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THE EXAMINER

W. R. HEARST.

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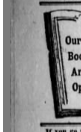

If you go to the mountains or the seaside you will still require a newspaper; order the "Examiner" sent to your new address.

The "Examiner" will pay a reward of $10 for the arrest and conviction of any person stealing copies of the paper from its subscribers.

THE WEATHER

FORECAST MADE AT SAN FRANCISCO FOR THIRTY HOURS ENDING MIDNIGHT, MAY 17, 1894.—SAN FRANCISCO AND VICINITY—Fresh southwesterly winds; fresh to brisk westerly winds.

S. B. FAIRCH,
Local Forecast Official.

FAIR

IN SUPPORT OF THE LOOTERS.

The decision of the Supreme Court in the Pacific Bank case makes it the first duty of the Legislature to overhaul the Bank Act. We have no doubt that the Supreme Court has correctly interpreted the statute and given it the meaning that the authors meant it to bear. But when the law provides that the man who wrecks a bank are the men who shall wind up its affairs it is time that there was a change.

Such is, indubitably, the meaning of the statute as it is interpreted. "The officers of the bank," say the Justices, "are not to be superseded by the Commissioners in the control of its property during the progress toward liquidation." That is to say, if a banker should indulge in wild speculation and use the depositors' funds, and lend himself millions of dollars on fictitious notes and sell worthless bonds to the bank at par, and close the vaults of coin, and finally close the doors on a ruined property that would not pay more than 10 or 20 per cent to the depositors, he is still the one to have "control of its property during its progress toward final liquidation." Even more, if the record of criminal transactions, enthusiasm, forgery and downright theft committed by the officials is among the papers in the vaults the men to have custody of the papers are the men who left most urgent reasons for destroying them.

The Supreme Court in its opinion remarks apologetically:

In giving a construction to Section 11 of the Bank Act we have in view the fact that many banks may become insolvent, as will appear from the opinion, and that in consequence the question of fraud or dishonesty charged against the officers of this corporation. The two facts are, that the Bank Commissioners, by whom alone must form a support, are the last corporation in insolvent, and that it stands for the protection of the public, and the creditors in transact business. These facts seem to constitute with a part honest administration of its business, and are consistent with a future honest liquidation of its affairs by its officers. Why should the Bank Commissioners be made the officers of the bank should any proof of wrong, the closing up of its affairs, and equally should return to the creditors their just dues, Book appears to be the obvious purpose of the statute.

All of which might happen to be true, but the unhappy fact remains that there has not been a bank failure in California within memory that was not brought about by a dishonest use of the depositors' money by the officials of the bank. By chance the men who wrecked the Pacific Bank have been ousted from official position. But in the People's Home Bank and other insolvent banks the men who issued them remain in the official position that is declared to give them the right to handle the remaining assets. The circumstance that a directors' meeting would have to be held in jail is probably below the notice of the Supreme Court. On the whole we think that the Supreme Court might well have taken advantage of their everyday information as men and omitted any such reflections as are contained in the paragraph quoted. If the law is as they have stated it it is a great misfortune, but no fault of the court. But to suggest that there is "no question of fraud and dishonesty" in the Pacific Bank matter, and that "honest liquidation of its affairs" and an expeditious return to the creditors of their just dues would be expected from the men who wrecked it if they were still in control, can only injure the court without making the decision more pleasing.

It may now be expected that the same decision will be rendered in the case of the People's Home Savings Bank, and as the People's Home Savings Bank has for officials the men who are under indictment for looting it the true bearer of the law will be made manifest. To throw the liquidation of the bank back into the hands of the McDonald gang mean that the depositors will get nothing instead of the 50 to 60 per cent that an honest management promises.

For the benefit of the many visitors from the East who are daily in attendance at the Midwinter Fair the Santa Fé Route has issued a special edition of 30,000 copies containing facts and figures showing the great advantages presented by Sonoma county for business and home. It does not exaggerate when it claims that for genial climate, beautiful scenery, variety and value of productions, certainty of crops without irrigation and numerous other attractions, Sonoma is up excelled by any other county in California. The issue is for free distribution and Sonoma will be effective in accomplishing the purposes of its publishers.

COME BACK TO BUSINESS.

Mr. Sutro should not allow the order of battle to intoxicate his judgment. His position for a free railroad, rate to the Cliff House at the start was impregnable. His whole course will be his stick to it, instead of wandering off after illusory will-o'-the-wisps.

The situation in the beginning was this: Mr. Sutro owned the attractions reached by the Southern Pacific's transportation lines. He found them in, thus depriving the public of any inducement to patronize the railroad, and announced that the fence would remain up until the corporation gave a five-cent rate to the beach. After thus concentrating all the odium of shutting the people off from their greatest natural attraction upon the railroad, he increased the pressure by offering to deed Sutro Heights and the Cliff House to the city as soon as the fares were reduced and the proper accommodations were furnished. If all this should fail, he declared his intention of building an independent line of his own.

But now Mr. Sutro is talking of abandoning this made and effective plan of battle to enter into a wild and impractical agitation. He proposes to found a new local political party and to have street-car lines built and run by the city at two-cent fares. He is fighting the Southern Pacific with signs, which will have about as much effect upon it as a chorus of its sycophants.

We have no doubt that the municipal ownership of street-car lines is one of the desirable reforms of the future, but nobody who looks to it as an immediately applicable cure for our present troubles has any realization of the actual state of laws and politics in San Francisco. Practical men must deal with things as they are. The best friends of the municipalization of street-car lines would not desire to see the principle discredited by having the first experiment in this country inaugurated in San Francisco politicians, and if they were willing to take that risk they could not do it without a new charter, which could not be adopted and go into effect with such a provision in it before the end of the century.

The residents of the Richmond district, and the people who live in visit the seals, want a prompt, sharp settlement of this trouble—not an indefinite agitation whose only practical effect, if experience is any guide, would be to quarter a few more political starvers on the Southern Pacific treasury. Mr. Sutro can secure that settlement himself. Let him set his lawyers to work drawing up an identical franchise for a new through line from the business section of the city to the beach, providing that work must be begun at once and completed in an early completion; and that no more than 5 cents fare must be charged for the whole distance. Then let him ask the Supervisors to put it up at auction. Let him bid as large a share of the receipts for it as he thinks it is worth. Then, if he turns out to be the successful bidder we shall have an independent line, and if the Southern Pacific should secure the grant it would be entering into competition with itself at 5 cents a trip.

MISUNDERSTOOD FIGURES.

Our Democratic contemporary has not had much to say about the election it lost in the Fifth Congressional district of Ohio, which carried over the Republican candidate. The New York Sun supplies the explanation. It has made a careful study of the figures of these two elections in Congressional districts in Ohio on the day Sun was elected. In the entire should secure the grant it would be entering into competition with itself at 5 cents a trip.

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Our Democratic contemporary has not had much to say about the election it lost in the Fifth Congressional district of Ohio, which carried over the Republican candidate. The New York Sun supplies the explanation. It has made a careful study of the figures of these two elections in Congressional districts in Ohio on the day Sun was elected. In the entire state Democrats lost ground. In the cities in majorities had been so great as that in the country districts the Democratic majorities in cities would have been forever Republican in seven Democratic, instead of eleven Democratic to six Republican as at present.—*Sun*.

The EXAMINER at the start made the same calculation made by the Sun and reached the same conclusion—namely that if the parties had carried into a general election the same relative strength displayed in the recent special election in the Third Congressional district of Ohio the Democrats would have captured seven seats from their share and the Republican Southern Congressional elections in Ohio are conducted under a Republican gerrymander designed to give the Democrats in normal years five seats, or possibly six, and the Republicans fifteen or sixteen. Apparently, therefore, the Democratic strength there is now a little more than normal.

After the election of 1892, when the Ohio delegation stood eleven Democrats to ten Republicans, the Democratic plurality in the National House was 24. Our contemporary can figure out how much it would be on the basis of a change in the number sufficient to return seven Democrats and four ten Republicans from Ohio. On a modest estimate we think it would be about twenty.

AT FIRST GLANCE.

REV. PARKHURST has coined a word. It is "anormanine." The anormanine sense is to any manine not heretofore manifest. It is particularly, however, the woman whose vail amounting to tempest because she was not born a man, seems to billed with anything less radical than parkhurst.

THE stones cast at Colonel Breckinridge are sufficient to have explosed a quarry and rained the sonshine of 10 jackies. It is shocking to know that there are so many good people.

TRUNK may be gold in the burning sands of Cocoopah desert but in our country it has much to let in star then. The utility of gold season seem very important in a dead man.

IF Providence ever gives a hint to mortal it is evidently trying to convey to Rev. Talmage the information that he does not need a tabernacle.

THE Chinese lottery dealers are in need of information. They are apparently unaware that the police force has been purified.

Vesper Choir Festival.

The third festival of the Vesper Choir association will take place at Grace Church this evening. The choir of San Francisco, Oakland, Alameda and San Jose, numbering 300 voices, will be in attendance.

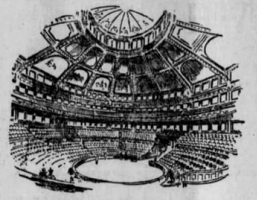
The following programme will be rendered: Hymn, "Ye Choirs of New Jerusalem" (Ely); "O Bath, Ye Angels" (Ely); "Ye Gates Lift Up" (Gounod); Processional Hymn, 371; Response, Tallis; Psalm 46, Dr. Cooke; Magnificat, Nunc Dimittis, in B flat, John E. West; Creed, one of Gregory's Harmonies; Hymn, "Ye Sons of Israel" (Dykes), chosen by the Rev. J. B. Kershaw; D. D., St. Paul's Church, New York; Hymn, "Ye Choirs of New Jerusalem" (Ely); Hymn, "Holy Holy" (Dykes); Offertory Anthem, Psalm cxxvi, Ed. 13, 16, Roger Smart; Hill Adam, Hymn, Hymn, 340; Organ postlude, Sonata in C major, Rheinhold Sinth.

DEMOCRATS, pick and scatter! Said Desborough Grant, second today.

MARK SWAIN Institute of Arts open day. Concert this evening.

APROPOS OF THE NEWS.

According to the New York *Herald*, New York is soon to have a permanent circus like the permanent circuses of London, Paris and Berlin and totally unlike anything yet seen in America. The European circus is an affair of elegance and care, rivaling the theatres in the richness and number of their appointments. Some of the Parisian circuses are models of architectural art, complete in every detail, formerly the Cirque Napoleon, now the Cirque Fernando, cost upward of $700,000. The frame of this building will be devoted to offices and seats. In the rear, separated by long corridors, will be the arena, large enough for close and compact, capable of seating 4,000 people. Circling this be a wide and airy promenade, and adjoining will be the stables—an equestrian theatre. These latter will be designed for the exhibition of the fine trained horses of the circus, thus affording practically a permanent horse show. The stables will be accessible only to the occupants of the boxes and lower seats, and by giving them this exclusive character it is believed this will be specially attractive to the classes who patronize



INTERIOR OF THE NEW YORK PERMANENT CIRCUS.

the opera. The arrangements are so complete that the animal shows at the Madison Square Garden.

An elegant cafe will immediately adjoin. This manager said yesterday: "It will appeal to the highest class of amusement lovers in this city, and the manager must become a popular resort for families and children. We will give a performance every night, except Sunday night, and two matinees. Of course, it is proposed to have a matinee every Saturday and every day. Nothing but performances of the highest character will be given. We shall also give opportunity to performers.

"We shall be able to vary the entertainment almost every day. We shall draw almost exclusively upon Europe for talent and engage only that of wide fame. It may not be known generally that the best performers abroad are mostly Americans. These star performers do not come to America because they have an objection to long voyages.

"A permanent circus, however, will attract them. Whatever attractions are offered in London or Paris will be secured for production here. The stables will be very attractive. The horses will take outward in their stalls, where they will be secured by silver chains. The stables can be visited during the intermission.

"We shall have a seating for from 60 cents to $2 for a box seat, or $1 for other seats, the general admission being 50 cents. But the gallery will be cut off from the other portions of the house. There will be standing room for 1,500 patrons.

"We shall also have a roof garden, which will be easy of access by broad stairs and large elevators, overlooking the premises thoroughfares and drives. The intention of the company is to give the finest attractions that money can procure and to establish a reputation for the high-toned character of the entertainment. A one-ring circus is not a new undertaking, but it has been so overloaded in the circus to outdo one another in attractions that to the younger class of people it has become a novelty. The best circuses of the old world, however, have contented themselves by the hackneyed attractions of the circus, and it is believed this can now be secured.

"The promoters believe that an entertainment of this kind will draw many suburban people to New York, primarily to see the circus entertainment and secondarily to see the other attractions of the city.

"One of the features of the ring will be a performance by a troupe of dogs, which the horses have trained their act. This will do away with the cruel and dirt that go so objectionable in ordinary circuses and which well-bred people will not do. A new and equally exhibitions will be still another feature.

"The building will be started next month, and we feel certain will be ready for performances next spring."

The enterprise is managed by the New York Circus Company," with many wealthy New Yorkers as stockholders and stockholders.

PERSONAL.

Ex-Judge Henry Lindley of Los Angeles is at the Palace.

Henry Hoxie, President and General Manager of the Santa Fé Route, is at the Palace.

Cam Wirthlmore of Vallejo, an old friend of Senator Stanford, is at the Palace. He has been in Santa Cruz lately. Mr. Wirthlmore's business prompted by his concern of the trip with him to the Cities "Commander" and "Commander" and "Commander" and