THE DAILY RECORD-UNION.

SATURDAY.....MARCH 6, 1880.

THE San Francisco office of the Daily RECORD-UNION and WEEKLY UNION is at 208 Montgomery street.

THE WEEKLY UNION.

The WEEKLY UNION now contains the current chapters of Farjeon's great story, "Set in a Silver Sea." The WEEKLY UNION is an invaluable news, business and family journal, and has no equal on the coast for the variety, fullness and high character of its contents. It contains all late telegraphic and exchange news, editorial comment on all current topics of moving interest, reviews of recent publications, agricultural editorials and selections, household and puzzle departments, art, scientific, religious and educational departments. It gives phonographic reports of both houses of the Legislature, and running reports of legislative committee proceedings. Beside, it presents home, Eastern and foreign correspondence, and all the latest European, Eastern and Congressional news. For variety, excellence and economy of price it has no equal among weekly papers. It is issued in semi-weekly parts, of eight pages each. Per year, $2.

NEWS OF THE MORNING.

IN New York yesterday Government bonds were quoted at 106¾ for 4s of 1907; 103¼ for 5s of 1881; 108 for 4½s; sterling, $4 85@4 88; silver bars, 113¾; silver coin, ¼ discount buying, par selling.

SILVER in London yesterday, 51d; consols, 97 13-16; 5 per cent. United States bonds, 106; 4s, 109¾; 4½s, 110¼.

IN San Francisco half dollars are quoted at par; Mexican dollars, 90 buying, 91½ selling.

AT Liverpool yesterday wheat was quoted at 10s 7d@11s 2d for average California white, and 11s 1d to 11s 7d for club.

AN assessment of 50 cents has been levied by the Real del Monte Mining Company.

THE variations in mining values at the Stock Board in San Francisco yesterday morning were of little importance, and correctly given only in fractions. The tone of the market in most cases was weaker, and there was a decline of 10c to 75c in the majority of the Comstocks.

THE sealing season has commenced on the northern coast.

THE cold weather still prevails in upper British Columbia.

MILL and covered bridge burned at Bar Mills, Me.

A VIOLENT gale occurred in Ohio, Indiana and Kentucky yesterday morning, doing much damage to property and causing the loss of several lives.

Two men were killed and a number wounded at Watertown, N. Y., in an iron mine.

THE Treasury Department yesterday purchased 161,000 ounces of silver.

AUGUSTUS PHOERT accidentally shot and killed himself on Sandy river, in Oregon, Thursday.

THE would-be assassin of General Melikoff was executed at St. Petersburg yesterday, in the presence of an immense concourse of people.

IN order to afford Bismarck relief from his arduous duties, Count Von Stalberg Wernigrode is to be appointed Prussian Premier.

ALL danger of general starvation in Ireland now seems to have passed.

ROGER B. CONANT was yesterday sentenced at Boston to seven years' imprisonment for embezzlement.

A STEAMSHIP from New York to Liverpool lost overboard seventy head of cattle on the voyage.

THE New York Republican State Committee has chosen Chester A. Arthur as Chairman.

IRON ore is being shipped from the McCloud river, near the United States Fishery, to San Francisco.

THE evidence is all in at Ukiah in the case of Brown, one of the Mendocino outlaws, on trial for murder.

FIRE at San Bernardino.

A SHOCK of earthquake was experienced at San Bernardino Thursday night.

THE case of the North Noonday Mining Company against the Orient Mining Company was concluded at San Francisco yesterday with a verdict for plaintiff.

CHARLES COLBY was hanged at Santa Cruz yesterday for the murder of Harry Williams.

FREEMAN GRIFFITH was found frozen to death near Truckee last evening.

FOR insulting President Grevy and Waddington, a Paris newspaper has been fined 1,000 francs.

IT is possible that a crack French regiment will visit this country on the occasion of the centennial celebration of the surrender of Yorktown.

THE winter wheat crop in portions of Wisconsin is pronounced a failure.

THE Chilean fleet has attacked Arica, Peru.

THERE is at present $45,000,000 worth of gold bullion in the New York Assay Office.

THE death of Commodore Isaiah Hanscom, U. S. N., is announced from Washington.

AN explosion of fire-damp at East Nanticoke, Pa., yesterday, caused the death of several miners.

BY a boiler explosion in Glasgow, Scotland, Thursday, six persons were killed and thirty severely injured.

THE usual quantity of excellent reading matter, including the regular weekly departments, will be found this morning on the inside pages of the RECORD-UNION.

IN the State Senate yesterday the Article on Revenue and Taxation was completed. There was a lively passage at arms between Senators Zuck and Pardee, in relation to the passage of Assembly Bill No. 404. Senator Pardee demanded an investigation, and the matter will be brought before the Senate to-day.

IN the Assembly yesterday a good day's work was accomplished, forty bills on the third reading file having been disposed of.

CONFUSING EFFECTS OF AUTHORITY.

We are inclined to think that the State Library has not been an unmixed blessing to our legislative bodies, and that it has contributed not a little to befog the question of revenue and taxation which has lately occupied so large a share of the session. If the present Legislature, or better still the Constitutional Convention, could have been taken where there were no State libraries to refer to, and had been left to chisel out a Constitution with no other aid than the old instrument, experience and common sense, we are impressed with a conviction that the result would have been very much more satisfactory than in fact it was. And we think, too, that if the present Legislature could have been debarred access to the authorities, it would have reached a much more intelligent and equitable solution of the tax question. For it has not now to be discovered that "a little knowledge is a dangerous thing," and men who come here without any previous training and then undertake to deal with high questions of economics by undiscriminating study of all sorts of writers, are tolerably sure to become at once confused and conceited. Nothing is easier than to find precedents and authorities for anything. The difficulty is to select those authorities which are trustworthy because they proceed upon well sustained principles. To the uninformed amateur economist one theory is as good as another. He cannot distinguish between Mill and Carey, between Malthus and Wallace. All arguments seem to him equally respectable, and he possesses no means of forming an intelligent judgment. The consequence is that he brings no rational convictions to his task, but is swayed by prejudice or deceived by fallacies, and may as likely as not advocate some doctrine which has been exploded for a generation by all civilized communities. Whereas, had he trusted altogether to his native sense, he would very probably have perceived the fallacies proposed to him, and he would then have had no hesitation in acting upon a judgment which would have appeared to him sufficiently well grounded. And the last named method of procedure would have been safer for the State than the first.

THE NEW EDUCATIONAL BILL.

We have received the school law which has been agreed upon by both legislative committees, and have examined it. The framers of the new educational system have labored under very great disabilities, owing to the miserably perverse and inadequate provisions of the new Constitutions on this subject. That instrument, indeed, has made it impossible to devise a system of education at all commensurate with the requirements of the community, and if it does not prove a failure altogether, through the want of harmony and coherence, it will be no merit of the Constitution. The new law appears to us to be carefully drawn and as comprehensive as the circumstances will permit, though we are not clear that it would have been altogether impossible to provide in it for some reflection of that better method of education which is taking root in advanced communities. We have said that the new school law may be as good as the Constitution allows, but this is not saying that it is a satisfactory school law. In fact it is not. Even supposing the difficulty about uniformity of text-books could be surmounted (and this is a constitutional, not a statute stumbling-block), we have here neither more nor less than a scheme reproducing in all essentials that which it is to replace. Of course if the latter be a good scheme, this arrangement ought to be satisfactory. But the latter is not a good scheme, and it is so far from being good that in most regards it must be set down as a failure. The public schools to-day are doing very much less to educate the people than most men realize. The instruction they afford is not, as a rule, of a kind calculated to be useful in after life. Far too much stress is placed upon parrot-learning of rules which the pupils neither comprehend nor remember. In the primary schools, where the instruction ought to be most careful, it is least so. The most inexperienced teachers are set over the most important schools. The entrance to the educational course is thus beset with pitfalls for the scholar, and the rudiments being ill-learned, a bad foundation is laid for all that follows. It appears to us that some effort might have been made to recognize and enforce the importance of specially careful primary instruction in this bill. All that we find here, however, is a clause forbidding the granting of a teacher's certificate to anyone under 18 years of age. And this is not a reasonable proposition, for if an applicant under 18 is capable of passing the necessary examination, he or she is certainly fitted for the office of teacher according to the only standard which the law recognizes, namely intellectual attainments. There can be no good object to be gained by excluding persons solely on the ground of youth. It is conceivable that some people may be as well informed at eighteen as others are at one-and-twenty. The ability to stand the test examination is really the only proof of competency which ought to be recognized. Indeed this provision strikes us as being superfluous. We should like to see in place of it some indication that the framers of this bill have given any thought to the Quincy methods of teaching, and that they realize the superiority of those methods to the ones which have hitherto obtained in California.

A good provision of the bill is to the effect that two members of every Board of Education shall be teachers. We are not sure that it would not have been still better to have put three teachers on the Board, as the County Superintendent is not (necessarily) a teacher himself, and as he and the two lay members of the Board can under the proposed arrangement always outvote the educational members. It is, we think, also evident that the County and City Superintendents ought always to be teachers. To the extent that they are not teachers they must hamper and impede the progress of the schools, no matter how energetic and earnest they may be. It is unbusiness-like to put untrained men in positions demanding special training, and the notion of keeping the schools in the control of the people by this means is too crude to be put forward seriously any longer. If we want a thoroughly good educational system we must put thoroughly trained men in all its departments, and not until we do that shall we succeed in bringing the schools up to the required standard of efficiency. It is even more necessary that the schools should be in the hands of trained teachers in the rural than in the urban districts, for there the chances of finding educated men to put on the Boards of Education must necessarily be smaller than in the cities, and so the danger of absolutely bad methods of instruction must be the greater. Section 30 of the new bill provides that "no person whose husband, father, brother, uncle or cousin is a member of a "Board of District Trustees or City Board "of Education, shall hereafter be eligible "for election as teacher in such district or "city, and no County Superintendent shall "draw a warrant for the salary of any "teacher so elected." At first sight this seems a righteous precaution against nepotism, but reflection will show that it entails not a little hardship upon those who may be unfortunate enough to be related in any of the affinities described, to Trustees or members of the Board of Education. We are also tempted to inquire whether the adoption of such a clause does not imply a very serious doubt of the probity with which examinations not only are, but will hereafter be, conducted? Obviously if the examiners are honest no such question of relationship can affect the standing of candidates. Is it really necessary to take for granted the normal dishonesty of Examiners in this way? It may be a simple mode of preventing favoritism, but to our thinking it savors far too much of the Oriental receipt for preventing intrigues against a reigning sovereign by killing all his relatives when he mounts the throne. Under this law the appointment or election of any citizen District Trustee or member of a Board of Education, disqualifies his kinsfolk for election as teachers in such district or city. The constitutionality of such an arrangement is open to grave doubt, and its ethical justification appears to us singularly defective. If citizens cannot be trusted without prohibitory clauses of this kind, they cannot be trusted with them.

The Constitutional provision which gives to every county the right of choosing its own text-books, in utter indifference to the system pursued elsewhere, vitiates the whole educational scheme, as we have repeatedly pointed out. It is impossible, in the teeth of that provision, to secure uniformity in the course of instruction. When the clause was adopted we showed what effect it would have, but the Constitutional Convention was controlled by men whose ignorance was only surpassed by their obstinacy, and so they insisted on rendering an intelligent educational system impossible in the future. The statute cannot overcome this difficulty, and nothing short of a constitutional amendment will remove it. While it stands in the Constitution, the common-school system must be a mere rope of sand, lacking cohesion and unity, and capable of being shattered to fragments at any time. The State University is practically isolated under the new Constitution. The text-book blunder cuts off three-fourths of the counties from the possibility of utilizing its advantages. This also, however, is a fault incurable by statute. A few days ago we suggested the introduction to the new school law of provisions for the regular inspection of all the schools in the State, private as well as public. The reasons for this are apparent. It is the duty of the State not only to see that its children are educated, but that they receive a kind of education calculated to fit them for the duties of citizenship. Now it is conceivable that in certain private schools a course of instruction might be given which would fail to produce this effect; which might unfit those who passed through it for the duties of citizenship. It is clear that any such danger would be largely neutralized by securing that publicity which is always the surest safeguard against methods demanding secrecy for their successful operation. An annual inspection of all the schools by the State Superintendent, and annual publication in his report of what was taught in all the schools of the State, would also tend to bring the public and private schools into greater harmony, and thus fit them both to be better preparatory agencies for the State University. We think this suggestion sufficiently important to insist upon it with some emphasis, and we specially solicit the attention of educators to it. There are probably no private schools in the State the conductors of which would not welcome such an arrangement gladly, as a new means of bringing their establishment before the public, and nothing but good results could possibly flow from the measure. If, in addition to this, the Legislature will introduce to the bill some amendments looking to the securing of more careful teaching in the primary schools—a necessity absolutely indispensable to the inauguration of any useful reforms—we are inclined to think that the most will be done of which the situation is capable. Under the new Constitution we cannot enjoy a satisfactory educational system, and therefore we must endeavor to be satisfied with the next best thing we can get.

THE IMPORTANCE OF SETTLING THE DEBRIS QUESTION.

The RECORD-UNION desires to call the attention of the public to the importance of settling the debris question without further delay. We have believed that the Parks bill met the requirements of the case more nearly than any other measure which has been proposed. We, however, are too profoundly convinced of the necessity for remedial action to hazard the failure of all legislation. Having no further interest in this matter than that which we share with the community, it is our main desire to aid in the accomplishment of what investigation shows to be necessary. At present we apprehend the results of discord and procrastination. Public opinion has thus far been manifested almost exclusively in opposition to the measures which have been brought forward. There appears to be no harmony anywhere as to what ought to be done. If this state of things continues much longer the Legislature will adjourn without having passed any law bearing on the subject. We are well aware that this is precisely what is sought by many of the opponents of the Parks bill. It is not so much that they are opposed to that particular way of treating the question, as that they are opposed to any way of treating it that will put a stop to litigation. This, however, is not the interest of the people. Whether it is the Parks bill or any other, it is for the public well-being that some remedial legislation should be had at this session. Should the Legislature adjourn without doing anything, the resort to the Courts will be the only one left to the farmers. But even should they be successful in procuring injunctions against the hydraulic miners, they would not be any the more safe. For it must be realized clearly that if these mines all suspended working to-morrow, the danger would remain, the fact being that there is enough debris this side of the mines to complete the work of destruction already so far on its way. The natural flow of the rivers must bring this debris down, and when it comes, if no preparations have been made to dispose of it, the farmers will find litigation useless to prevent the ruin of their land, and the dwellers along the rivers will discover that the remedy of stopping the flow of debris from the mines was applied too late.

Mr. Will S. Green called attention in our columns yesterday to the great value of that river which our people are allowing to be destroyed before their eyes. The importance of the Sacramento to the whole of northern California can scarcely be overestimated. It has a money value which can be clearly ascertained by all who take the pains to examine the question for themselves. So long as its waters are open to navigation those who live within reach of it are guaranteed the lowest possible rates of transportation. The river controls all the railroads with which it can be made to compete. Should it cease to be navigable, however, not only Sacramento but Colusa and other towns along its banks would lose this invaluable protection against high rates of transportation. The river acts as a natural and permanent safeguard in this respect, but the fact that it must soon cease to protect the public in this way unless something is done, is as plain as anything open to the meanest comprehension. Mr. Green estimates that the river navigation saves the farmers of Colusa county not less than $200,000 a year. What it saves Sacramento can be judged from this. But this saving is now in process of being eliminated. It is not only that the navigation of the river is endangered. It is being destroyed more and more rapidly every day and month. We cannot say that another year of inaction would not suffice to produce absolutely irremediable injury, for it must be remembered that as the upper part of the channel is being raised the fastest, the advance of the coarser debris to the lower part must become quicker and quicker, and the damage therefore be cumulative. The engineers believe that five years will complete the work of destruction, but the time actually required may be much shorter, and when the work is done it will be too late to think of applying remedies, for there will be nothing to save or to reclaim. The need of action, and harmonious action, at this time, is consequently most urgent.

What is now required is the union of public sentiment upon some practical scheme of relief. It must be a comprehensive scheme, or it will be of no avail. It must meet the danger both in the mountains and in the plains. It must be in the hands of skilled and tried engineers. These are the principal requirements. Nor can we too strongly insist on the fact that it is not enough to impound the debris in the mountains. Such a plan cannot affect that great mass of debris which has already left the mines, and is therefore beyond the influence of dams or reservoirs. But prompt action ought to be the watchword of the hour, and none should be deceived into furthering the schemes of those interested parties whose only aim is to prevent practical legislation of any kind. Meetings to oppose the Parks bill have been held, and resolutions have been fulminated against that measure. That kind of negative action is admirably adapted to hinder remedial action, but it only tends to break up public sentiment into small discordant sections. What the public want is manifestly what has been shown to be necessary for their protection. No legislation whatever can be had which will not cost something, and if the people are going to oppose every proposition on the ground of expense, the rivers and the bottom lands will be ruined together while those whose destinies depend on their preservation are bickering over a penny-wise and pound-foolish policy. Nothing can be done without union. Nothing can be done unless the public resolve to make up their minds upon what they are willing to support, and cease wasting time in merely obstructive action. We have endeavored to show what the situation demanded. We have expressed the opinion that the Parks bill, with some amendments (among which we must place a provision for securing the control of her own levees to Sacramento), is the most practical and comprehensive plan yet offered. If the people do not agree with us, let them say what kind of bill they do want, remembering all the time that the emergency calls for *some* legislation, and that apathy means ruin to all concerned.

TREATMENT OF THE INSANE.

In the last number of the *International Review* Dr. Hammond has an article on the treatment of the insane, in which he asserts that we are behind all other civilized countries in this matter. He states that the use of restrictive agencies, which has long been completely abandoned in the asylums of England and the Continent generally, is still retained in most, if not all, the asylums of the United States. His most curious assertion, however, is that American Superintendents of Insane Asylums hold a theory that though non-restraint may do very well in Europe, it is impossible here, because of climatic and physical differences. "Thus," he says, "at a "meeting of the Association of Superin-"tendents, Dr. Wilkins, the President, "gravely told his fellow-members that he "supposed if anything had been settled to "the satisfaction of members of this As-"sociation, it is that in this country our "patients, by original temperament, or by "some inherent quality of the universal "Yankee, will not submit to the control "of any person they consider their equal "or inferior so readily as to that of me-"chanical appliances." Dr. Bucknill was very much surprised at this kind of argument, the more so as he remembered that it had been used in England and France and Germany before. To the observer of American progress, or indeed of any progress, it will, however, not seem astonishing. For is it not the familiar argument with which politicians and amateur economists have sought to rally patriotic imbecility to the standards of fossilism and fallacy, lo these many years? When Mr. Pig-iron Kelly tells us that though Free Trade has made England great, yet it would not do for America because there are special differences in the situation of the countries; when Mr. De La Matyr tells us that though irredeemable paper has proved a disastrous fallacy everywhere else, yet it is the very best kind of money for the United States; when the Chicago *Tribune* declares that though the law of Gresham has always operated everywhere else, yet in this country there is no ground for apprehending that an inferior currency would drive out a superior one; when the "Stalwarts" tell us that though Civil Service Reform answers admirably in England, it is not calculated for these latitudes; when any quack or demagogue comes forward to advocate some nostrum whose worthlessness has been exposed over and over again, in short, he is sure to employ the formula which the Associated Superintendents appear to have adopted so naturally and innocently. In effect the argument is the last refuge of beaten toryism. When every reason fails, and the badness of an old method and the goodness of a new one stand demonstrated, it is the almost inevitable subterfuge of the advocates of fossilism. Of course it has no more foundation in fact in the case of the insane than it has in any other regard. American lunatics are as other lunatics, neither more nor less violent. They are in every respect as capable of restraint without violence or mechanical appliances as are the people of any other country, and it may safely be concluded that the real motive of those who contend for the fossil view is to save trouble in increased attendance. We are, however, specially interested in this matter, because we wish to know how our own Superintendents, Drs. Shurtleff and Wilkins, stand on the general proposition. We have had reason to believe that in the treatment of the insane California was fully abreast of the age. Dr. Hammond, however, impeaches the Superintendents of every American asylum, and therefore we think some explanation on the subject would be seasonable. The principle of non-restraint is so thoroughly vindicated by practice in Europe that no other system can now be regarded as having any *raison d'etre*, and we should consequently be pleased to learn that the California asylums are conducted on this method.

THE REPUBLICANS IN THE LEGISLATURE.

We desire to suggest to the Republicans in the Legislature the apparently obvious consideration that they were not sent here to set up an opposition to Kearneyism in the demagogic line, and that they would never have been elected had not the people believed that they would pursue a conservative policy. We should have thought that the most purblind politician could see that the disastrous effects of Kearneyism, as illustrated both in and out of the new Constitution, must in the near future render that kind of policy thoroughly odious to the voters of California. Depend upon it, the Sandlotters have had their day, and those who desire to escape the judgment that will be visited upon them by an injured and outraged community must avoid taking them for a pattern. It is a fact of which we have ample evidence that a very strong and growing sentiment of disgust is being engendered by the tendency of many Republican members to demagogism. Of these men, who were elected expressly that they might counteract the communistic element, not a few have seemed ambitious to emulate the reckless legislation of the Sandlotters. As the Republican party will be held responsible for the legislation of this winter, and as it is of the utmost importance that the party should be able to enter the approaching campaign with a strong record, the danger of such coquetries is very considerable. For some time to come public attention in this State must be directed to the restoration of confidence and the elimination of communism, and the party which affords the strongest guarantees against the evils which have almost paralyzed the community, will then be the favorite. If the Republican members possess any sagacity they will trim their sails accordingly. Nothing is to be gained by a rivalry in demagogism with the Kearneyites, but very much is to be jeopardized by such a programme.

THE NEED OF A STATE CONSTABULARY.

The other day, at Anaheim, seven masked men rode up to a store, bound and gagged all who were in it, and rode off with the contents of the safe, consisting of several hundred dollars. It is probable that these robbers will escape capture, because the local authorities are not strong enough to take up the pursuit. Had the State Constabulary law been in operation, however, trained and picked men would have been on the trail of the robbers before now, and they would have been followed wherever they went until they were brought to bay and taken. So long as there is no special force available for dealing with bold crimes like this, they will continue, and the smaller villages and settlements must always be exposed to such sudden raids. It is to be hoped that the Legislature will realize the necessity of such a police force as has been proposed. The State cannot afford to let the list of unpunished crimes which have been committed within the past few years go abroad as an evidence alike of her barbarism and stolidity. No community can prosper which neglects the paramount duty of protecting the lives and property of its citizens. Hitherto we have had much more regular taxation than protection. It is time the duty of the Government was recognized, and we know of no way by which it can be more effectively performed in this connection than by the creation of the proposed State Constabulary.

A NIHILIST MANIFESTO.

What purports to be a Nihilist manifesto has been published. It justifies the recent attempt to blow up the Czar and the Imperial family, and announces that designs against his life will not be abandoned until he abdicates, or grants a Constitution. There is another contingency which the Nihilists do not seem to have considered, and that is the contingency of his death in consequence of the success of one of their plots. Should he be killed it is quite out of the question to suppose that his successor would grant a Constitution, and should he abdicate the Nihilists would be no better off than at present. It seems, however, that they have at last made something like a definite statement as to what they want. It is, a Constitution. The Czar might easily give them one which would prove of very little use to them. He might reasonably ask what kind of a Constitution they want, and we venture to say that such a question would not be easily answered, since it is very doubtful whether they have really gone so far as to formulate a clear policy. The cry of "a Constitution," however, serves them as a pretense, and evidently they do not intend to hesitate for more plausible watchwords. Their vagueness and uncertainty of purpose make it the more difficult to deal with them, and the implacable fierceness of their pursuit renders the position of the Czar intolerable. If they do not succeed in blowing him up or shooting him, they will yet kill him through his nervous system.

THE CHINESE QUESTION AT WASHINGTON.

A Washington dispatch states that the settlement of the Chinese question there has been very much embarassed by the turbulent proceedings of the San Francisco Kearneyites. Public opinion at the East, which was almost prepared to accept the California view of the Chinese question, has suffered a reaction, and the Federal Government has taken alarm at what it is disposed to interpret as an attempt at intimidation. There is nothing surprising in this news. In fact, it is the only intelligence that could have reasonably been expected. The Sandlotters have done their very best to prevent the accomplishment of any good for themselves by their foolish threats and bluster. They have given the Chinese question a set-back at Washington which our representatives feel already, and it is to be feared that a good deal of the work of persuasion will have to be done all over again, in consequence. If this kind of programme is pursued much longer by the Kearneyites it will have to be concluded that they do not really desire the Chinese to go, after all their demonstrations, for it is very certain that they have thus far taken the best possible methods to prevent the Government from entering into any negotiations with China for that purpose.

PACIFIC SLOPE NEWS.

DISPATCHES OF LAST NIGHT.

THE DEATH PENALTY INFLICTED.

Charles Colby Hanged at Santa Cruz for Murder.

PASSENGERS FROM THE EAST BY RAIL.

Man Found Frozen to Death near the Town of Truckee.

OREGON AND WASHINGTON TERRITORY

Continued Severity of the Weather in British Columbia.

CALIFORNIA.

A Slight Misapprehension—Verdict for Plaintiff of $1—Sales of Silver—Assessment.

SAN FRANCISCO, March 5th.—The following is a copy of a telegram received to-day by William F. Babcock, President of the Chamber of Commerce:

NEW ORLEANS, March 4, 1880.

William F. Babcock, President Chamber of Commerce, San Francisco: Labor can be had in sugar, cotton and rice-fields of Louisiana for large numbers of Chinese. We suggest, if transportation is being furnished to get them out of San Francisco, that they be sent to New Orleans.

CYRUS BUSSEY,
President Chamber of Commerce.
WILLIAM CUNNINGHAM,
President New Orleans Cotton Exchange.

The gentlemen signing the telegram are evidently laboring under a misapprehension that San Francisco is paying the expenses of these Chinese emigrants.

The trial of the case of the North Noonday Mining Company vs. the Orient Mining Company, which has occupied the United States Circuit Court since the 10th ultimo, has been concluded. The case was given to the jury yesterday afternoon. They came into Court this morning with a verdict in favor of plaintiff, and assess the damages at $1. The action was brought to recover $5,000 damages for ore removed from plaintiff's ground.

The Nevada Bank has sold 50,000 ounces of fine silver to the San Francisco Mint, at the equivalent of 51⅞d. The Mint also purchased 20,000 ounces from another source on the same terms.

The Real del Monte Mining Company has levied an assessment of 50 cents, delinquent April 10th.

Primaries Done Away With.

SAN FRANCISCO, March 5th.—The Republican County Committee this evening decided to appoint delegates to the State Convention to be held in April, thus doing away with primaries.

The Death Penalty—Execution of Charles Colby at Santa Cruz.

SANTA CRUZ, March 5th.—In conformity with the order of the Supreme Court, Charles Colby was executed at Santa Cruz to-day at 2 P. M. A vast concourse was present to witness the execution, numbering some 1,500 persons. The execution passed off peaceably and quietly, Colby apparently the least excited of any in the crowd. His neck was not broken, owing to the slipping of the rope, and he consequently died by slow strangulation, his chest heaving in regular intervals for some twelve minutes. Otherwise he showed no struggles. The following was left by Colby for publication:

SANTA CRUZ, March 5, 1880.

To the People of the State of California—Friends: I have been illegally and unjustly executed upon perjured testimony and the fraudulent administration of the Courts. My conviction was to all appearance premeditated, in order to cater to the depraved nature of the turbulent mob element of this community. I was not aware that I had committed a crime, if self-defense is legitimate. The witnesses stand branded before society, the angel world and the Divine Deity as perjurers, as they furnished the basis for my unjust persecution. I was misrepresented and improperly defended by attorneys, from which an over ambitious prosecution and an over-zealous jury took their cue. With compassion I forgive, knowing that retributive justice will in time overtake all concerned. Your ignorance and blindness has been your weakness, for which you are to be pitied. Knowing the judiciaries are incapable of distinguishing right from wrong, and as a compensation for the injustice done me, I beg you from henceforth and forever to abolish that relic of barbarism—capital punishment. It belongs to an age long since past and gone, especially as there are some men so morally depraved as to have no regard for the sacred nature of an oath. As long as such a state of affairs continues, so long will the temple of justice be defiled and the Courts imbrue themselves in innocent blood. Commit no judicial murders, for the deathless love of freedom, the majesty of right in all kindred and all nations is rising in its might, and words of solemn warning come from the oppressed, if righteous blood be shed. Rush not blindly on the future. Heed the lessons of the past, for the feeble and the faithful are the conquerors at last. If my unjust sacrifice has been the means of benefiting humanity in forever abolishing an unjust law, I shall feel greatly compensated. I earnestly thank ex-Chief Justice Wallace for so elaborately dissenting from the decision, ther by proving that he possessed judicial inspiration. With sincere thanks to Mrs. Clara S. Foltz for her earnest and zealous labors in my behalf.

CHARLES COLBY.

SANTA CRUZ, March 5, 1880.

To Charles Miller: Let this ever haunt your memory, until you exonerate my character before the world. You cannot in your conscience deny that after I stepped back to escape, Williams quickly pursued, grasping a dish from the table; that I shouted to him, "stop! stop!" I again sought to escape, when he again sprang after me, overtook me across the room, when I stamped my foot hard on the floor, shouting to him, "Don't you do it;" that I caught up my cue, and also shouted to him in a stern, commanding way, "No; don't you do that;" but that he still would not desist. When the Chinaman scooped in all the knives, Williams, seeing himself disappointed, grasped the pistol. All this you both saw and heard, but withheld it in your statement before that over-zealous jury.

CHARLES COLBY.

About 11 o'clock A. M. Colby sent word to the County Clerk that he had a last request to make, and wished it placed on file in the office, as follows:

Know all men by these presents: I, Charles Colby, of the county of Santa Cruz, State of California, believing that I am to be executed this day, and desiring that after my death my body may rest in peace, do make this my last request and solemn protest, and ask that my body may be decently buried, and forever remain so, and that no mutilation or examination of my body be permitted, in the interest of science or otherwise. CHARLES COLBY.

Santa Cruz, March 5, 1880.

The above was written in a bold, firm, round hand.

Assassination at San Rafael.

SAN RAFAEL, March 5th.—At 8 o'clock this evening a Chinaman named Ah Ling, while buying cigars from a China store in Chinatown was shot at twice by Ah Jim. One ball took effect in the arm, the other in the groin. The wounds will prove fatal. The assassin fled, but the officers are on his track.

Found Frozen to Death.

TRUCKEE, March 5th.—Truman Griffith was found frozen to death about half a mile from this place this evening. Deceased was the owner of a small farm near Campbell's Hot Springs, Lake Tahoe. He started from the lake Wednesday afternoon. A severe snow-storm prevailed at the time. His horse became exhausted, and was found dead about a mile from where Griffith was found. Griffith had evidently started for town, and losing the road became exhausted, took off his coat to protect the horse, and crawled one hundred yards upon his hands and knees. Deceased was the putative husband of the abandoned woman, Jennie Stanley, who was found frozen to death in a brothel here two months ago. She was the adopted daughter of a Methodist Episcopal minister.

Shipment of Iron Ore—Branch Normal School Wanted.

REDDING, March 5th.—There was shipped from here to-day three tons of iron ore from the iron mine near the United States Fishery on the McCloud river to the Pacific Iron Works at San Francisco.

Petitions for the location of a branch Normal School at this place are being received daily by the Citizens' Committee from various parts of the northern portion of the State. There is greater interest manifested every day, and an earnest desire with all classes that the Legislature do something in the interest of the northern part of the State.

The Mendocino Murder Trial—Testimony All In.

UKIAH, March 5th.—The prosecution in the case of H. E. Brown, after the introduction of ten witnesses, rested the case at a quarter to 3 o'clock P. M. The defense asked for thirty minutes to prepare. The Court took a recess of one hour, after which the defense introduced two witnesses for the purpose of impeaching Carr as to who fired the first shot, and as to who was captain of the gang. Carr claimed that Brown was the leader, when the defense closed their case, not putting a witness on. There appears thus far to be no defense. The interest is unabated, but all is quiet.

Death Rather than Defalcation—Suicide at Alameda.

OAKLAND, March 5th.—The remains of E. G. Cotton, well known in theatrical circles, were found Friday morning in a vacant lot at Alameda, belonging to A. A. Cohen. A revolver lay by his side, and a wound near the right ear showed that he had taken his own life. Coroner W. T. Hamilton had his remains removed to the Morgue, and will hold an inquest Saturday. On his remains was found the following letter:

ON FERRYBOAT, March 4th—3:45 P. M.

My Dear Wife: You will in all probability receive this after my death. I have worked hard to get the money due me, also money promised. All parties have failed. My pride won't allow me to be a defaulter. I cannot suffer the disgrace. If my debtors would only pay me the amount they owe, I would be in easy circumstances; but I cannot collect one dollar. Go to Mr. Locke. I am sure he will send you East. The Elks will bury me, and also give you the benefit of the insurance on my life. God bless and protect the best wife in the world, is the heartfelt wish of your unfortunate husband,

E. G. COTTON.

Fire—Earthquake.

SAN BERNARDINO, March 5th.—A fire occurred here last night about 11 o'clock, burning a dwelling and contents. The cause of the fire was a defective chimney. Loss, $2,500; no insurance.

A heavy shock of earthquake was felt here last night at half-past 10 o'clock.

NEVADA.

Passengers Passing Carlin.

CARLIN, March 5th.—The following passengers passed Carlin to-day, to arrive in Sacramento to-morrow: E. H. Capp, J. B. Scheitlin, Illinois; F. J. Barns, Ira Tomblin, Chicago; H. T. Thurber and wife, H. Newell, Edward T. Hopke, A. F. Hopke, Melver Regensburger, New York; John C. Jewett and wife, Miss E. Jewett, Buffalo, N. Y.; Seth Marshall, Jr., D. Samuels, E. Rich, P. F. Butler, G. B. Walter, C. Spreckles, Chas. Watson, J. J. O'Brien, Wm. Rainey, San Francisco; J. S. Thompson, Los Angeles; J. S. Stockdale, Bodie, Cal.; Ben Fitch, deputy and three prisoners, Carson, Nev.; A. R. Gillett, Reno, Nev.; E. H. Strever, London, England; James F. McGowen and wife, Miss Margaret Hiles, Belfast, Ireland; D. F. Roberts, Independence, Mo.; 47 emigrants, including 37 males, to arrive in Sacramento March 7th.

UTAH.

Should be Flayed Alive.

SALT LAKE, March 5th.—Yesterday the Sheriff of Cache county, Utah, brought to this city a Mormon Elder by the name of Pitkin, who has confessed to the heinous crime of incest with his 12-year-old daughter, which has been kept up for the past four years. Lynching was threatened by his neighbors, and he was brought to Salt Lake for safety. He is now in the Penitentiary. He has a wife and a married daughter.

OREGON.

Weather—Real Estate Transactions—Fatal Accident—Railroad Work—Released from Custody.

PORTLAND, March 5th.—The weather is cool and cloudy.

The number of real estate transactions recorded at the Clerk's office during the week is 34, and the total amount $24,608. The recorded purchases and sales, however, do not include several large transactions made in city property not yet recorded, which, if added, would swell the amount to little short of $150,000.

While out hunting yesterday a German named Augustus Phoert, who lives on Sandy river, accidentally shot himself in the abdomen, inflicting injuries from which he died in a few hours. Deceased was aged 35 years, and leaves a wife and three children.

Work on the Oregon Railway and Navigation Company's road is being pushed vigorously. All the timbers for the foundations, bridges across Des Chuttes, John Day's and Willow creek have been delivered. Those at the Des Chuttes river are partially in, and work will be commenced at John Day's today. Between 600 and 800 men are at work.

Bernard and Fairchild, the young men who were indicted and tried for the murder of Barbara Hagar, and in whose case the jury failed to agree, have been released on motion of the District Attorney. The reasons assigned are: First, that since the trial fourteen reliable witnesses have been found who are willing to testify that they saw Bernard and Fairchild below Kalama on the day of the murder; second, that King, who has been sentenced to life imprisonment for the murder, has confessed that the boys had nothing to do with it; third, that a large number of citizens of Clackamas county were in favor of releasing them.

Humane Society Organized at Portland.

PORTLAND, March 5th.—The Oregon Humane Society organized to-night by the election of the following officers: President, Mayor D. P. Thompson; Vice-President, H. W. Corbett; Corresponding Secretary, W. T. Shanrahan; Treasurer, James Steel. A constitution was also adopted. The meeting was largely attended. Addresses were made by several prominent speakers.

Fit Candidate for the Gallows.

ASTORIA, March 5th.—A brutal attempt to commit a rape was made to-day on Ida Doffler, aged 9 years, by Charles Henrichsen, a Prussian, aged 40. The girl's screams brought aid. During the excitement Henrichsen escaped, but has since been arrested by Chief Barry, who found him secreted behind a pile of sacked grain in a farmer's warehouse. There was some talk of lynching, but Barry got him into the jail. Henrichsen only arrived in this city last night from Portland.

WASHINGTON TERRITORY.

Guilty as Charged—Sealing Season—Weather.

PORT TOWNSEND, March 4th.—In the case of the Territory vs. Thomas McGrath, for assault on James McDonnell with intent to kill, the jury returned to-day a verdict of guilty as charged.

The sealing season has commenced earlier than last year, and already about 800 seals have been taken. The Indians report an unusually large number of seals this year outside Cape Hatteras.

The weather here and along the Sound is colder and more stormy than ever before known. Snow, frost and high winds have predominated since January 1st, causing considerable delay to farmers in putting in their spring crops, especially in the bottom lands, which cannot be worked on account of the snow.

Three Years in the Penitentiary—Marine News.

PORT TOWNSEND, March 5th.—McGrath, convicted of stabbing McDonald, was sentenced to-day to three years in the Penitentiary.

The bark David Hoodley and ship Shirley were obliged to put back here to-day for shelter, disabled.

The bark Oregon will leave for Seabeck tomorrow.

BRITISH COLUMBIA.

Items from Victoria.

VICTORIA, March 4th.—It has been definitely ascertained that the Germania was the vessel with which the Oregon came in collision on Tuesday night, under circumstances previously reported. The Germania sustained very little injury.

At Quesnelle on the 5th of February the thermometer was 36° below zero, and the cold strengthening. The roads were in a very bad condition, although open. In Caribou the weather was intensely cold, and at Yale it was freezing hard when the express left to come down. The hardy little cayuse horses in the interior were suffering for want of food, in common with the stock. Christian Brothers, at Okanagan, have turned out 100 head of