But every negro ought to be allowed to vote a free ballot and to have it fairly counted. Where the negroes are in a majority these two principles conflict. The white people most either submit to a rule that has let-night disaster to both races wherever it has been tried, or there must be non-interference with the perfect freedom of the ballot.

There are those States that had colored majorities at the last census, and these time—South Carolina, Mississippi and Louisiana—are those from which almost all the race conflicts of the South are reported. Where there is a safe white majority, as in Georgia and Texas, there is no trouble at all. Where the colored element forms only a small fraction of the population, as in Kentucky and Missouri, there is no trouble at all.

The danger point may be taken at about one-third the total. When the colored population exceeds that proportion there is race subtility on both sides, with intolerance and occasional violence. Where it falls below that point the negro votes as he pleases, every man, white or black, votes as he pleases, and parties can divide on other than race lines. In Kentucky, Tennessee, Missouri, Virginia, West Virginia, Maryland and Delaware there is a strong white Republican party, able to make a vigorous fight on political questions that excite interest in the North. In the other Southern States the negro vote is a solid mass, protecting race issues at either and ten out of sight.

It is unnecessary to move the entire colored population of the South, but if about a million negroes could be removed from South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana and Arkansas to the Northwest, there would be no more Southern race wars, and the development of a medical problem would end material strife.

Ten Cents Gone Water Company—By asking of doubling its capital stock for the purpose, among other things, of increasing the facilities of water supply. Apparently, then, the company already has some facilities in that direction. If so, it is said not be a bad idea to make use of them. It has been a long time since Oakland people have had any real water, unless they bought it in barrels.

CHINESE DIPLOMACY.

The attitude of the new Chinese Minister, Tsai Kun Yin, should have a soothing effect upon the agitated mind of Bishop Power, formerly of San Francisco but now of nowhere in particular. The Minister is not going to try to have the Geary amendment to the Exclusion Act. He has nothing to say about the great guns and ironclads that so disturbed the Bishop's deep like a consort of oats on the back fence. On the contrary, he is exceedingly friendly. The graceful attentions shown him by Collector Phelps, Surveyor Dimond and Deputy Surveyor Fogarty, who went to meet him and welcomed him to the Custom-House, have completely turned his head. His interpreter says that he had feeling has been engendered in China by the passage of the Exclusion Act, the Government of that country preferring to have its subjects remain at home.

This is what might have been expected, and it is to be hoped that the negotiations for a good relations with China without any sacrifice of our own interests. The Chinese Government is in the hands of the aristocracy. It cares nothing about the coolies, but it is exceedingly sensitive about its own dignity. What objections it may have had to the Exclusion Act was not on the matter being in the manner of it. It thought itself treated rather cavalierly. In dealing with such a Government form and courtesy are everything. In Oriental countries—not in China alone—the Government is the source of all things. Compliment to one Minister count for more than substantial favors to a million peasants. The Washington fair hasn't see, therefore, may prove that they have a place in the economy of nature. Let them cracks the Chinese Minister with the incense of adulation according to their nature, and the rest of us can deal with the coolies on the other side of the Pacific Ocean.

At action Frenchman writes to the Manchester Century, complaining that the United States, by its proposed Pan-American Customs Union, is about to deprive France of a trade worth 100,000,000 francs a year. "Our only remedy," he says, "is to refuse to grant the necessary instructions to our agents in America and will make earnest representations to Minister Reid to prevent the success of these projects." What the nature of these representations is to be is not stated. Will they be bellicose, pleading or representative? A diplomatic correspondent urging one country not to encourage another to trade with a third country because another would be something of a novelty. But we fear that the apprehensions of the French alarmists are unfounded. It is too much to hope that our Government will have sufficiently good judgment to meet the advances of the South American States half way.

THE JOSSELYN CASE.

The Supreme Court has reversed the judgment in the case of Josselyn, convicted with Silver and Dunscomb of complicity in the murder of Dr. Gardner. The Supreme Court has no jurisdiction to mix clemency cases. The decision of the court emphasizes the anomaly of the law that makes conspiracy to murder only a misdemeanor of less importance and punishable with a lighter penalty than the theft of $200.

It is a matter for regret that the landgrants sentence pronounced against the conspirators could not have been allowed to stand as the court and the jury that heard the evidence decided. The defendants were pronounced guilty of a grave crime. They had, it was shown by ample testimony, conspired to murder an old man named W. H. Gardner in order to collect his insurance policies on his life. They had carried out their plot in every detail but actually of an inadequate law.

The exposure of the plot, and the indictments and prosecution of the conspirators, showed the advantage to the community of having a fearless and outspoking public journal. It was the EXAMINER that exposed the plot, and the EXAMINER that published the facts from aiding the punishment of the wrongdoers by investigating and making public the circumstances of the case, some of the other journals of the city sneered at the story of the conspiracy as a "fake." They had not the enterprise to secure the story for themselves, and in their jealousy they threw public spirit to the winds. Instead of demanding that the prosecution should be pushed vigorously, they ridiculed the idea of prosecution. The late Grand Jury, the Court and the trial jury took a very different view of it. The evidence proven on the EXAMINER, when placed in the hands of the Grand Jury, brought a speedy indictment. The evidence presented in the trial resulted in a conviction.

It is now urged that the definition of a "fake" in other newspaper offices is a piece of news that the enterprise of the Examiner enables it to get—a definition quite flattering. The less enterprising papers, and those with smaller purses, declaring facts, have been very free in discrediting important pieces of news published first in the EXAMINER, but subsequent events have invariably proved the correctness of the news of the EXAMINER'S information. The latest procedure in the Josselyn case furnish an excellent instance.

What will be done toward punishing the conspirators now lies with the Board of Courts. If the case is handled as before and the same evidence is presented, a new conviction is inevitable. The decision of the Supreme Court does not attack the justice of the verdict. It gives to a new trial without any restriction was had in the case.

The State Board of Equalization has reduced the assessment of the Southern Pacific Company's land grant by $1,000,000. Formerly it made no particular difference to the corporation what the assessment was, as happened to be low or how much it was, as has entered upon the experiment of paying its taxes, it may consider that upon a saving of nearly $80,000 in its year's expenses.

DISCIPLINE FOR CORPORATIONS.

There was an excellent block of fifteen acres rock pavement on Ellis street between Powell and Mason. It was as firm and solid that when the Omnibus Cable Company attempted to lay its tracks the material had to be torn out as it were in a quarry. The corporation was then obliged to repair the damages with basalt blocks, and the consequence is that the street is now ruining the track of road by breaking through it to lay pipes and then mending the place in such a shoddy way that the trough is left two or three inches below the rest of the street. The Omnibus Company has laid basalt blocks between its tracks on Post street, between Stockton and Powell, where the adjoining pavement is bituminous rock.

It might be well for the Supervisors of streets to call up the corporations which assume that their franchises give them a title in fee simple to the thoroughfares they traverse, and show them the error in the shape of some of the general orders of the Board of Supervisors. For example, the following clause of Section 3, Order No. 1,000, would be in point:

Provided, that the said corporation shall not at all cases require to said notice that the work of repairing the street shall be done in such a manner as to cause the least possible inconvenience to the public, but it shall be the duty of said corporation to do all such work in the most substantial manner, and to leave the street in as good condition as the same was before the commencement of such work.

Such a clause would be of much use in the hands of a street inspector who knew his business and was determined to enforce it. It would be better to make accidents impossible.

BOILERS AFLOAT AND ASHORE.

The Coroner's jury that investigated the recent boiler explosion in Oakland has done its duty conscientiously and has rendered with a careful study of the evidence that it is "unable to determine the cause of the explosion of the boiler." The jury is at least ahead of Engineer Eiford, who thinks the explosion was absolutely due to cause at all. But aside from this comparatively unimportant point, the verdict is highly satisfactory.

It is to be expect, however, the ideas of the Coroner's advisers are ordinarily sound. The jury recommends the establishment of a thorough system of inspection for stationary boilers and of examinations for the engineers and firemen who manage them. Most people will be surprised to learn that no such system exists. It is to be hoped that accurately that a man should be required to produce certificates of inspection for himself and his boiler before he can be permitted to run a steam launch with a horse lamp, while he may endanger the safety of a whole neighborhood with a stationary boiler and not one without any official check at all.

The inconsistency arises, of course, from the fact that the National Government has jurisdiction over navigable waters, while the regulation of affairs on shore is a matter of local authority. It has been nobody's business to see that stationary engines were made safe. It is to be hoped that no more disasters will be needed to make it somebody's business. It is interesting, of course, to observe the struggles of a Coroner's jury to find a reason for the cause of an accident, but it would be better to make accidents impossible.

Now that Secretary Tracy and ex-Secretary Whitney have settled certain preliminaries upon each other's work, it is time for the Secretaries to get down to the real Imperial justice. And one of the best places to begin is in the matter of the plans of the Texas. Enough extravagant plans ments have been set afloat on this point to run a Presidential campaign. It is sometimes said that the Texas will "go the bottom like a pot of lead, if she is ever launched." The truth is that, if the vessel is built in accordance with the plans set forth in the original plans, and should be made to carry all the weights in cool, stores, ordnance, etc., that the Navy Department thinks she ought to carry, she would sink about eighteen inches below the calculated load water line. This would be insufficient to bring her down to the point of armor belt below the water. To prevent this misfortune, the ship will be lengthened fifteen or twenty feet, which can be done without wasting any of the materials that have been bought.

"TALES OF THE TENDERLOIN."

Three Stories From Gotham About Police Methods.

All roads lead to the Tenderloin Precinct! Within the well-known limits of Capsule Dennis, from Fourteenth street as far as Forty-second, are the gilded dens of gamblers, the perfumed lair of the demi-monde, hotels and daily theaters, "swell" restaurants and shilling-a-night lodging-houses. Within these limits Superintendent Byrnes has no jurisdiction to maintain order. The decision of the court emphasizes the anomaly of the law that makes conspiracy to murder only a misdemeanor of less importance and punishable with a lighter penalty than the theft of $200.

It is a matter for regret that the landgrants sentence pronounced against the conspirators could not have been allowed to stand as the court and the jury that heard the evidence decided. The defendants were pronounced guilty of a grave crime. They had, it was shown by ample testimony, conspired to murder an old man named W. H. Gardner in order to collect his insurance policies on his life. They had carried out their plot in every detail but actually of an inadequate law.

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AN AMPHIBIOUS MAN.

Captain Jack Williams Intends to Live a Week on Seal Rock.

A WONDERFUL SWIMMER.

His Early Morning Call Upon the Sea Lions—The Man Who Defeated Captain Webb.

Society out on the Seal Rocks was thrown into a flutter of excitement yesterday morning. It is generally dull in Seal Rock circles on Thursdays. It is also quiet on Fridays, and things are apt to be placed on Saturday that will not bear the light of Sunday, but would shock ordinary eyeballs before the calculated load water line. This would be insufficient to bring her down to the point of armor belt below the water. To prevent this misfortune, the ship will be lengthened fifteen or twenty feet, which can be done without wasting any of the materials that have been bought.

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THE BURLING CLAIMS.

Opening of the Case Against the Sharon Estate Yesterday.

A SHARP LEGAL TILT.

Lawyer Deuprez Sets Forth the Relations of Sharon to Ralston.

In Judge Levy's court yesterday morning the motion to strike out parts of the complaint made by the heirs of Burling in the suit against the executors of the estate of the late W. Sharon came up for argument. Counsel W. H. L. Barnes and ex-Judge Allen representing the Sharon estate and Joseph Nougues the Burlings.

Mr. Nougues opened by charging that Sharon, for his personal gain and in pursuance of a conspiracy with Ralston, violated with credit $1,000,000. This action was a fraud, and in connection with the Bank of California was fraudulent. The story of vast sums having been taken from the estate was not originally by mere Mills and Sharon from heavy liability to the stockholders of the Bank of California.

Henry W. Carpentier had a claim against the estate for $1,000,000, and on this claim which the bank paid interest. This amount was charged as an embezzlement against Ralston, though the fact was that the identical $250,000 deposited by Carpentier was paid into the fund called "Cashier Special" and drawn out and loaned to W. Sharon & Co.

When Sharon charged that Ralston had embezzled that money he was guilty of false charges, and made it to avoid responsibility.

It was charged by Sharon that Ralston had embezzled $2,000,000 for the refinery. The fact is the refinery was owned entirely by the Bank of California.

Sharon made the Burlings believe that Ralston had $1,000,000 of their money. The fact was that Ralston never even handled the stock. They got a check for $1,000,000 on the bank from Sharon, and the Burlings never saw it, and believed Sharon's statement that they had received it.

The case went over until Thursday next.

AN ATHLETIC TOURNAMENT.

The California Club's Boxing Series Results in Two Prize Winners.

The last of the series of boxing matches between members of the California Club's fistic arena in the pavilion of the California Athletic Club on Eddy street was fought off on the night previous.

As these were the decisive ones of the tournament, an immense audience congregated. The exhibition began at 8 o'clock sharp with a "go" between Frank Allen and John Casey of the California Club.

The first round was a lively one, Allen being the coolest and Casey the more scientific Club and W. S. Rides of the Golden Gate Club entered the ring amid the uproarously evenly matched and went at it hammer and tongs. The men were evenly matched, Rides having the reach in favor of Harrington, he being awarded the first round. The second round, in which both men rounds were a repetition of the first. The third round was a repetition of the first two. The fourth round was more even, Rides getting the best of the exchanges. The fifth round was a repetition of the first four. The sixth round was a repetition of the first five. The seventh round was a repetition of the first six. The eighth round was a repetition of the first seven. The ninth round was a repetition of the first eight. The tenth round was a repetition of the first nine. The eleventh round was a repetition of the first ten. The twelfth round was a repetition of the first eleven. The thirteenth round was a repetition of the first twelve. The fourteenth round was a repetition of the first thirteen. The fifteenth round was a repetition of the first fourteen. The sixteenth round was a repetition of the first fifteen. The seventeenth round was a repetition of the first sixteen. The eighteenth round was a repetition of the first seventeen. The nineteenth round was a repetition of the first eighteen. The twentieth round was a repetition of the first nineteen. The twenty-first round was a repetition of the first twenty. The twenty-second round was a repetition of the first twenty-one. The twenty-third round was a repetition of the first twenty-two. The twenty-fourth round was a repetition of the first twenty-three. The twenty-fifth round was a repetition of the first twenty-four. The twenty-sixth round was a repetition of the first twenty-five. The twenty-seventh round was a repetition of the first twenty-six. The twenty-eighth round was a repetition of the first twenty-seven. The twenty-ninth round was a repetition of the first twenty-eight. The thirtieth round was a repetition of the first twenty-nine. The thirty-first round was a repetition of the first thirty. The thirty-second round was a repetition of the first thirty-one. The thirty-third round was a repetition of the first thirty-two. The thirty-fourth round was a repetition of the first thirty-three. The thirty-fifth round was a repetition of the first thirty-four. The thirty-sixth round was a repetition of the first thirty-five. The thirty-seventh round was a repetition of the first thirty-six. The thirty-eighth round was a repetition of the first thirty-seven. The thirty-ninth round was a repetition of the first thirty-eight. The fortieth round was a repetition of the first thirty-nine. The forty-first round was a repetition of the first forty. The forty-second round was a repetition of the first forty-one. The forty-third round was a repetition of the first forty-two. The forty-fourth round was a repetition of the first forty-three. The forty-fifth round was a repetition of the first forty-four. The forty-sixth round was a repetition of the first forty-five. The forty-seventh round was a repetition of the first forty-six. The forty-eighth round was a repetition of the first forty-seven. The forty-ninth round was a repetition of the first forty-eight. The fiftieth round was a repetition of the first forty-nine. The fifty-first round was a repetition of the first fifty. The fifty-second round was a repetition of the first fifty-one. The fifty-third round was a repetition of the first fifty-two. The fifty-fourth round was a repetition of the first fifty-three. The fifty-fifth round was a repetition of the first fifty-four. The fifty-sixth round was a repetition of the first fifty-five. The fifty-seventh round was a repetition of the first fifty-six. 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The eighty-seventh round was a repetition of the first eighty-six. The eighty-eighth round was a repetition of the first eighty-seven. The eighty-ninth round was a repetition of the first eighty-eight. The ninetieth round was a repetition of the first eighty-nine. The ninety-first round was a repetition of the first ninety. The ninety-second round was a repetition of the first ninety-one. The ninety-third round was a repetition of the first ninety-two. The ninety-fourth round was a repetition of the first ninety-three. The ninety-fifth round was a repetition of the first ninety-four. The ninety-sixth round was a repetition of the first ninety-five. The ninety-seventh round was a repetition of the first ninety-six. The ninety-eighth round was a repetition of the first ninety-seven. The ninety-ninth round was a repetition of the first ninety-eight. The one hundredth round was a repetition of the first ninety-nine. 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