THE DAILY RECORD-UNION.

THURSDAY.....JANUARY 8, 1880.

Signal Corps Report—January 7, 1880.

TIME.	BAR	THR	HUM	WIND	RA'N	WEATH
4.02 A. M.....	29.98	37	85	S. E. 16	....	Cloudy
7 A. M.....	29.95	37	90	S. E. 9	....	Cloudy
8.02 A. M.....	29.94	37	90	S. E. 10	....	Cloudy
2 P. M.....	29.83	46	73	S. E. 12	....	Cloudy
8.02 P. M.....	29.75	50	86	S. E. 18	.08	Lt.rain

Max. ther., 52 degrees. Min. ther., 35 degrees.

ADVERTISEMENT MENTION.

Six-days' walking match.
Inauguration ceremonies.
Inaugural balls.
Knights of the Red Cross.
Sarsfield Guard.
City Guard.
El Dorado Lodge No. 8 to-night.
Mexican Veterans.
"Our Girls, Grave and Gay."
Card of Mary O'Laughlin.
Wanted—Record Unions.
Card of Howard Henderson.

Business Advertisements.

Sozodont.
Brick store for sale.
Twenty acres of land for sale.
Folsom grounds.
Rooms to let.
Salfield's rejuvenator.

LOCAL INTELLIGENCE.

NEW VARIETY OF CORN.—We have been shown by N. L. Drew, of this city, a sample of Cozco corn grown in South America about 1,000 miles from the sea coast of Peru, and transported to the coast at an expense of fifty cents per pound. It is reported that it sometimes produces 200 bushels to the acre, and that the ears are of immense size. The grains are very large, but light and soft. The interior is very white, containing a large proportion of starch, and would make excellent flour. Mr. Drew proposes to test its adaptability for cultivation in this country, and will distribute samples to those who desire it. If it will grow in this climate and retain its farinaceous character, it will be a valuable introduction.

HABEAS CORPUS CASE.—Deputy Sheriff Ferral on Tuesday went to San Francisco and arrested Yung Ah Tung, and a woman named Ah Fong, on a warrant charging them with grand larceny. The complaint alleged that they had stolen from Hoos Chung, in December, watches and jewelry to the value of $415. Yesterday, in the case of the woman, a writ of habeas corpus, issued from the Supreme Court at San Francisco, was served upon the officer. After giving bond in the sum of $1,000 for appearance for trial, she was taken back by the officer. The man was lodged in jail, and the case was set for hearing in Justice Gilmer's Court on Saturday.

COMMERCIAL.—Arrived yesterday, steamer C. M. Small, from Yuba City, with a large load of grain. Arrived yesterday, steamer Ceres, from the upper Sacramento, with two barge loads of grain; steamer, upper Sacramento, with one barge load of grain; schooner D. C. Haskin, Bendegaus Captain, from San Francisco, loaded with lumber for the Friend & Terry Lumber Company; schooner Caroline Z., Anderson Captain, from San Francisco, loaded with lumber for W. F. Frazer; schooner Magnolia, Besel Captain, from Cache creek, with barley for the Sacramento Mills. Sailed yesterday, steamer Governor Dana, for the upper Sacramento, light.

UNION MEETING.—The Union prayer meeting for to-day will be at the M. E. Church South, with Rev. Mr. Hart in charge. Subject: Prayer for the young and their instructors; for fathers and mothers; for professors in universities and other seats of learning; for teachers in public and private schools, in Sunday-schools and private classes; for the spiritual life of all young persons, especially of the children of believers; and for the sanctification of all talents, and all attainments in science and literature, to the glory of God.—[Ps. xxxii. 8, 9; Deut. xi. 19; Prov. xxii. 6; Eph. v. 1, 2, 8, 11; Pph. vi. 1-4; 1 Peter ii. 1-5.

BURGLARY.—Tuesday evening, about half-past 7 o'clock, while workmen at D. Gardner's wood yard on I street, between Fourth and Fifth, were eating dinner, burglars pried open the front door of the office with an iron bar. Becoming alarmed, however, they broke through the weather-boarded wall, taking with them into the yard several blankets and a valise filled with clothing. The articles, however, were left on the premises. It is believed that the burglars expected to get another valise in the room which was known to contain money.

POLICE COURT.—In the Police Court yesterday the following business was transacted: Mollie Baird, disturbing the peace, continued to January 8th; Walter Marshall and Dora Ramirez, disturbing the peace, continued to January 9th; G. P. Hubert and Mary Hubert, disturbing the peace, continued to January 9th; Asa P. Andrews, disturbing the peace, discharged; M. Norris, petit larceny, continued to January 8th; Ralph Johnson, burglary, continued to January 8th; William Jones, healthy beggar, discharged.

LEAP YEAR PARTY.—A pleasant leap year party was given last evening at the residence of Mrs. Levi Wilsey, on Sixteenth and H streets, by the young ladies of the "S. W. T." Club. This mysterious organization was established under the new Constitution since the advent of the new year, its object being to provide for bashful young men. The ladies managed the dances, acted as escorts and chose their partners. None of the gentlemen were neglected or allowed to become "wall flowers."

RED CROSS INSTALLATION.—Sacramento Encampment, No. 63, C. R. C., last evening elected and installed the following officers for the ensuing term, ending June 30, 1880: Commander, Wm. C. McNeeley; Junior Commander, Miss Gussie M. Wilcox; Recording Secretary, O. S. Flint (re-elected); Treasurer, C. E. Colby (re-elected); C. of H., Miss Helen R. Waldron; Inside Guard, Miss Edith Perry; Outside Guard, Henry M. Landis.

HORSE INJURED.—Philip Herzog had a horse seriously injured, and probably ruined, by stepping upon one of the spikes in the torn-up track on O street. The iron rails, with the spikes in many cases standing points upright, have been allowed to remain along O and Tenth streets in a very dangerous and reprehensible manner, and should be taken care of at once, and save expenses from damages to both the railroad company and the city.

FREIGHT MOVEMENTS.—The following full car loads were forwarded to the East yesterday: Nine of merchandise, 1 of hides, 1 of wine, 1 of wool, 1 of fans. There were received of local freight the following full car loads: Six of gravel, 2 of hay, 1 of sewer pipe, 4 of wood, 1 of wine, 1 of agricultural implements, 4 of cattle, 2 of merchandise, 6 of wheat, 1 of building material, 3 of lumber, 17 of coal, 1 of fruit, 3 of sundries.

MILITARY ORDERS.—By special orders recently issued by the Adjutant-General of the State, the number of the Second Battalion of Infantry, Second Brigade, National Guard of California, organized under S. O. No. 38, of 1879, is changed, to be called the Fifth Battalion of the same Brigade. This was done because of the frequent confusion in designation between the Second Regiment and Second Battalion.

ALWAYS WELCOME.—Two leading attorneys of this city who visited this office yesterday and managed in about two minutes and a half of abstracted conversation to dismantle a half a gallon of peanuts, causing the room to look like the gallery of a variety theater, or a second-class emigrant car, will always find our latch-string hanging out.

MERCHANDISE REPORT.—The following freight for Sacramento passed Ogden January 5th, to arrive to-night: For Holman, Stanton & Co., 2 car loads of plows; Huntington, Hopkins & Co., 30 plates steel, 159 bundles iron pipe; Standard Oil Company, 1 car load of oil.

SOLTAIRE.—Upon the canvass of the returns yesterday for Governor and Lieutenant-Governor, the irrepressible Denis Kearney was found to have received one vote for Governor, and if he had been more numerous his vote would no doubt have been increased.

CATTLE EN ROUTE.—Yesterday twenty-five car loads of cattle passed here from Nevada, en route to Madera, Fresno county, where they will be wintered. Forty car loads of beef cattle also passed down for the stock-yards at San Francisco.

SUPERIOR COURT.—In the Superior Court yesterday all causes and motions were postponed until Monday next, to which time the Court adjourned.

BOND FILED.—W. B. C. Brown yesterday filed his bond as Notary Public in the sum of $5,000, with John Q. Brown and James G. Davis as sureties.

AN ARMISTICE.

The Street Railway Company Pays Its Assessments and Resumes Business—A New Line Proposed.

As foreshadowed in the RECORD-UNION report of yesterday morning, the City Railroad Company yesterday paid the amount due the city for improvements along their line on Second street, between J and K, amounting to the sum of $1,049. Upon payment of this claim on the part of the company, the Board of City Trustees accepted the construction of the road on Second street, conditioned upon the necessary repairs along the track upon that street being immediately made, and soon after noon the cars on the H-street line were running upon their regular time between Twentieth street and the depot. With this settlement it is understood that the Board of Trustees also withdrew further requirements from the railroad company with relation to making repairs on Front street, as the manner in which that street was left by removal of the track is not of such nature as to be objectionable to the holders of property abutting upon it.

As an evident attempt at compromise and to allay the excited feeling of the subscribers to the O-street line, and of the people generally throughout the city, by reason of the recent dark-lantern manifestations connected with the attempted "carrying away" of a portion of that road, built by subscription along its line, the company intimates its intention to maintain the O street line as far west as Sixth street, and construct a new line from O along Sixth to K street. Whether this will be regarded by the O-street subscribers as a satisfactory compliance of the contract upon which the road was built remains to be seen.

The work of constructing the new connecting line from K to O street, along Tenth, which was commenced on Monday and postponed yesterday, has not yet been resumed. The official notification of Street Commissioner Knox on the 5th instant to the Railroad Company, that neither he nor the Trustees of the city will approve any of the work of construction of the cemetery line unless built in strict compliance with the ordinance authorizing the same, and also that said road will not be permitted to cross H street on a level with the track of the Sacramento and Placerville Railroad, thus requiring tunneling under that road, seems to have been the cause of this immediate cessation of work.

It will be remembered that when another company, last summer, sought to obtain a franchise to build a street railway to the cemetery and proposed to guarantee its speedy construction and to establish the fare at a reduced rate, the present company came forward, and with loud promises for quick construction, obtained an exclusive franchise to the proposed line. As it was a notorious fact that this company had utterly failed to keep the streets in suitable repair along the track, as required by its charter, and because of its negligence and bad conduct in this regard, its track in places was dangerous for teams and vehicles, and serious accidents occurred thereby, the people were surprised, and expressed no little censure upon the Board of Trustees for granting a new and exclusive franchise for another important line to this company. The recent action of the Board of Trustees, requiring that construction and repairs of the railroad lines be done in accordance with the requirements of its charter, meets with unanimous and unqualified approval.

SUICIDE.—Yesterday morning at an early hour T. Charles Benteen, a painter well known in this city, died at his residence on O street, between Twelfth and Thirteenth, from the effects of a dose of laudanum. He had been somewhat despondent for some time, and when troubled with nervousness occasionally used laudanum to produce sleep. A brief memorandum, however, was found in his pocket in regard to his property, which indicates a suicidal intent. On Tuesday morning he came down from Folsom, and was walking about the city the most of the day, and went home at about 12 o'clock at night, and though he had been drinking slightly, is said not to have been under the influence of liquor. His wife was absent at an Odd Fellows' banquet, and returned home about half-past 1 o'clock, accompanied by H. O. White. On entering the house they found deceased apparently asleep on a lounge and advanced to rouse him, but finding that he was in a stupor and that they could not awake him, a physician was summoned. Despite all efforts, however, Benteen did not recover consciousness, and died about daylight. He leaves a wife and three children, and was a native of Virginia, aged 42 years. A post mortem examination of the body has been considered unnecessary, but Coroner Vermilya will hold an inquest on the remains this afternoon. Deceased a few years since acquired considerable prominence in local politics, and was at one time a Republican candidate for the Assembly from Sacramento county. At the time of his death he was a member of El Dorado Lodge, No. 8, I. O. O. F., and the Odd Fellows' Mutual Aid Society, under the auspices of which organization his funeral will take place.

INAUGURATION CEREMONIES.—The inauguration of the Governor and Lieutenant-Governor will take place to-day, at 12 M., in front of the Capitol. Should the day be fine, the demonstration accompanying the inaugural services give promise of being the grandest that have ever been witnessed at any inaugural within the State. All the military companies in the city, together with the Brigade and Battalion Staffs, mounted, will meet at the Pavilion at 9:30 o'clock A. M., from which place they will march to the depot to receive the Chico and Stockton Guards, which are expected to arrive on special trains at about 10 o'clock. They will be escorted to the corner of Seventh and K streets. The State officers and invited guests will meet at the Capitol at 10:30, and the Sacramento Hussars will escort the Governor-elect, State officers and invited guests into line at the corner of Seventh and K, when the procession will be formed in the order appearing in another column. The route of the procession will be along K to Tenth, Tenth to J, J to Second, Second to K, K to Eleventh, and thence to the Capitol. Salutes of fifteen guns each will be fired in honor of Governor Perkins and Governor Irwin by the Sacramento Light Artillery. Special trains will arrive this morning upon the various roads leading into the city, and the throng in the city and at the hotels will no doubt be unusually large.

INAUGURAL BALL MEETING.—The meeting of the Inaugural Ball Committees at Judge Denson's rooms last evening was largely attended by the members, and the discussion held was interesting and earnest. Mr. Hornblower, Chairman of the Committee on Supper, reported that bids had been received for furnishing supper, and the contract awarded to W. F. Peterson at $1,245. The supper will be given in the rotunda, which will be brilliantly lighted and beautifully decorated. The report was accepted and the contract ratified. On motion of Mr. Van Fleet an auxiliary committee of nine persons was appointed, whose duty it will be to assist the Committee on Sale of Tickets. This auxiliary committee consists of F. A. Hornblower, W. P. Coleman, Wm. Young, G. W. Cherley, J. W. Wilson, E. M. Martin, T. H. Berkey, P. H. Russell, Hod Eldred, and Felix Tracy. The committee will meet at the Golden Eagle Hotel at 11 A. M. to-day and begin an active canvass for the sale of tickets. The meeting adjourned until next Friday evening.

THE WEATHER.—Yesterday afternoon the clouds which have persistently hung over the valley for weeks past appeared to be breaking away. At 5 o'clock the clouds thickened, and in half an hour a brisk shower began that continued until 10 o'clock. At 12 o'clock it was clear, and at 1 o'clock this morning the sky was cloudy and a steady breeze was blowing from the south. On the mountain snow began falling, and was blowing and drifting. The snow continued nearly all night, and as the atmosphere was warm probably turned into rain. The barometer had fallen to 22.70. Snow-plows were at work during the entire night, and the trains will be on time this morning.

THE CADETS.—At a meeting of the Sacramento Cadets last evening, Major Wallace presiding, the following officers were elected: Captain, Wm. McEwan, by acclamation re-elected; First Lieutenant, John L. Hughes; Second Lieutenant, Wm. A. Galt, Jr.; Orderly Sergeant, John Judge; Second Sergeant, Julius Heuber; Third Sergeant, Charles McCleary; Fourth Sergeant, Ed. Melone; Quartermaster-Sergeant, Jesse Rodgers; Secretary, W. W. Greer; Treasurer, Grant Robinson; Armorer, Walter Myers; Sergeant-at-Arms, Thomas King; President, Samuel Kane; Vice-President, Walter Myers.

BOARD OF SUPERVISORS.—The Board of Supervisors met yesterday with all the members present. Under a suspension of the rules the claims of J. McCabe, for $2,500, and W. P. Merrill, for Constable's fees, were allowed. The report of the Bridge Committee in regard to the ferry across Mokelumne river was adopted. The deed for McCabe's bridge was ordered recorded, as also the deed for Miller's Ferry, and the balance due for labor on the bridge at Laguna Ferry was ordered paid. Adjourned to 10 A. M. this morning.

THE WALKING MATCH.

It is Held that a Full Reading Upon Final Passage of a Bill is Sufficient.

The women's walking match continues to draw large audiences at night. The instrumental concert by the Infantry Band is in itself a strong attraction. The contestants show signs of fatigue now—Wiley and Von Berg the least of any. Tourtilott still leads. The walkers appear frequently in new costumes, some of them being very handsome ones. Sadie and Alice Donley appear occasionally, appearing now only to fill the exhibition. The young men Stewart and Fitzgerald last evening gave very fine exhibitions of running. Both are long distance runners, and practical pedestrians. Wm. Woods, Harry Crandall and "The Berlin Boy" also ran for a five-mile stretch. Woods alone kept it up—time, 37:17—the others coming to a walk on the second mile. Last evening there were several brush races between Von Berg and the Donley sisters, and much cheering and applauding in consequence. Two banks of seats have been covered with cloth and reserved for ladies, as also the gallery chairs. This afternoon, from 2 to 5 o'clock ladies and children in charge of ladies will be admitted free. So far as can be judged, the contest between Tourtilott, Wiley, Von Berg, Lee and Fitzgerald for the four positions appears to be genuine, and the scores made indicate genuine effort—effort which is telling visibly, painfully on all. The others can scarce hope to have a place at the outcome. George Dunn, W. W. Blake and C. F. Mack, late contestants in the six-days' walk at San Francisco, have arrived, and are soon to train upon the Pavilion track for the men's six-day walk, the entry-book for which opened last night. At 9 o'clock to-night Frank Carroll and "The Unknown" start in a one-hour "go-as-you-please" prior to which other exhibition runs will be made. It may be suggested to the management that the Supervisors let the Pavilion for the walking and running exhibitions alone, and the winking at the effort of some to run other amusements is objectionable. With this solitary exception, and which will doubtless be at once corrected, the management is excellent and entirely satisfactory to the public. Below is the score from 10 A. M. yesterday to 1 A. M. to-day:

THIRD DAY'S RECORD.

NAMES.	10 A. M.		2 P. M.		10 P. M.		1 A. M.	
	Miles.	Laps.	Miles.	Laps.	Miles.	Laps.	Miles.	Laps.
Donley, S.	20	6	20	6	21	6	29	2
Donley, A.	41	2	41	2	48	12	53	3
Robinson	67	6	72	5	84	6	86	6
Tourtilott	108	5	121	..	140	5	148	13
Von Berg	97	3	106	1	121	14	131	9
Wiley	92	7	102	10	120	13	126	
Grafton	38	11	38	11	50	1	54	5
Lee	84	4	91	4	104	13	106	6
Fitzgerald	57	7	59	..	76	8	79	12

One of the most amusing features of the match is to observe how many ladies and gentlemen who attend, at first out of mere curiosity, or to oblige a friend, and often with expressions of profound pity and strong words of condemnation for the practice which so punishes the body, very soon become interested, pick out a favorite walker, speculate on her powers of endurance, and finally become enthusiastic and offer to wager in her behalf. Of such is human nature—often.

BENEFIT PAID.—Mrs. Mary O'Laughlin, widow of Patrick O'Laughlin, who recently died from injuries received in falling from a window at the Russ House, San Francisco, acknowledges in a card the payment to her yesterday by the Ancient Order of United Workmen of $2,000, as mortuary benefit of the society due by reason of the membership of her husband in Sacramento Lodge. This was the first death that has occurred in this city within the Order, which has existed here about two years and has a membership of over 400.

PERSONAL.—H. M. Chase was yesterday appointed Clerk of the Assembly Judiciary Committee. M. T. Brewer has recovered from his recent illness. Ex-Mayor Chris Green is confined to his room with illness. John F. Swift is in the city. Miss E. Allison, descriptive and artistic correspondent of the New York *Daily Graphic* is in the city.

APPOINTED.—The following persons were yesterday appointed Notaries Public: Wm. B. Hardy, Santa Clara county, to reside at San Jose; Chas. W. Quilty, for Santa Clara county, to reside at Santa Clara, and Geo. G. Blanchard, for El Dorado county, to reside at Placerville.

WARRANTS ISSUED.—The State Controller yesterday issued warrants as follows: For Directors of the State Prison, $16,000; Cunningham, Curtis & Welch, $1,222 40; H. S. Crocker & Co., $609 27.

FITZGERALD DISCHARGED.—R. F. Fitzgerald, arrested on complaint of Mrs. Kate Hamilton, of Folsom, on a charge of obtaining money under false pretenses, was discharged.

BRIEF REFERENCE.

Pneumonia is quite prevalent in the city.

Sixteen lodgers in the city jail last night.

The Sailor Boys will not participate in the exercises to-day.

One car load of immigrants arrived yesterday and one will arrive to-day.

The only arrest made by the police yesterday was William Burrows, by local officer Rider for being drunk.

A car load of fans was forwarded to the East yesterday. The demand is probably caused by the anticipation of a "heated session of Congress."

Subscription lists for inaugural ball tickets may be found at the store of W. A. & C. S. Houghton, H. A. Weaver's printing office and at the *Bee* office.

GO-AS-YOU-PLEASE TO THE I X L STORE, J street, between Fifth and Sixth. If you want bargains in umbrellas they have the largest stock in the city, being direct importers.

BLACK, grey and brown trimming fur, at L. Bien's, southwest corner Eighth and J.*

NEW SKIRT RUCHINGS at L. Bien's, Eighth and J. *

J. F. CUTTER'S OLD BOURBON.—This celebrated Whisky is for sale by all first-class druggists and grocers. Trade mark—Star within a Shield. *

COMMERCIAL.

San Francisco Produce Market.

SAN FRANCISCO, January 7th—1 P. M.

FLOUR—We quote the various brands as follows: Best City Extras are jobbing at $6 62½; Bakers' Extra, $5 87½@6 12½; Superfine, $4 25@4 50; Interior Extra, $5 62½@6; Interior Superfine, $4@4 25; Oregon Extra, $5@5 62½; choice do, $5 50@6; Oregon Superfine, $3 75@4; Walla Walla Extra, $5 62½@6 ₱ bbl. Purchasers of round lots can obtain concessions on the above rates.

WHEAT—Since New Year the attendance on 'Change has not been so large as it was to-day. Business, however, seems at a standstill, and the indications are not favorable for any immediate movements of consequence. The arrivals of tonnage for a week past have been light, and shippers are apparently standing off from making purchases. The only sale that we heard of to-day was one of 1,000 ctls choice Sonora, for cracked wheat, at $2 05. We quote No. 1 at $2@2 05; No. 2, $1 95@1 97½ ₱ ctl.

BARLEY—The demand for export overland is apparently satisfied for the present. Sales on 'Change to-day of 300 sks very bright coast, 80c. Brewing is quotable at $2@97½c; feed, 65@75c for coast and 77½@80c ₱ ctl for bay; Chevalier, $1 60@1 70 for choice bay and $1@1 20 for coast.

OATS—A lot of 500 sks choice bay Surprise sold this morning at $1 50. We quote Humboldt at $1 15@1 37½; coast, $1@1 25; Oregon and Washington Territory, $1 20@1 37½; Surprise, $1 40@1 60 ₱ ctl.

HAY—Sale of 500 bales choice wheat and oat, $11 75; 100 do choice wheat, $12. Cargo lots on the wharf range from $8 to $12 ₱ ton.

DAIRY PRODUCTS—From the free receipts that daily come forward there is no fear of any scarcity of fresh Butter. Good to choice is quotable at 25@28c; inferior to ordinary, 17c@22½c, inside rate for mixed lots from country stores; California firkin, 18@22½c; pickled roll, 22@24c. Cheese is plenty at 14@16c for California, while Eastern is quoted at from 16@18c.

WOOL—The consignment at hand this morning from Honolulu goes forward to Bremen. Quotations are nominal as follows: Humboldt free, 32@35c; slightly burry and seedy, 21@24c; very burry and seedy, 18@20c; San Joaquin and southern, 15@18c for burry and seedy and 18@21c for free; Oregon Lambs, 31@33c ₱ lb.

Eastern and Foreign Markets.

NEW YORK, January 7th.

BREADSTUFFS—Flour is steady and Wheat is quiet, latter $1 50@1 56.

WOOL—Quiet.

BARLEY—Dull, but steady.

HIDES—Prices are weaker at 25c for California.

GROCERIES—Rio Coffees are quiet, very firm; refined Sugars continue in good request, firm; Teas show a better demand, with steady prices.

CHICAGO, January 7th.

WHEAT—$1 30½ for January.

BACON—$6 80 for short rib sides.

PORK—$13 52½ for February.

LARD—$7 65 for February.

LIVERPOOL, January 7th.

WHEAT—California, 10s 8½@11s 7d for average, and 11s 5d@11s 10d for club. Spot lots and cargoes on passage for shipment are neglected; floating cargoes are very heavy; those nearly due are quoted at 55s, and those just shipped are 56s.

THERE have been more cures of seminal weakness, nervous debility and paralysis made by the wonderful English remedy, Sir Astley Cooper's Vital Restorative, than by all other remedies combined. Why will you suffer? Send to A. E. Mintie, M. D., No. 11 Kearny street, San Francisco, for the Restorative, and be cured. Price, $5 per bottle; four times the quantity, $10. Try a bottle.

"THREE READINGS."

It is Held that a Full Reading Upon Final Passage of a Bill is Sufficient.

The Judiciary Committee of the Assembly met last evening, Assemblyman Charles N. Fox presiding. The Chair called up the matter relating to recent debate upon the question whether every bill must be read at length on three several days before final passage. He presented the draft of an opinion, which, with but a moment's discussion, was unanimously adopted as the report of the committee. The report is as follows, after due words of introduction:

The provision of the Constitution on the subject is found in Article IV., as follows: "Section 15. No law shall be passed except by bill. Nor shall any bill be put upon its final passage until the same, with the amendments thereto, shall have been printed for the use of the members; nor shall any bill become a law unless the same be read on three several days in each house; unless, in case of great urgency, two-thirds of the house where such bill may be pending shall, by a vote of yeas and nays, dispense with this provision. Any bill may originate in either house, but may be amended or rejected by the other, and on the final passage of all bills they shall be read at length, and the vote shall be by yeas and nays upon each bill separately, and shall be entered on the journal; and no bill shall become a law without the concurrence of a majority of the members elected to each house."

It is a long and well established rule of judicial decision that words must be taken in their common acceptation when not used in a technical sense. This has many times been held by our ablest jurists when the language of constitutions was the subject of consideration and construction. The converse of the proposition is equally well established, that words, where used in a technical sense, are to be construed according to their technical meaning, no matter what may be their common acceptation. It is also well established that in construing the provisions of a Constitution the terms used are to be construed in the light of and in the sense in which the same terms were used and understood before and at the time of the adoption of the Constitution.

Long before the adoption of the Constitution of this or any other State in this nation the rule requiring three readings of a bill, or that a bill should be read three several times before its passage, had come to have a well defined and universally accepted technical parliamentary meaning, and our Constitution was adopted in the light of that understanding. The rule was established before the art of printing was invented, or at least before it was generally practiced, and then required three readings at length, as being the only means by which the members of Parliament could be informed as to the subject-matter and the form of the proposed law. But after printing came into general practice, legislators came to rely upon their own reading, and not upon that of the Clerk, and the "three readings" came to be merely nominal, marking the stages of progress in the passage of the bill, the Clerk confining himself to merely reading the title and the first few words.

This has been the accepted interpretation of the term, and the practice under it for more than one hundred years. In the light of this interpretation and practice our Constitution was formed and adopted. It would do violence to every rule of construction that has been established by the Courts of the land, to hold that a provision which required that a bill sould be read three times before it was passed (a provision found in a majority of our State Constitutions) required that each reading should be at length, unless so expressly stated. The fact that it must be read on three several days does not change the mode of reading, but simply prohibits the three readings, or any two of them, being on one day, except in case of urgency, when the provision may be dispensed with.

Prior to the adoption of the present Constitution there was no provision in the fundamental law on the subject of either the reading or printing of bills, and yet the Legislature has acted under the rule requiring "three readings" of a bill before it was passed. Under the practice, however, it has not unfrequently happened that bills, some of which were never printed, have never been read at length; the title simply being read, and the house accepting the statement of the author as to the character and scope of the bill. At other times, when a bill was read at length on the second reading, and passed to engrossment, it was not read after engrossment, on its final passage. Under the first of these practices bills have been passed which, when they came to be published as laws of the State, have been found to contain provisions very different from those which the members supposed were in them when passed; and under the second it has been charged that words have been surreptitiously inserted into bills to which the house had not agreed. It was to prevent these evils that the framers of the Constitution wisely provided that no bill can be passed until it has been printed for the use of the members, and that every bill shall be read at length on its final passage. But it has not compelled either house to cause the bill to be read at length on any other occasion. This is also apparent from the application of the familiar rule that the expression of the one excludes the other.

The term "three readings" having a well-known parliamentary meaning, which did not of itself require any reading at length, when the framers of the Constitution required that every bill should have "three readings," and in express terms required that one of those "readings" should be "at length," they fairly excluded the idea of compelling either of the others to be of the same character, and left the other readings to be according to parliamentary meaning and practice.

Your committee are therefore of opinion that the Constitution requires that every bill shall be read at length upon its final passage in each house, but that neither house is required to have it read at length at any other stage of its progress. It may do so at its pleasure, but is not compelled to do so.

THE DEBRIS QUESTION.

EDS. RECORD-UNION: A few days since an article appeared in your paper on the debris question, in which the writer after complimenting your paper upon the position it had heretofore taken, undertakes to say that the citizens of Marysville disagree with you as to the necessity of legislation on this question, and evidently intend to oppose any plan proposed for the final settlement of the question, except through the slow process of the law. The article referred to purports to be written by a citizen of Marysville and a "Granger." I have conversed with a number of citizens of this place and the adjacent country, and all concur in the opinion that the article was written by one of the attorneys, who has no interest whatever in the matter, except a contingent fee—and probably a hope for a larger one in other cases—and they disagree with the writer in the position he takes—all uniting in the opinion that it is very desirable that immediate action should be taken by the incoming Legislature, and that a vigorous and united effort should be made by all parties interested to ascertain if there are not some means for the settlement of the vexed question that are more speedy and effectual than that to be obtained by litigation, and where both mining and agricultural interests can be protected and preserved. The facts are that our little city has been crowded rather further into litigation than was originally intended, and this, too, has been done through the persistency of her attorneys. There was originally a pretty unanimous sentiment in favor of commencing suit against the miners, with a view to place the matter fairly before the public, and to bring the parties interested to some basis of settlement, and, failing to bring about an equitable adjustment, then to determine their rights through the Courts, when the miners so promptly responded and offered at least partial restitution by proposing to contribute $30,000 or $40,000 to assist in building our levees, and with an avowal that it was their wish and desire that legislation should be had that would compel every miner to contribute to the taking care of tailings, and to bear their proportion of the expense of any plan that would fully protect the farming interests, as well as those of our city. It was then that public sentiment changed, and a very large proportion of the citizens of this place were in favor of accepting the contribution, and favored postponing further action at law until after the Legislature had convened. But this proposed assistance by the miners was characterized as bribery, and all those who favored its acceptance were accused of a willingness to "sell out," and the attorneys were loud in their declaration that this was a trick on the part of the miners to get us to prejudice our case before the Courts, asserting that if we accepted it it would prove fatal to our cause. Under this pressure one Alderman consented that suit should be commenced in the name of the city, and that the case should be handed over to the management of a committee, they (the committee) giving bonds that the city should be held harmless from any larger amount of cost than a $500 fee, and so the suit was commenced, and we have the precedent set of a city of 5,000 inhabitants engaged in a lawsuit where millions of dollars are involved, and where she may be mulcted in large damages in the event the injunction is not sustained, and where she has neither the right nor privilege to manage the suit, but has to trust to a committee which is composed largely of non-residents, or, in fact, you might say, the attorneys and the committee. I feel I can safely say that there is no disposition on the part of the citizens of this place to oppose any means looking to a final settlement of all the differences between them and the miners, and there is no desire on their part to have hydraulic mining stopped, provided a plan can be adopted that will secure the valley against further loss by reason of the flow of tailings; and further, they are all desirous that such a plan should be found, and that the good feeling formerly existing between the mountain residents and themselves should be continued, and we are willing to declare that we have taken no action in the matter, except as we believed in self-defense. That the case has taken an unfortunate turn we are willing to admit. We did not understand your paper to have any plan, but that you suggested that it was the duty of the Legislature to provide for the adoption of such measures as would preserve both mining and agricultural interests, and to empower some one to execute such plan when adopted. In this we will most heartily co-operate with you. The miners have been and are still our customers; we do not desire to injure them except in self-defense, and if they, or the Legislature, can point out any remedy, the citizens of Marysville will be the first to accept it. TAXPAYER.

Marysville, January 2, 1880.

GENERAL NOTICES.

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REPUBLICAN

State Central Committee.

HEADQUARTERS REPUBLICAN STATE CENTRAL COMMITTEE, SAN FRANCISCO, January 5, 1880.

A MEETING OF THE REPUBLICAN STATE CENTRAL COMMITTEE of California will be held at the **Golden Eagle Hotel, Sacramento,** Rooms Nos. 9 and 10, on **TUESDAY, JANUARY 13, 1880,** At 2 o'clock P. M. The attendance of every member is earnestly requested, as business of the utmost importance to the organization will be presented for consideration. By order.

W. W. MORROW, Chairman.
MARCUS D. BORUCK, Secretary. ja6-3tis

M. R. BEARD & CO.,

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