SACRAMENTO DAILY RECORD-UNION.

DAILY UNION SERIES—VOL. XLIX—NO. 7477.
DAILY RECORD SERIES—VOL. XVI—NO. 2479.

SACRAMENTO, WEDNESDAY MORNING, FEBRUARY 25, 1880.

DAILY RECORD-UNION SERIES. VOLUME II—NUMBER 3.

THE DAILY RECORD-UNION.

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THE DAILY RECORD-UNION
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WANTED—AT HOUSTON'S EMPLOYMENT Office, Fourth street, one door south of K. ALL KINDS OF HELP, Male and Female. Particular attention paid to supplying families and hotels with help, FREE OF CHARGE. f13-1m

TO LET OR FOR SALE.

Advertisements of five lines in this department are inserted for 25 cents for one time; three times for 50 cents or 75 cents per week.

FOR SALE OR TO RENT ON SHARES, 200 acres of good land on the Greenback road, near Antelope, Sacramento county. It has never been cultivated. Apply at MRS. COYLE'S, near Antelope Station. f24-3t*

STOCK FARM FOR SALE—266 ACRES; title perfect. Part good Grain Land, part good for Vines and Fruit, in *warm belt* of Foothills. Plenty of Water and Timber, and adjoining land can be had from Railroad Company, or by preemption. Good buildings. Only, $1,000 Cash; balance, $1,000, on time, to suit buyer. Address CARL STROBEL, Commission Agent, No. 321 J street, Sacramento. f21-tf

FOR RENT OR SALE—THE WELL-KNOWN Store and Saloon at Live Oak, on the Plymouth Road, twenty-five miles east of Sacramento. Terms easy. For full particulars, inquire of the owner at Live Oak, CONRAD BERGHAUSER. f18-1p2w*

FOR SALE—AT A BARGAIN, TWO VALUABLE Patents. Three Thousand Dollars can be realized from them each year on this coast alone. Address "Patentee," RECORD-UNION office. f17-tf

$1,000 TO $1,500—A NORTHERN county Newspaper for sale cheap, at a bargain. Good location. Good reasons for selling. Address "Q. Z. X.," this office. ja17-tf

FURNISHED ROOMS TO LET—PLEASANT, quiet, home-like rooms, neatly furnished. To Rent by the Day, Week or Month, at prices that cannot fail to give satisfaction. Northwest corner Third and J. Entrances on J street, and on Third, between J and I streets. MRS. TEN EYCK. ja10-tf

FOR SALE.

STOCK, TOOLS AND FIXTURES OF A Stove and Tin Shop, situated in one of the best mining towns in the State. Doing a good business. An old stand. Established for the last sixteen years. Also, Fire-proof BRICK STORE. Will be sold or rented. All will be sold Cheap for Cash. Apply to C. B. BROWN, Placerville, Cal. f18-1p1m*

RANCH FOR SALE,
AT A BARGAIN.

THE WELL-KNOWN SAULSBURY RANCH, containing about 350 Acres, being of the best Grain Land ever offered for sale in this county. Produces from 25 to 35 bushels of Wheat, and 30 to 50 bushels of Barley to the Acre. Soil of sandy loam formation, and from 6 to 10 feet deep. Failure of crop has never occurred upon the place. Has a

Good Dwelling and Out-buildings.

Railroad Station, with Side Track, and Scales, Plows, Harrows, Carpenter and Blacksmith Tools; splendid well of water, with horse-power and large tank.

—ALSO—

A large lot of Farming Implements

Will be sold, if desired. Railroad Trains pass at Station four times each day. Place is well timbered. Situate on line of Sacramento Valley Railroad, 15 miles from Sacramento, at Saulsbury Station.

☞ The land rents for $3 Cash per acre, and is offered at low price of $45 per acre.

Apply to SWEETSER & ALSIP, Real Estate and Insurance Agents, No. 1015 Fourth street, between J and K, Sacramento. f18-tf

FOR SALE,

30 ACRES LAND.—20 ACRES GOOD Alfalfa Land. New House, good Orchard, desirable location and near city. Inquire SPINKS, DAVIS & ACOCK, No. 402 J street, f12-2w

DURHAM CATTLE FOR SALE.

10 HEAD OF THOROUGHBRED Durham BULLS, from one to two years old, and 10 Head of either COWS or HEIFERS. Will be sold at private sale at WICK'S RANCH, Butte county. ja30-2m Address M. WICK, Oroville, Cal.

WATCHES, CLOCKS, JEWELRY

J. HYMAN, JR.,

WATCHMAKER AND JEWELER, NO. 136 J street, between Fifth and Sixth. Just received, a very fine lot of Watches and Jewelry, which will be sold at a very low price. Watches and Jewelry carefully repaired. [ja7-1p1m]

WILLIAM B. MILLER
(Late with Floberg),

NO. 190 J STREET, NEAR SEVENTH, Watchmaker and Jeweler. Importer and Dealer in Watches, Silverware, Jewelry, etc. Repairing a specialty, under Robert Marsh. All country orders promptly attended to. [d29-1ptf]

JOHN CONRAD.

DEALER IN WATCHES, CLOCKS, JEWELRY, Etc., 113 J street (opposite Kirk & Co.'s). All Watches and Clocks sold in my establishment warranted. Repairing Clocks and Watches my specialty. d3-1ptf

J. B. KLUNE,
(Late with Wachhorst, and successor to Floberg,)

WATCHMAKER AND JEWELER, No. 60 J street, between Second and Third. Dealer in Watches, Clocks, Silverware, Jewelry, etc. Repairing in all its branches a specialty, under MR. FLOBERG. [o10-1p1m]

W. WOOD.

DENTIST (LATE WITH H. H. PIERSON), successor to T. B. Reid, No. 317 J street, between Third and Fourth. Artificial Teeth inserted on all bases. Improved Liquid Nitrous Oxide Gas, for the Painless Extraction of Teeth. [f24-tf]

B. B. BREWER,

DENTIST, SOUTHWEST CORNER OF Seventh and J streets, in Bryte's new building, up stairs. Teeth extracted without pain by the use of Improved Liquid Nitrous Oxide Gas. [d16-1p1m]

H. H. PIERSON.

DENTIST, 415 J STREET, BETWEEN Fourth and Fifth, Sacramento. Artificial Teeth inserted on Gold, Vulcanite and all bases. Nitrous Oxide or Laughing Gas administered for the painless extraction of Teeth. d14-1m

STAR MILLS AND MALT HOUSE.

NEUBOURG & LAGES,

NOS. 50, 52 AND 54 FIFTH ST., SACRAMENTO. dealers in Produce and Brewers' Supplies. Manufacturers of Malt and all kinds of Meals, etc., Oatmeal, Cornmeal, Cracked Wheat, Graham Flour, Buckwheat Flour, etc. d17 1ptf

THE MECHANICS' STORE.

WEINSTOCK & LUBIN, ONE PRICE!

BLACK CASHMERE.

We have often heard ladies remark that one of the most difficult lines of Dress Goods to buy satisfactorily is BLACK CASHMERE.

Of this there is no doubt, as it requires great skill to know the true value of this important Texture. Even Experts, when buying on their own judgment, dare not trust to their senses of seeing and feeling, but always rely and depend upon the magnifying glass to give them the fineness and quantity of threads, and the scales to show the weight. Such being the case, it is always safest, when wanting any of these goods, to buy them in an establishment where the representations made can be depended upon, and where, in order to obtain full value, no judgment of qualities is needed.

We are happy to announce that within the past few days we have opened out from among our MR. LUBIN'S recent Eastern purchases a complete and most beautiful line of these very goods, in all the different shades of Black.

The low prices we have been enabled to place on these CASHMERES will, we are satisfied, prove as agreeable a surprise to our patrons as they were to us.

We solicit an inspection on your part, and we wish you to remember that in asking to see these goods, you are not expected to buy, as we never allow any urging or pressing customers to buy against their wishes.

We also ask you to remember that in our House you can safely depend upon the representations made, as we never allow goods to be sold by lies, trickery or misrepresentations.

WEINSTOCK & LUBIN

PROPRIETORS

Mechanics' Store.

CALIFORNIA LEGISLATURE.

XXIII. SESSION—FIFTY-FIRST DAY.

[Phonographically Reported for the RECORD-UNION by Willis & Stockton.]

SENATE.

SACRAMENTO, February 24, 1880.

The Senate met in regular session at 10 A. M., President Mansfield in the chair.

Roll called and a quorum present.

The journal of Saturday was read and approved.

Leave of absence was granted Senators Brown, George, Conger, Pool and Moreland for one day.

PETITIONS.

Mr. HILL presented a petition from citizens of Monterey county protesting against the passage of the insurance bills now before the Senate. Referred to the Committee on Corporations.

Mr. SEARS presented a petition from citizens of Contra Costa county of the same nature. Same reference.

Mr. CARLOCK presented a petition from citizens of Siskiyou protesting against the Johnson telegraph bill. Committee on Judiciary.

Also, a petition from citizens of Shasta county for a local option law. Committee on Public Morals.

REPORTS.

Mr. KELLY, from a minority of the Committee on Corporations, reported in favor of the passage of Assembly Bill No. 75—an Act to limit and regulate the sale of mining and other stocks—as it came from the Assembly.

Mr. NYE, from the Committee on Judiciary, reported back favorably substitutes for Senate Bill No. 234—an Act concerning the trial of escaped convicts from the State Prison, and the costs of the same—and Senate Bill No. 234—an Act concerning the trial of convicts for crimes committed in the State Prison, and the costs of the same.

Mr. JOHNSTON, from the Committee on Agriculture, reported back favorably, as amended, Senate Bill No. 313—an Act to provide for the management and control of the State Agricultural Society by the State—and adversely Senate Bill No. 58—an Act to restrict and limit titles to real estate.

ASSEMBLY MESSAGES.

The Assembly messages were taken up, and bills were read the first time and referred as follows:

Assembly Bill No. 94—An Act to legalize assessment rolls in the various counties of the State, etc. Committee on Finance.

Assembly Bill No. 175—An Act concerning homestead corporations possessed of water and water rights. Committee on Irrigation, Water Rights and Drainage.

Assembly Bill No. 113—An Act to amend certain sections of the Code of Civil Procedure, relating to appeals to Superior Courts. Committee on Judiciary.

Assembly Bill No. 211—An Act to amend certain sections of the Penal Code, relative to pleadings and proceedings after indictment and before the commencement of the trial. Committee on Judiciary.

Assembly Bill No. 210—An Act to amend Sections 825 and 861 of the Penal Code relating to proceedings in criminal actions prosecuted under indictment. Committee on Judiciary.

INTRODUCTION OF BILLS.

Bills were introduced, read first time at length, and referred as follows:

By Mr. WATSON—An Act to regulate the practice of pharmacy. [Requires four years' instruction before practicing pharmacy.] Committee on Hospitals.

By Mr. CHENEY—An Act to amend Sections 2647 and 2650 of the Political Code, relating to the duties of Commissioner of Highways, Boards of Supervisors and Road Overseers. Committee on Roads and Highways.

Also, an Act to amend Section 397 of the Penal Code, relating to the sale of intoxicating liquors to drunkards and Indians and to repeal an Act to prevent the sale of intoxicating drinks to minors. Committee on Public Morals.

Also, an Act to provide for the payment of certain outstanding bonds of Plumas county. Committee on Judiciary.

By Mr. KELLY—An Act to confer certain powers upon the Board of State Harbor Commissioners. [Appropriates $150,000 for repairs, etc.] Committee on Finance.

By Mr. GORMAN—An Act to prohibit the keeping of places of resort for smoking or otherwise using opium. Committee on Public Morals.

By Mr. HITTELL—An Act to amend Section 1161 of the Code of Civil Procedure, relating to summary proceedings for obtaining possession of real estate. Committee on Judiciary.

Also, an Act to amend Section 595 of the Code of Civil Procedure, relating to postponement of trials. Committee on Judiciary.

By Mr. LAMPSON—An Act to authorize D. M. Kenfield to sue the State. Committee on Judiciary.

By Mr. NYE—An Act to amend Section 811 of the Penal Code, concerning the jurisdiction of magistrates. Committee on Judiciary.

Also, an Act to provide for the payment of the Judges of the Superior Courts in this State. Committee on Judiciary.

Also, an Act to amend Section 542 of the Code of Civil Procedure, relating to the levy of attachments. Committee on Judiciary.

ANOTHER CLERK.

Mr. HITTELL offered a resolution authorizing the Committee on City and Town Governments to employ a clerk at a per diem of $5. Referred to the Committee on Contingent Expenses.

SECOND READINGS.

The general file was taken up for the second reading and the engrossment of bills and the following were disposed of:

Senate Bill No. 228—An Act making appropriations for the support of orphans, half orphans and abandoned children for the thirty-second and thirty-third fiscal years (by Mr. Johnson)—was withdrawn.

Senate Bill No. 274—An Act to reimburse the support fund of the Deaf, Dumb and Blind Asylum (by Mr. Nye)—was read second time and temporarily placed on the file.

Senate Bill No. 321—An Act making an appropriation for the improvement of L street, between Tenth and Fifteenth streets, in the city and county of Sacramento (by Mr. Johnson)—was read second time and ordered engrossed.

Assembly Bill No. 205—An Act making appropriation for the salaries of the Chief Justice and Associate Justices of the Supreme Court of the State of California for the balance of the thirty-first fiscal year ending June 30, 1880 (by Mr. Merry)—was read second time.

Assembly Bill No. 206—An Act making appropriation for the State's portion of the salaries of the Superior Judges of the State of California for the balance of the thirty-first fiscal year ending June 30, 1880 (by Mr. Merry)—was read second time.

Senate Bill No. 188—An Act to regulate fire, marine and inland insurance companies transacting business in this State, and Senate Bill No. 7—An Act to regulate fire, marine and inland insurance companies transacting business in this State (by Mr. Johnson)—were made the special order for Thursday morning at 11 o'clock.

Assembly Bill No. 288—An Act to appropriate money for the payment of the deficiency in the appropriation for the support of the State Printing Office for the thirtieth fiscal year (by Mr. May)—was read a second time.

Assembly Bill No. 289—An Act to appropriate money for the payment of the deficiency in the appropriation for the support of the State Printing Office for the twenty-ninth fiscal year (by Mr. May)—was read second time.

Senate Bill No. 92—An Act to amend Sections 2292 and 2295 of the Political Code, relative to the State Library, and Senate Bill No. 93—An Act to provide for the government of the State Library (by Mr. Johnson)—were taken up. The Secretary read the substitute for both bills offered by the Committee on State Library.

Mr. SATTERWHITE said that the bill was simply a bill to legislate out of office the present State Librarian because he was a Democrat. He did not care to debate the question. If the Republican party wanted to pass this bill let them do it.

Mr. BAKER inquired if the present State Librarian was not put in by a bill similar to this.

Mr. SATTERWHITE said that he did not remember.

Mr. JOHNSON said that the bill was one in the interest of the State and of the people.

Mr. SATTERWHITE called for the ayes and noes on the engrossment of the bill.

Mr. ENOS said this bill simply put out of office men two years before the time of the expiration of their term of office. If it was shown that these men were incompetent or derelict in duty he would vote for the bill. The present Librarian had been in the place through several administrations and no complaint could be made against him. He could see no reason for the passage of this bill except a political reason. This was one of the places that ought not to be considered party spoils.

Mr. SATTERWHITE said that upon consideration he could reply to Mr. Baker that Mr. Cravens was elected at a regular election.

Mr. CHASE could not vote to put a man out of office simply on political grounds. He believed that politics had nothing to do with the State Library.

The roll was called and the bill ordered engrossed by a vote of 17 ayes to 13 noes.

Senate Bill No. 253—An Act to repeal an Act entitled an Act to encourage the destruction of squirrels and gophers in the county of San Joaquin, and to provide a bounty for the same, approved March 30, 1878—was ordered engrossed.

Substitute for Senate Bill No. 232—An Act in relation to the trial of escaped convicts—was read second time and ordered engrossed.

Substitute for Senate Bill No. 234—in relation to trial of escaped convicts—was ordered engrossed.

Senate Bill No. 311—An Act to appropriate money to the California Artificial Stone Paving Company to pay the balance due to the company for laying down the stone walks and avenues about the Capitol grounds (by Mr. Enos)—was read second time.

Mr. SEARS moved to refer the bill to the Committee on Judiciary to consider its constitutionality.

After some discussion the motion was lost and the bill ordered engrossed.

Senate Bill No. 259—An Act to regulate the cleansing of streets in cities and towns of the State of California (by Mr. Kane)—was taken up.

Mr. HITTELL moved to indefinitely postpone the bill, in accordance with the recommendation of the Committee on City and Town Governments.

Mr. KANE and Mr. GORMAN warmly defended the bill, and urged its passage on behalf of the suffering poor of San Francisco.

Mr. HITTELL moved that the bill be recommitted to the Committee on Judiciary.

Mr. DICKINSON favored the motion, and added, with instructions to report the bill back to-morrow morning.

Mr. ENOS opposed the motion and urged the engrossment of the bill at once. It would be a great relief to the suffering poor of San Francisco.

Mr. BAKER opposed the indefinite postponement of the bill, because he believed there should be some reform in the cleaning of streets in San Francisco.

The Senate took the usual recess.

AFTERNOON SESSION.

The Senate reassembled at 1:30 P. M., President Mansfield in the Chair.

Roll called and a quorum present.

The Senate resumed consideration of Senate Bill No. 259.

Mr. NEUMANN was in favor of the passage of the bill, but hoped that it would be recommitted with special instructions to report it back to-morrow morning.

Mr. HILL favored the indefinite postponement of the bill. He was not ready to vote to abolish labor-saving machines.

Mr. NEUMANN said that question was not contained in this bill. San Francisco had been badly swept, and this street-sweeping machine was not a labor-saving machine.

Mr. WATSON favored the bill.

The motion to recommit the bill with instructions prevailed.

ON PASSAGE.

The Senate took up bills on third reading and disposed of the following:

Assembly Concurrent Resolution No. 11—Relative to the establishment of a dead-letter office in San Francisco (by Mr. Morse)—was concurred in by a vote of 32 ayes to 1 no.

Assembly Bill No. 30—An Act to repeal Section 1222 of the Code of Civil Procedure, relating to judgments and orders in cases of contempt (by Mr. Young)—was read third time.

Mr. DICKINSON opposed the passage of the bill. The section was necessary to maintain the proper dignity and authority of the Courts. The Judge was the best judge of the contempt.

Mr. HITTELL took the same view of the case.

Mr. JOHNSON favored the bill. It was a bill to protect personal liberty, to protect the rights of the people and to strike down one of the most iniquitous prerogatives now possessed by the Court. He gave the history of the well-known case of Webb, in Amador county, and held that there should be appeals in cases of contempt. This section was a relic of barbarism and ought to be repealed in the interests of personal liberty.

Mr. NEUMANN opposed the passage of the bill. This section had been on the statute books for a long time, and it was strange that it should be found to be so bad all at once. In the history of the State this law had never been abused but twice. The Courts should have the power to punish contempt summarily, and nothing should be done to weaken the power of the Court in this respect.

Mr. DAVIS agreed with Mr. Neumann, and held that the judicial department should be held sacred. This bill would take away from the Courts the power to preserve order in those Courts. He held that the bill was unconstitutional.

Mr. DICKINSON again argued against the passage of the bill, elaborating the argument already advanced. He held that the Supreme Court did not have appellate jurisdiction in this case.

Mr. ENOS urged the passage of the bill. It was not to do away with the power of the Court to commit for contempt, but it was simply to give a man a right to appeal from the order committing for contempt of Court. He took the same ground as Mr. Johnson, and held that the bill was in the interest of personal liberty. He believed it to be constitutional, and that the Legislature had the power to prescribe the appellate jurisdiction of the Courts of the State. The powers of Courts had been abused in more than one or two cases, not only from personal grounds, but on account of political grounds.

Mr. SATTERWHITE agreed with Mr. Davis. This bill could only effect appeals from Justices' and Police Courts to the Superior Courts. The Constitution provided the appellate jurisdiction of the Supreme Court, and the Legislature could not alter it without amending the Constitution.

Mr. JOHNSON held the bill to be constitutional, and again urged its passage, replying at length to the arguments of those on the other side. He did not wish to take away the power of the Courts to punish for contempt, but when the Court was wrong the order ought to be reversed on appeal. No matter how old a law was, if it was a bad law it ought to be repealed. Let the Supreme Court decide upon the constitutionality of the law.

Mr. WENDELL favored the passage of the bill. Senators were mistaken in supposing that this bill took away the power of Courts to punish for contempt. It simply repeals that provision which provides that the judgment of the Court shall be final and conclusive. He held that the Supreme Court could have jurisdiction in such cases.

Mr. KANE believed in the right of appeal and repeal. He favored the passage of the bill. He knew of many cases where Courts had decided cases wrongly. The Judges ought not to be the final arbitrators.

Mr. HILL favored the passage of the bill. He was glad to stand with the Senator from Sacramento, in favor of human liberty and the liberty of the press.

The bill was lost by a vote of 15 ayes to 17 noes.

EVENING SESSIONS.

Mr. JOHNSON called up his resolution providing for evening sessions on Wednesday and Friday evenings, for the consideration of bills on the general file.

Messrs. SATTERWHITE and CONGER spoke against the resolution.

Messrs. JOHNSON, DICKINSON, SEARS and DAVIS spoke in favor of the resolution.

The resolution was adopted by a vote of 33 ayes to 2 noes.

BILLS ON PASSAGE.

The Senate renewed the general file, as follows:

Senate Bill No. 22—An Act prohibiting savings banks, or savings and loan societies, and the attorneys, counselors, and other employes thereof, from charging borrowers for searching or passing upon the title or property mortgaged to such banks or societies, and providing for the appointment and payment of attorneys and counselors of such banks and societies (by Mr. Enos)—was read third time.

The report of a minority of the Committee on Judiciary against the passage of the bill was read.

Messrs. HITTELL, DICKINSON, NEUMANN, DAVIS and JOHNSTON spoke against the bill.

Messrs. ENOS, JOHNSON, ROWELL, KANE and RYAN favored the passage of the bill.

The bill was lost by a vote of 18 ayes to 17 noes—not receiving the constitutional vote.

Senate Bill No. 2—An Act to prevent the accumulation of large landed estates (by Mr. Johnson)—was ordered at the head of the file for Friday night.

NOTICE.

Mr. RYAN gave notice that on to-morrow he would move to reconsider the vote by which the Senate refused to pass Assembly Bill No. 30—An Act to amend Section 1222 of the Code of Civil Procedure, relating to judgments and orders in cases of contempt.

Senate Bill No. 279—An Act to add a new section to the Penal Code, to be known as Section 307, relating to the use of opium (by Mr. Davis)—was read a third time, and passed by a vote of 36 ayes to 0 noes.

Substitute for Senate Bill No. 89—An Act providing a punishment for violating Section 17 of Article XI. of the Constitution (by Mr. Enos)—was read a third time, and passed by a vote of 35 ayes to 0 noes.

Senate Bill No. 236—An Act concerning the Board of Harbor Commissioners (by Mr. Traylor)—was read a third time at length, and passed by a vote of 33 ayes to 2 noes.

Senate Bill No. 263—An Act prohibiting the keeping or sale of animals afflicted with glanders or other contagious or infectious diseases (by Mr. Enos)—was read a third time.

Mr. HITTELL moved to refer the bill to the Committee on Judiciary, with instructions to make it a part of the Code, and report on Thursday.

Mr. JOHNSTON moved to amend by referring it to the author for that purpose.

The motion prevailed.

Senate Bill No. 306—An Act relating to the intoxication of officers (by Mr. Hill)—was read a third time at length, and passed by a vote of 33 ayes to 1 no.

Senate Bill No. 307—An Act relating to swindling by cards or other means (by Mr. Hill)—was read a third time at length, and referred to the author, with instructions to make it a part of the Penal Code.

Senate Bill No. 245—An Act to amend Section 3431 of the Political Code (by Mr. Johnson)—was passed by a vote of 36 ayes to 0 noes.

BILLS READ FIRST TIME.

The bills introduced by Messrs. WEST and NEUMANN on Saturday, and ordered printed without reading, were read the first time at length and referred to the appropriate committees.

On motion of Mr. ENOS, at 5 P. M. the Senate adjourned.

ASSEMBLY.

SACRAMENTO, February 24, 1880.

The Assembly met pursuant to adjournment, Speaker Cowdery in the chair.

Roll called and quorum present.

Prayer by the Chaplain.

Minutes of Saturday corrected.

INTRODUCTION OF BILLS.

By Mr. DEL VALLE—An Act providing for the location of a branch Normal School at Los Angeles.

Also, an Act to amend Sections 1044 and 2947 of the Civil Code, and to add new sections thereto to be numbered 1096 and 1116, relative to transferring and mortgaging property.

Also, an Act to amend Section 688 of the Code of Civil Procedure, regarding property liable to be seized in execution, so amended as to include franchises owned or held by corporations or natural persons.

Also, an Act to amend Section 4221 of the Political Code, regarding the counting of money in the Treasury and making a statement thereof. [The amendment makes "the Auditor," District Attorney and Chairman of the Board of Supervisors count the money.]

By Mr. TYLER—An Act to amend Section 1111 of the Code of Civil Procedure. [It provides that summons and other papers may be served on defendants anywhere in the United States by registered letters through the Postoffice, and the receipt purporting to be signed by defendant shall be prima facie evidence of his receipt thereof.]

By Mr. MAYBELL—An Act to add a new section to the Penal Code.

Also, an Act to prevent the burying of remains of deceased persons within three miles of cities containing a population of more than 100,000.

By Mr. GAFFEY—An Act in relation to work on the sea wall. Of this bill the author says: The Code provides that work done on the sea wall shall be let to the lowest bidder by contract. This bill proposes to amend the law so that the Harbor Commissioners can employ men to perform the work by the day, and abolish the contract work. The contractors pay starvation wages, and when the laborer is discharged he is no better off than when he commenced to work. This bill compels the Commissioners to pay them a little more, and they receive their wages every week.]

By Mr. CARR of Yuba—An Act to provide for the location of three State Normal Schools. [It provides for an appropriation of $75,000 for a Normal School building in San Jose, $50,000 for one in Los Angeles, and $50,000 for one at Nevada City.]

REPORTS OF COMMITTEES.

Mr. FOX presented the following report from the Committee on Judiciary: Senate Bill No. 113, passage as amended; Assembly Bill No. 134, substitute recommended for passage; Assembly Bills Nos. 251, 301, 332, 335, 336 and 340, passage as amended by the committee; Assembly Bills Nos. 236, 282, 292, 300, 302, 309, 324, 331, 342 and 349, passage; Assembly Bill No. 326, referred to San Francisco delegation; Assembly Bill No. 339, referred to the Committee on Retrenchment; Assembly Bill No. 272, that the author have leave to withdraw the same; Assembly Bill No. 365, same order; Assembly Bill No. 235, do not pass; Assembly Bills Nos. 245, 247, 294, 207, 307, 308, 302, 314, 317, 345 and 346, do not pass; Assembly Bills Nos. 103, 233, 256, 293 and 351, indefinite postponement; Senate Bill No. 96, not printed as amended, and referred back to the Senate; Senate Bill No. 152, not correctly enrolled, and referred back to the Senate; Senate Bills Nos. 108, 113, 114, 115, 116, 117, 124, 125, 140, 145, 146, 147, 148, 149, 150, 151, 159, 161, 163 and 165, passage as amended by the committee; Senate Bills Nos. 112, 141, 158, 162, 164 and 175 and Assembly Bill No. 363, passage as amended by the committee; Senate Bill No. 178, do not pass; Senate Bill No. 184, Assembly Bill No. 265, a new bill to be offered by the committee; Senate Bills Nos. 93 and 129, indefinite postponement; Assembly Bill No. 254, that the author have leave to withdraw the same; Assembly Bill No. 391, passage; Assembly Bills Nos. 355 and 395, do not pass; Assembly Bills Nos. 380, 386 and 387, indefinite postponement; Senate Bill No. 270, Assembly Bill No. 298, passage; Assembly Bill No. 221, Senate Bill No. 284, passage; Assembly Bills Nos. 396, 298 and 393, do not pass; Assembly Bill No. 244, passage as amended.

Mr. BRUNER, from the Committee on Public Buildings, reported back the following bills: Assembly Bill No. 140, without recommendation; Assembly Bill No. 277, making appropriation for deficiency in the fund for the improvement of the State Capitol Park and grounds, passage; Assembly Bill No. 276, do not pass; Assembly Bill No. 321, passage.

Mr. STREETER, from the Committee on County Governments, reported back Assembly Bill No. 216, do not pass; Assembly Bill No. 180, asking that it be rereferred to the committee.

Mr. DIMOND, from the Committee on Roads and Highways, reported back Assembly Bill No. 179, concerning wagon road corporations, passage as amended by the committee.

THE REVENUE BILLS.

The majority and minority reports of the joint Committee on Revenue and Taxation were read, and it was agreed that they should be considered together.

Mr. LEACH opened the discussion. He said: We are now entering upon one of the most important Acts for which this Assembly was convened, and it is proper we should discuss the question of revenue to its fullest extent, that the members may act wisely, intelligently and without prejudice. The laws for taxation are enacted for the purpose of raising revenue for the support of the machinery of government. Governments are organized for the protection of society and the maintenance of the rights of individuals in their pursuits of life and happiness; that the weakest among the people may find a sanctuary under its authority; that justice shall be meted out, for the asking, to every man, be he rich or poor, high or low. Now, sir, is it not the bounden duty of every citizen to willingly bear his share or proportion of the expense for the enjoyment of these grand privileges; and such share should be paid with promptitude, and without coercive laws. But I regret to repeat that which is in the knowledge of everyone—the spirit of evasion of taxation is almost the rule; and this unpatriotic feeling has gone so far that in years past the assistance of the highest Courts of the land have been invoked to make complete the escapement of taxation. Until now at least one-half the property of the State is unjustly bearing the whole burden of the expense of Government. And the worst feature of this condition of affairs is, that the owners of this one-half are the class of citizens least able to bear the tax—the class which frequently in paying the tax have to deny themselves and their families the comforts of life, and, sometimes, even the necessities of existence.

IS THIS JUST?

Is it strange that people complain when the other half escaping taxation are of a class that to pay their share of the burden would not compel them a denial of hardly a luxury? So palpable had this injustice become, so onerous the unequal burden, that the murmuring of the people was unmistakable and a new Constitution, containing almost an entire revenue system, was the result. The people were determined that the time had come when the burden of taxation should be divided between the real estate holder and those who own princely fortunes in bonds, mortgages, stocks, etc.

In the consideration of the question the duty of this body is plainly and unmistakably set forth in the provisions of the Constitution. There can be no evasion or equivocation. The lines are clearly cut and well defined. With a full and conscientious conception of this fact, the duties demanded of us have been provided for in the bill submitted by the minority. On the contrary, the bill submitted by the majority is nothing but a careful, skillful, crafty and shrewd evasion of the requirements of the people, as expressed in the Constitution.

POLITICAL PLEDGES.

To be true to the mandatory provisions of the Constitution was the greatest trust the people placed in this Assembly, and each political party pledged its candidates to a strict observance of the spirit and letter of the new fundamental law, and I sincerely and honestly feel, and say it with all the emphasis of my manhood, that I could do no greater violation to those trusts—those duties—than to give my support to a measure which is a plain evasion of the spirit and letter of the Constitution—the bill supported by the majority.

From the reports of the State officials for the year 1879, I find that the total amount of property assessed in this State that year, from which the revenue for the support of the State was derived, was about $600,000,000, with the property only assessed at about one-half of its full value. By assessing property at its full value the amount of the roll of this State should be nearly one billion of dollars. I also find from the reports that the eighty-four banks of the State have at least $100,000,000 worth of taxable property, none of which has been returned to the Assessors for years. There is at least as much more of the same class of property in the hands of private individuals that has escaped taxation. To show the inequality of taxation, a member of the Constitutional Convention of the State, Mr. Dudley, took the trouble to investigate the question. The result of his labors will be shown in the debates of December 27th, which was, that while the average taxpayers paid about six per cent on their gross incomes, four certain corporations of the State only paid a tax of seven mills.

These are the evils we propose to correct, and when the assessment of the stock of corporations is taken into consideration, together with the property of the banks and individuals that has escaped taxation, and the rating of all property at a cash value, it must be plain to every one that the assessment roll of the State under such a bill as the minority report should be double its present amount, and the rate of taxation reduced nearly one-half. Is any one going to be hurt? I answer no, sir, for the man who is compelled to do his duty and pay the debt he owes society for the security of his person, his wealth and happiness, is not hurt; only doing under compulsion what he ought to do voluntarily.

THE TAXATION OF STOCKS.

The kernel of the whole question is, shall we tax the capital stock of corporations? The Constitution says we shall. The Constitution says the word "property" besides other things is declared to mean stocks, as well as all other matters and things, real, personal and mixed, capable of private ownership, and, further, that all property shall be taxed. Now what is plainer than this? How could we evade this plain duty, even if we desired? Nevertheless, the committee were urged not to assess the shares of certain corporations, and even one gentleman went so far as to call on us to pause in our mad career, and warned us of the terrible result that would follow, namely: That certain corporations would disincorporate, and certain capitalists would remove to New York. Now, sir, I feel like hurling back the warning to him and those whose sentiments he echoes, and warn them to beware that they carry not too far their defiance to the will of the people. There can be no greater menace to the well-being of a country than the encouragement and recognition of an unequal and discriminating taxation. Because we shall pass laws compelling a class of citizens to share with us the cost of supporting the Government, these patriotic individuals are going to leave the State. When I heard this warning I at once sought the revenue laws of New York, and I found to my astonishment that the Code in that State provides for a more stringent assessment of capital stocks and corporations than does the law we propose. In fact, I investigated the laws of nearly all the States, and old Missouri was about the only State that had less stringent laws than we propose.

THEY SAY WE SHOULD NOT TAX

Stocks. I want to know why in the name of justice a man who has his capital invested in this class of property, deriving an income which gives him all the luxuries of life, should be exempted from taxation, and by what course of reasoning they justify the taxation of the man who has his capital invested in real estate and the like, to the extent that he must bear the share of him who owns stocks. The majority say stocks are not property and should not be taxed. I quote the following decisions of the Supreme Court of the United States, which I think is a higher authority than the report of the majority: "In the decision of the Delaware Railroad tax case (18 Wallace U. S. Supreme Court Reports) it was held and affirmed that the State may impose taxes upon the corporation as an entity existing under its laws, as well as upon the capital stock of the corporation or its separate corporate property. And the manner in which its value shall be assessed, and the rate of taxation, however arbitrary or capricious, are mere matters of legislative discretion."

Again: "In the case of Tappan vs. Merchants' National Bank (19 Wallace, Supreme Court Reports) the opinion of the Court was that shares of stock in national banks are a species of personal property which is, in one sense, intangible and incorporeal, but the law which creates them may separate them from the person of their owner for the purposes of taxation, to give them a *situs* for their own. * * * The State within which a national bank is situated has jurisdiction, for the purpose of taxation, of all the shareholders of the bank, both resident and non-resident, and of all its shares, and may legislate accordingly."

And again: "In the case of Farrington vs. Tennessee (vol. 95 United States Supreme Court Reports) the Court held that the capital stock and the shares of capital stock *are distinct things*. * * * It is subject to taxation like other property. The shares of capital stock are usually represented by certificates. Every holder is a *cestui que trust* to the extent of his ownership. The shares are held and may be bought and sold and taxed like other property. The capital stock and the shares may both be taxed, and it is not double taxation. The bank may be required to pay the tax out of its corporate funds, or be authorized to deduct the amount paid for each stockholder out of his dividends. * * * The capital stock and the shares of that stock in the hands of stockholders are different properties and consequently distinct subjects of taxation. The exemption of the one is not of itself an exemption of the other, nor is the taxation of the one a tax upon the other."

THE BILLS COMPARED.

He then said it must be borne in mind that these revenue bills are simply amendments to the section of the present law of the State as found in the Code. He said the most important difference in the bills was in the first section. The majority committee bill says: "No property is subject to double taxation or to be twice assessed by the same tax, whatever be the manner or form," etc. That reads nice and is fairly captivating, but it is one of the worst features of their bill. The cry of double taxation is nothing but a scare-crow, and is only indulged in by poor, little, timid capital, and if you speak of assessing a note, a bond or share of stock this creature, trembling in every limb, with horror depicted on all its features, and quaking voice, squeaks out: "Double taxation." The enactment of this proposition would practically nullify the whole intent of the Constitution on revenue, and we would be powerless to reach the majority of that class of property escaping taxation ever since the notorious decision of the Supreme Court. The majority are frank enough in their report to imply that they have inserted this, as they believe that money once taxed to the depositors should not be taxed in the bank even if loaned. As the bulk of mortgages held by banks are acquired by loaning the money of the depositors, how then could we tax mortgages, credits, etc., under this provision? The Constitution says we must tax mortgages to the holder thereof, consequently the proposed amendment comes in plain and direct conflict with the Constitution. There is another bad feature in this section, the substance of which is that deposits are to be assessed to the bank. The effect of this is that as millions of dollars from all over the State are deposited in the banks of the cities, and being taxed to the bank, the cities would get the taxes properly belonging to the counties from which the deposits came. In Section 2 the majority omitted the following: "The term property includes moneys, credits, bonds, stocks, dues, franchises, and all other matters and things, real, personal and mixed, capable of private ownership." We inserted it because the Constitution defines these things as property that should be taxed. Now, according to the position taken by the majority, that money once taxed to the depositor could not be taxed again in the bank if loaned or not. They must have designedly left it out, for the banks frequently acquire bonds, scrip and like credits with the money deposited with them. It would not be consistent for them to include the constitutional definition of property in their bill, when they take the position that this kind of property should not be taxed.

TAXATION OF MORTGAGES.

In Section 3 the majority provide for the assessment of mortgages. This provision was not in the bill originally, but it looked good, and they incorporated it from ours, overlooking the inconsistency of the provision with other parts of their bill. Here they provide for the assessment of mortgages, and yet they lay down the opinion in the first section of their bill and say in substance that it shall not be done. They here acknowledge the duty and right of the Legislature to assess that part of the money deposited which the bank loaned on mortgages. In this admission they acknowledge the principle to be correct, yet declare against it, when they in their report hold that deposits once taxed to the depositor can not be taxed in the bank, whether loaned or not. By this they acknowledge the right to assess that part of deposits invested in mortgages, but to assess that part of deposits invested in county script, bonds and credits of that kind is double taxation. Mr. Leach proceeded to demonstrate that the provisions of the minority bill, defining the duties of Assessors were more complete and specific.

ASSESSMENT OF UNSURVEYED LAND.

Section 7 is exactly the same in both bills. It was amended to conform to the requirements of the Constitution providing that land shall be assessed in small tracts, the old section in the Code providing that when he thought it necessary the Assessor could compel the survey of land unsurveyed, and that the expense should be included with the taxes. As there are cases where the cost of survey would be more than the value of the land, the committee unanimously thought it best to take the extraordinary power out of the hands of the Assessor and place it in the hands of the Superior Court.

THE IMPORTANT SECTION.

Section 3640 is the most important section in our bill. The other side devotes a large part of their report against this section, arguing that it is double taxation. They cite authorities, and the whole burden of their argument is that we intend to tax all their property, real, personal, etc., first, and then all of their capital stock. I will guarantee that a boy fifteen years old, after reading that section, will not say that. There has been a gross misunderstanding, to say the least, on the part of the majority, and the misrepresentation has led a number of papers into error. I will read the section: "Corporations, associations, and joint stock companies having their principal place of business in this State, shall be assessed with the market value of their capital stock, after deducting therefrom the value of all other property assessed to them, and such capital stock shall not be assessed to the individual owners thereof." That is just as plain as the words of the English language can make it. To illustrate: If the value of the capital stock is worth no more than all their property, there would be nothing to assess of the capital stock; and again, if the property of a corporation is worth $50,000, and the actual cash value of its capital stock is $75,000, there would be only $25,000 to assess. If there is any double taxation in that proposition, then I am emphatically for that kind of assessment.

IN PRACTICE IN OTHER STATES.

I have taken the trouble to examine the revenue laws of ten or twelve States without discrimination, and a majority of those commonwealths tax the capital stock of corporations in substance on the same plan as we have proposed. I will read:

Arkansas—Gantt's Arkansas Digest, Section 5047, says the term "investment" means and includes all moneys invested in all shares of associations, corporations, joint-stock companies, or otherwise; also all shares of every company, whether incorporated or not; and the next section provides that all investments, moneys, credits, bonds, stocks, the property of corporations, shall be subject to taxation, and there is no deduction from assessment of stock; and another provision provides that this property must be assessed to the individuals; no deductions are provided for.

Iowa—Stocks in corporations are assessed and taxed at true cash value. Shares of banking associations are taxed at no greater rate than money.

Maine—Stocks and shares of corporations in and out of the State are assessed to individuals holding the same in the State, and deductions are allowed for the capital invested in machinery, goods and real estate. In assessing railroads deductions are allowed for the track of the road and land on which it is constructed.

Alabama—The Codes of this State provide that stocks are included in personal property, and the capital stocks of corporations are assessed, except so much as is invested in property and taxed otherwise as property. Banks are subject to a regular annual tax of 60 cents on each $100 of the par value of the stock which is $100. Railroads are assessed for all their property and their capital stock.

Connecticut—The revised statutes of this State provide that the shares of the capital stock of any bank, trust, insurance, turnpike, bridge or plank road company shall be assessed to the individual holder, deducting from the actual value of such stock so much of its property as is otherwise assessed, and the only stock exempted is that of religious and agricultural associations. The cashier of every banking association, under oath, is required to make out a list of all its stockholders residing out of the State, and the bank is compelled to pay 1 per cent. per annum on such shares, and this is also required of every other corporation liable to taxation.

Kansas—The Kansas laws are almost the same as we propose.

New York—The capital stock of companies shall be assessed to the company at its actual value; allows deductions of real estate, personal property, together with its surplus profits or reserved funds exceeding 10 per cent. of its capital.

Massachusetts—This State has very elaborate laws for the assessing and taxing of corporations. The capital stock of corporations, except banks of issue and deposit, are taxed by the State Commissioner (an official corresponding with our State Board of Equalization), at the actual cash value on the first day of May, deducting their real estate, structures, machinery, assessed by the local Assessors. The capital stock of railroads and telegraph companies are only assessed upon such portions of the whole valuation of the whole capital stock as is proportional to the length of that part of their lines lying within the State. A tax is also levied on the gains of corporations. The corporation itself must pay the tax—the tax not being levied on the shareholders. Upon failure of a corporation to pay its taxes the Supreme Judicial Court may enjoin the further prosecution of the business of the corporation until all taxes due are paid, with costs. Shares of the capital stock of foreign corporations, if owned by citizens of the commonwealth, are taxed to the individual by the local Assessors for their full value, without deductions.

Missouri—According to the Revised Statutes of 1872 the capital stocks of corporations in this State are not taxed.

Pennsylvania—All stocks, except of banking and foreign insurance companies, are taxed at the rate of one-half mill on each one per cent. of the annual dividend, or, if there is no dividend declared, three mills on the value of the capital stock. The tangible property is otherwise regularly taxed.

Mr. LEACH proceeded at length to show the superiority of several minor sections of his bill over those of the majority bill. He said that the minority proposed the addition of a new section which provided for the manner in which the State Board of Equalization shall assess the railroads operating in more than one county. The section also provides that the Board of Supervisors, after receiving the apportionment from the State Board, shall apportion the value to the various subdivisions of the county. The other bill simply says the road shall be assessed, but does not provide the method.

A SAVING PROPOSED.

Section 3665 is another new section to the Code. It provides that the assessment made by the County Assessor shall be the only basis of taxation for the county, or subdivision thereof, except incorporated cities, and may also be taken as such basis in incorporated cities when the proper authorities so elect. This will save the expense of the election of Assessors, etc., for special assessments for school, road purposes, and like, and the assessments for such purposes will be made from the county roll. And for this reason it has been provided in our bill that all property shall be entered on the roll to the district in the county to which it belongs. Mr. LEACH explained that the greater part of the remaining sections were almost exactly alike in both bills. The minority had changed Section 3758, at the suggestion of the State Board of Equalization. Heretofore taxes became delinquent on the first Monday in January. Now, as that is the time the new officers go into office, it was necessary to give the old officers time to settle up their books before going out of office. So the time of delinquency was made one week earlier.

REVIEW OF THE MAJORITY REPORT.

The majority say: "It is apprehended that the chief ground of opposition to the bill presented herewith will be based upon the fact that its first section declares that no property shall be subject to double taxation. The double taxation which is thus sought to be obviated arises mainly, if not exclusively, in reference to the taxation of stocks in corporations formed and doing business in this State." Now the objection we raise is, that while pretending to tax stocks they do not practically assess them at all.

They say again: "It is beyond controversy that the stocks issued to the stockholders of the corporation is but a certificate showing the interest which the holder has in the entire assets of the corporation; just as a deed is merely the evidence of the interest which the grantee has acquired in the property described therein." There is a wide distinction. A deed has no other than an intrinsic value—a value commensurate with the trouble of reproducing it. It is not negotiable. You cannot hypothecate it; and is only the evidence of ownership. But it is different with a share of stock—it is the value of the property and the evidence of ownership combined. It is negotiable, and you can hypothecate it. It frequently represents double the value of the property creating it.

The majority say, by way of illustration: "If five men choose to form a corporation to fix the value of their property at one hundred thousand dollars, and to name their capital stock at the same sum, it is evident that they have created nothing of value; that the property and its worth are precisely the same as before." Exactly, and in that case there would be no stock to assess, for the deduction of real and personal property leaves nothing.

GOVERNOR PERKINS

In his message says: "To insure that all the property of any firm or corporation having a capital stock shall be properly taxed, would it not be the plan of wisdom to secure the assessment of all stock at its market value to the company issuing it, after deducting the value of all assessments on the real and personal property of such company as may have been otherwise made." That reads almost like a section in our bill.

BANK DEPOSITS.

The majority say: "If A has one thousand dollars and loans it to B, it is clear that the assessment of this property, as a mortgage or otherwise to A for one thousand dollars, is a just and constitutional assessment." We agree on this.

They say again: "But if C, having $1,000, deposit it with D, a savings bank, which loans it to E, and the result of these transactions are two assessments, viz.: one to C and one to D, and each for $1,000, here is a mode of assessment not in proportion to value, for C's $1,000 is made to contribute to the support of the Government, during the same year, twice as much as A's $1,000." Or, in other words, they hold that it is proper to assess mortgages to the individual holder; but when banks acquire mortgages they should not be taxed for them. We hold that this is an unjust and discriminating proposition.

Now we propose to assess deposits to the depositors that the country may get the benefit of the property that belongs to it. The deposits being a debt (unsecured) the bank owes, it is allowed to deduct this debt from its solvent credits unsecured; and, in most instances, they will have sufficient of these credits, viz.: bonds, warrants, notes indorsed, etc., to offset the amount they owe the depositors. Fair-minded bank people who understand this are satisfied. According to the principle laid down in their report, if a man had $500,000 in State bonds, or stocks, giving him an income of $50,000 a year, he should not be assessed to support the laws that created that property and gives it protection.

The majority intimate that an equal taxation will exterminate the banks. Being satisfied the past system of taxation was the next thing to confiscation and ruination of those who held real estate and like property, it must be, according to their theory, a question now of who shall be ruined by taxation—the people or the banks. While I believe in banks I have no hesitancy in saying the commonwealth will suffer less by relieving the people. But, gentlemen, there is no danger that the banks will suffer or be exterminated by our system.

The proposition of the majority is only a struggle of capital to evade taxation—that capital which is always to the front when the protection of the law is wanted, and always skulking to the rear upon the approach of the Assessor. I do not wish to be understood and thought from my language that I war on capital any further than to make it share its portion of the debt due society for its protection. I do not believe in a war between capital and labor, and I cannot express my sentiments better than did Edward Everett when he said: That the rich man who treats with arrogance and contempt the poor is simply trampling on the ashes of his ancestry. And the poor man who nourishes feelings of hatred against the rich is making war with the prospects of his children.

The bills were made the special order for to-morrow, at 10 o'clock, and at 5 o'clock the Assembly adjourned.

COMMITTEES.

The contested election case of Byrnes vs Desty was considered by the Senate Committee on Elections. Desty submitted papers in support of his citizenship consisting of declaration of intent on dated New York, November 22, 1849, and final naturalization papers dated February 24, 1880, by which it seemed to appear to the committee that he became a full citizen yesterday and not before. Desty claims citizenship, however, by reason of his mother being married to a citizen when he was 12 or 14 years old, but he offered no proof of that fact. The committee took the case under advisement.

The Senate Committee on Swamp Lands held a meeting and heard arguments and discussed bills before it, but took no final action.

The Joint Committee on Education completed the school bill and adopted it, as a whole, without material change, and will report it to each house this week as a substitute, covering former school law and all bills offered.

The Investigating Committee, in relation to Folsom branch State Prison, examined further witnesses upon matters already passed over, and testimony being of similar effect to that heretofore given, another meeting will be held this evening, when the expert who was recently sent by the Board to Folsom to examine the works and make measurement will report.

The Assembly Judiciary Committee during the recess of the Legislature from Saturday to Tuesday acted upon ninety-five bills and nearly finished the work before it.

FACTS AND FANCIES.

Buffalo Bill tells of beef cattle so poor that he had to prop them up to shoot them down.

Since cashiers began to alter accounts, double-entry book-keeping has been somewhat changed.

The latest fashion is for young ladies to carry small daggers in their stockings, as a Texan carries pistols in his bootlegs.

An East Boston man sent a coffin to a friend as a practical joke, and the man who received it went and sold it for $17 to an undertaker.

A timid Rochester girl, who was robbed by a pickpocket on the street, took the purse away from him, and kicked him clear around the corner.

There is no pleasing some people. The Oswego *Gazette* states that during the speech of Searles under the scaffold some one among the audience cried out "louder."

An ingenious mechanic over in England has invented a gun without a lock; and Edison is going to find the key to that invention, if it takes him three-quarters of an hour.

A stranger from Albany appeared at the poorhouse in Troy and told the keeper he wanted a wife. A woman was shown to him, and after looking her over in a business sort of way, he agreed that she should at first work for him and then become his bride.

At Stockholm the Countess Fersen, Gyldenstople, whose grandfather, Count Fersen, disguised as a coachman, drove Louis XIV., and Marie Antoinette to Vareness, was lately burned to death. She is said to have been the last of the Fersens.

English critics are in a deadlock about the signs which the midshipmen on board of the Bacchante induced the two sons of the Prince of Wales to have tatooed in India ink upon their noses. One class say that the signs are anchors, and another class say that they are arrows.

When Mme. Emile de Girardin wrote her "Lady Sarteffe," some one said to her: "What imagination you must have had to have found the resume of all the vices that are incarnate in your sad heroine." "My imagination had nothing to do with it," quietly replied Mme. de Girardin. "I simply summed up all my best and most intimate lady friends.

Sheridan once declined to take a walk with a troublesome feminine admirer, on the ground that the weather would not permit, and being caught by the lady as he was sneaking out for a stroll, countered her remark that the weather seemed now to have cleared up, with the bold asseveration, "Yes, madame, enough for one, but not enough for two."

As a specimen of metaphor, we think the following—used the other day at a boisterous Home Rule meeting in the north of Ireland—is about the finest on record: "Misther Spaker, sorr, the apple of discord has been thrown in our midst, and if it be not at once nipped in the bud, 'twill burst into a conflagration which threatens to deluge the whole world!"

He looked over all the papers on the newstand, and not finding what he wanted, said to the plump, pretty girl-clerk: "I want a *Fireside Companion*." "What, sir?" she blushed. "I want a *Fireside Companion*," he repeated. "Oh, yes, sir; I hear you now," and she chewed the corner of her apron; "well—well—do you think I would do?" It turned out happily.

A whip with a lash six feet long and an inch thick is used to drive hogs in the Chicago slaughter-houses. An experienced man can take out a piece of a hog's tough hide at every stroke. Another instrument of torture is a pliant strip of wood with a heavy knot at the end, with which the brutes' snouts are whacked. A wagon follows every drove to pick up the disabled hogs.

Lady Rosebery is of imposing, almost imperial presence, and her face, distinctly eastern in type, shows good health, good sense and good feeling. The Earl and Countess were married in 1878, and their daughter, only two months old, is none the less "Lady" Sybil, Myra Caroline Primrose, and at the reception given to Mr. Gladstone was greatly petted and kissed, till a solemn footman announced that "Lady Sybil is wanted." This recalls an anecdote of the time when commissions in the British army were sold to women and children. "What noise is that?" some one asked. "Oh, it's just the Major crying for his porridge."

One day when a review was about to take place in a certain French city a band of patriots went to the general commanding clamoring to have the band play the Marseillaise. "Children of your country," said the General coldly, "do you behold elevated on any side the bloody standard of tyranny?" "N-no." "Do you hear my ferocious soldiers roaring in the country?" "N-no." "Do they manifest any intention of coming to take from your arms your wives and little ones to slay, eh?" "N-no." "And, finally, have your furrows any urgent necessity for being watered with impure blood?" "N-no." "Well, if all this is so, what in thunder do you want the Marseillaise played for?"