ORIGINAL DEFECTIVE

THE DAILY RECORD-UNION.

TUESDAY.....SEPTEMBER 14, 1880.

Signal Corps Report—September 13, 1880.

TIME.	BAR	THR	HUM	WIND	VEL'Y	WEATH.
4:02 A. M.....	29.89	59	59	S. E. 7	....	Clear
7 A. M.....	29.91	61	66	S. E. 8	....	Cloudy
8:02 A. M.....	29.92	63	67	S. 11	....	Cloudy
2 P. M.....	29.81	81	42	S. W. 7	....	Clear
8:02 P. M.....	29.78	66	59	S. 7	....	Clear

Max. ther., 81 degrees. Min. ther., 55 degrees.

Weather Probabilities.

WASHINGTON, September 13th.—For Pacific coast: Clear or partly cloudy weather.

ADVERTISEMENT MENTION.

British Mutual Society—to-night.
Presidential Reception Committee—to-night.
Concordia Lodge, F. and A. M.—to-night.
Red Cloud Tribe, Imp. O. R. M.—funeral.
Garfield and Arthur Regular Second Ward Club—to-night.
Republican Legion, Howe's Hall—to-night.
Company A, Republican Legion, Howe's Hall—to-night.
Change in time-table—train to Lathrop

Auction Sale.

Martin Pfing & Co., 10:30 A. M. to-day.

Business Advertisements.

H. H. Pierson, dentist, 415 J street.
Young America Oyster and Chop House, 45 Second street.
Wanted, $9,000, farm security—C. Strobel.
Estate of Charles Mills—notice to creditors.
Mechanics' Store—fall styles—fair week announcement.

LOCAL INTELLIGENCE.

BOARD OF CITY TRUSTEES.

The Board of City Trustees held its regular session yesterday, at which all the members were present.

A petition for the immediate grading of Third street, north of I, to a grade corresponding with that of Third street, between I and J, and the construction of walks for the accommodation of travel to the depot, was received from a large number of citizens and taxpayers. The petition was laid over.

The City Board of Health submitted a report in relation to the wooden sewer in the alley between Ninth and Tenth, K and L streets, and declared the same to be in an unhealthy condition and a nuisance, and also that it is insufficient for the purpose for which it was intended. Upon motion, it was ordered that a new iron-stone or cement pipe sewer be laid in place of the present one, and the City Surveyor was directed to make an estimate of the cost of the work.

John A. Cunningham, Chief Engineer of the Water Works, reported that during the past week the works had been running 168 hours; the total number of gallons of water pumped was 19,634,850, and the amount of fuel consumed in pumping the same was 2,227 cubic feet of gas coke.

The following bills were examined and allowed: Sacramento and Placerville Railroad Company, $348 14; Samuel Harper, $24; R. Johnson, $24; W. L. Pritchard, $24; John Henry, $16 25; M. Daly, $15; P. Cotter, $12; P. O'Hare, $8 88; *Daily Bee*, $13 75; L. F. Bassett, $120; J. G. Plummer, $185 58; C. P. R. R. Company, $40; Geo. Murray, $67; Baker & Hamilton, $12 75; J. T. Barron, $24; A. Mauretich, $2; J. W. Watt, $85 80; Whittier, Fuller & Co., $18 85; A. M. Smith, $39 05; George T. Bush, $14 70; L. L. Lewis & Co., $9 05; G. H. Swinerton, $4 50; W. W. Cary, $3; William Shearer, $60.

The Board then adjourned.

CHRISTIAN CHURCH STATE MEETING.—There was a good attendance at the Christian Church camp grounds at East Park Grove yesterday, and good order prevailed day and evening. Services began at 8 A. M., with a prayer meeting conducted by Mr. Sharp of San Francisco. At 9 A. M. the Convention assembled and was called to order by the President. The Committee on Order of Business reported an order as follows: 1st—Reports from churches; 2d—Reports of committees; 3d—Reports from Evangelists; 4th—Unfinished business; 5th—New business. The report was adopted. Under the first order reports from churches were made by charges as follows: San Francisco, Sacramento, Oakland, San Jose, Santa Clara, Saratoga, Hollister, Santa Rosa, Ukiah, Napa, Lakeport, Elmira and Winters. Elders James Logan, A. Hawkens and J. D. Wilmott were appointed a committee on the location of the next State meeting. A committee of three was also ordered to consider the propriety of establishing a church paper on the Pacific Coast, and the Chairman named as such committee Elders E. B. Ware, W. H. Briggs and J. D. Wilmott. The Convention then adjourned until 4 P. M. At 11 A. M. there was preaching by Elder P. K. Dibble, of Santa Rosa. His subject was "The witness of the Spirit," from the eighth chapter of Romans. There was preaching also at 2:30 by Elder J. Logan, on the subject of "The Christ Thought." The discourse was listened to with marked attention by the audience. He was followed by Dr. Kendrick, of Oakland, who made some interesting remarks upon the preparation for eternity. The Convention reassembled at 4 P. M., and reports were made from various sections of the State. The reports of the evangelists awakened much interest were received as creditable to the church, and as encouraging to the brotherhood. Last evening Elder A. C. Proctor, of Missouri, preached to a good audience. The exercises to-day will consist of early devotional meeting, preaching in the forenoon, afternoon and evening, and sessions of the Convention.

TO THE ALLEY SWEEPERS AT LAST.—Judge Denson yesterday affirmed the action of the Police Court in the case of Jacob Smith, which came up on appeal. Smith was tried in the lower Court on the charge of vagrancy, for living in a house of ill-fame on L street, and having no visible livelihood. The case was strongly contested, Smith claiming that he kept the bar for his mahala, and that he in fact was the proprietor, and produced licenses granted in his name. These, it was proved, were only a cover for his vagrancy, and not authorized by the "woman of the house," and he was found guilty and sentenced on June 25th to 90 days in the County Jail. He took a dislike to this, and appealed to the Superior Court, and has since been out on bail. The action of Judge Denson yesterday will make him more disgusted than ever, as he will now be compelled to return to durance vile, and take his number regularly for 90 days to come among Shellars' alley sweepers, and this exercise is not at all congenial to persons whose bent of mind and social tastes lead them to live upon the shame of women, or even to occupy the position which the defendant claimed in his defense—that of presiding over a bar in an L-street seraglio.

BAR SHOOTING.—The holder of the champion bat cup, James Parrot, was challenged by George Routier to shoot for the trophy last Sunday, and the match came off at the usual number of "birds," 25, and was won by Routier by a score of 19 to 13. Parrott was very badly off and shot below his capacity far. The two marksmen also shot a match for $5 a side, with the same number of "birds," and Routier won, killing 19 to Parrott's 16. A third match was then shot for $5 each between Routier, Parrott and S. S. Beede, and Parrott won, killing 22. Another match followed to 12 birds, in which there were nine entries. John Cochran won first money, killing 10 out of the 12, and Parrott, killing 9, got the second money. The sport was full of interest, and the matches were conducted with much spirit.

INCORPORATIONS.—Articles of incorporation have been filed in the office of the Secretary of State as follows: Tohongo Gold Mining Company, of Los Angeles county; place of business, San Francisco; Directors, E. D. Smith, Andrew Thompson, L. Haight, G. W. Craddebach, I. N. Thorne; capital stock, $5,000 000, divided into 50,000 shares of the value of $100 each. Excelsior Powder Company; place of business, San Francisco; Directors, Simon Phillips, C. Edward Muler, J. E. Wright, B. E. Olsen, Joseph Barnet; capital stock, $250,000; divided into 2,500 shares of $100 value each.

DAVITT, THE AGITATOR.—Michael Davitt, the Irish agitator, who has been ill at Omaha some time, is announced as en route for this coast. It is understood that he will arrive here Friday next and will be given a reception by admirers. Saturday he is to have a reception at Oakland, and on Sunday at San Francisco.

RECEPTION COMMITTEE.—The Presidential Reception Committee is called to meet at the Court House at 7:30 this evening on important business.

MISSES' AND CHILDREN'S goat, raw-hide, tipped toe shoes, in lace and button. These are something novel and far superior to the solar tip; just received at the Red House. *

"OVERCOATS," "OVERCOATS," at the Mechanics' Store. *

"STATIONERY," "STATIONERY," at the Mechanics' Store. *

"KID GLOVES," at the Mechanics' Store.*

HALL OF RECORDS CASE.

The Board of Supervisors Sustained and the Case Dismissed.

Judge Denson yesterday gave his decision in the case of Samuel Blair vs. the Board of Supervisors, which was brought to set aside and have declared void the action of the Board in relation to building a Hall of Records. The following is the decision in full, and which will be found to fully sustain the proceedings of the Board in the premises:

This is a special proceeding under the Code to test the validity of the proceedings of the Board of Supervisors in relation to building a Hall of Records for Sacramento county, and is authorized by Section 1068, Code of Civil Procedure, which reads as follows: "Section 1068. A writ of review may be granted by any Court except a Police or Justice's Court, when an inferior tribunal, Board or officer exercising judicial functions has exceeded the jurisdiction of such tribunal, board or officer, and there is no appeal, nor, in the judgment of the Court, any plain, speedy and adequate remedy."

At the very threshold of this investigation comes the question: "Was the Board of Supervisors exercising judicial functions in its proceedings relating to a Hall of Records?" for upon the answer to this query depends the power of this Court to review the proceedings of the Board in any event.

The books are full of allusions to "judicial functions" and "ministerial functions," but I am not aware of any decision or commentary in which a technical definition of either phrase is attempted, or in which any definite and distinctive line is drawn between "judicial" and "ministerial" functions. However, those terms are well understood, and perhaps it is easier to understand and act upon than to clearly define them.

I can discover no element of "judicial function" in the matter of determining that a Hall of Records is a necessity for the preservation of the public records. Judicial functions are exercised when an issue is raised upon the decision of which parties have a right to be heard; and when an officer or Board is charged with the performance of some particular duty, or empowered to act in some specific sphere not involving any question between parties upon which is given a right to be heard, although the exercise of sound discretion be requisite, the jurisdiction is "ministerial."

The Board of Supervisors have jurisdiction to purchase supplies for the County Hospital, and much good judgment and discretion are essential in properly determining the particular kinds and qualities of food and other supplies to be provided for the support of the indigent sick of the county, but it would be absurd to say that in exercising such discretion the Board acted judicially.

And so, in almost every act of the Board of Supervisors, sound discretion must be exercised, and their actions can be reviewed on *certiorari* only when the jurisdiction to act partakes of the nature of a trial of some issue, or of some matter wherein some person has the legal right to make an issue and have the same tried.

Subdivision 9 of Section 4046 of the Political Code confers upon the Board of Supervisors the power "to cause to be erected and furnished a Court house, Jail, Hospital and such other public buildings as may be necessary."

The duty of determining when any public building is necessary devolves entirely upon the Board, and no other person has any right to have notice, or to be heard, either in favor of or against the proposition, and the duty of the Board in such regard has no resemblance to nor element of judicial functions.

It clearly follows that this Court cannot in the proceeding review the proceedings of the Board of Supervisors complained of, and the case might well end here, but since other questions were argued by counsel, and since this is a matter of considerable public concern, I deem it appropriate to dispose of some of the other questions presented.

It was claimed upon the argument that the Board proceeded irregularly in not following the provisions of "An Act to regulate the erection of public buildings and structures," approved April 1, 1872. (Statutes of 1871–2, p. 925).

But upon a critical examination of that Act I am convinced that it applies only to cases where there is a specific amount of money appropriated by some special or general law for the erection of a particular structure, and not to the erection of any building or structure which might be erected in the discretion of any regular officer or Board, and where no appropriation therefore had been made. An analytical discussion of this statute would render this opinion of much greater length than I have time or inclination to make it, and I content myself by giving my conclusion only.

The Board of Supervisors is vested, as has been seen, with full authority to determine when a public building is necessary, and to cause it to be constructed "under such limitations and restrictions as are prescribed by law." (Section 4046, Political Code.) And the only limitation upon their jurisdiction and power, as far as I can discover, is that plans and specifications must be prepared before the contract is made, and this was done.

But counsel say the contract was not awarded to the lowest bidder, and in this respect the Board acted beyond its jurisdiction. There is no requirement in the Code or other law of this State making it the duty of the Board of Supervisors to award any contract to the lowest bidder except Section 4047 of the Political Code, as enacted April 1, 1878, which reads:

"The Supervisors must contract for:
"First—All county printing.
"Second—All books and stationery.
"Third—All supplies for county institutions.

"And all contracts must be made with the lowest bidder, and after ten days public notice that such contract will be let. The bidding must be by sealed proposals."

And no reasonable construction of this section could make it apply to the erection of a public building or structure; and such an intent certainly could not have existed in the legislative mind. And besides, it is a matter of grave doubt whether this section even is now existing.

In the original Code there is no section numbered 4047, but in 1874-5 a new section nearly like the one quoted was enacted, and given that number, and at the same session another section numbered 4047, upon an entirely different subject, was enacted. Then in 1878 the amended section above quoted was enacted as an amended Section 4047. Then again the Legislature of 1879-80 amended Section 4047, so as to make it relate to the power of the Board to require the Sheriff to be present at their sessions and preserve order. It is somewhat difficult to say just what the Legislature intended, but probably the effect of the last amendment was to make that the only section bearing that number, and to repeal the section quoted.

In the absence of any legislative restriction the Supervisors would not be bound to award the contract to the lowest bidder, notwithstanding it would be their moral duty so to do, other things being equal. We may readily conceive of circumstances under which no prudent man acting for his own interests would award a contract to the lowest bidder. The lowest bid might be so low that it would be apparent that the contract could not be performed honestly without great loss to the contractor, or it might come from a notoriously incompetent person, or from one who was known to be dishonest and inclined to cheat by using unfit material, etc., and in such case any prudent man would decline to accept a bid even if it seemed to be the lowest. Or two bids might be nearly equal, and the person advertising for bids should be well acquainted with one bidder and know him to be competent and always honest, upright and punctual in doing his work, and fair and reasonable in making settlements, and have no knowledge of the other bidder; he would not hesitate to pay the slightly larger amount for the security he would feel from the possibility of unfaithful work or disagreement and litigation. The lowest bid was $299 lower than the one accepted in this instance, and while the reasons actuating the Board are not before the Court, and not proper to be inquired into here, the difference in amounts is so slight as to preclude any presumption of fraud, and the Board probably saw reasons sufficient to cause them to believe the best interests of the county would be promoted by making the award as they did.

Some other questions were raised on the argument, but time forbids their discussion, and I will recapitulate my conclusions, as follows:

First—No error is apparent in any of the proceedings complained of.

Second—In the matter complained of, the Board acted ministerially and not judicially, and therefore,

Third—Their proceedings cannot be reviewed in this special proceeding.

A judgment will therefore be entered affirming the proceedings of the Board of Supervisors.

AUCTION.—Martin Pfing & Co. will sell by action to-day at 10:30 A. M., at 1016 Fourth street, eighteen three-quarter spring mattresses, six full spring mattresses, eighteen bedsteads, six washstands, two hundred pulu pillows, forty pulu mattresses, fifty cane-seat chairs, one bagatelle table, also a lot of hardware, crockery, etc.

FOR THE LATEST and newest fashions in millinery, visit the Millinery Parlors, Mechanics' Store.

LADIES' kid, fox balmorals, $1. Red House.*

FOR clothing go to the Red House. *

SCHOOL SHOES, $1, at the Red House. *

PROPERTY VALUATIONS.

Further Account of Values as Settled by the State Board of Equalization.

Below is given an exhibit of property values for 1880, in nine counties, as finally settled or proved and recorded in the State Board of Equalization. These are in addition to the exhibits already given of the counties of El Dorado, San Mateo, Calaveras, Mariposa and San Diego. The figures are given additional value by comparison with exhibits for the year 1879:

Counties.	Number of acres of land. 1880.	1879.	Value of real estate. 1880.	1879.	Improvements on realty. 1880.	1879.	Personality, exclusive of money and credits for unsecured solvents, 1880.	Personality. 1879.	Amount of money. 1880.	1879.	Value of all property after deductions. 1880.	Value of property after deductions. 1879.	Mortgages and Trust Deeds included in realty and improvements. 1880.	Assessed value of capital stock, included in personalty. 1880.	Unsecured debts of which deductions were made from assessed value of personalty.	Solvent credits after deduction. 1880.
Santa Barbara	869,309	935,963	$7,302,251	$7,302,307	$1,121,408	$856,910	$1,147,768	$4,790,557	$1,188,105	$1,170,415	$14,570,401	$13,919,862	$1,354,523	$60,718	$10,395	$113,830
San Joaquin	809,531	863,720	17,422,102	12,030,065	3,131,038	6,138,220	6,188,105	6,970,015	406,276	508,968	27,175,515	19,038,859	1,601,490	527,930	3,962	1,046,880
Sacramento	610,366	610,338	11,734,345	7,745,105	524,988	511,505	606,276	568,968	37,884	32,146	12,646,377	8,327,787	1,178,590	272,000	No report.	25,000
Plumas	193,020	194,107	931,554	887,033	4,938,534	4,949,130	4,311,119	2,652,114	350,403	293,430	10,502,609	4,434,835	1,067,982	410,722	500	1,104,738
Santa Clara	565,948	560,142	14,279,401	7,159,823	4,431,836	3,359,619	2,948,915	1,742,970	114,468	51,910	20,919	45,475	550,025	630,418	631,068	No report.
Butte	534,042	486,345	7,679,882	4,455,923	1,067,982	1,173,590	1,559,801	1,530,801	144,242	40,207	9,918,859	3,707,497	2,714,045	505,707	628,437	27,155
Colusa	933,506	1,052,773	13,345,136	9,918,859	6,030,869	1,173,590	2,652,114	1,559,801	40,207	1,376,672	1,634,211	676,556	1,887,315	1,371,604	18,505	912,640
Tuolumne	183,644	178,410	703,069	578,509	550,025	1,067,982	1,359,619	2,652,114	1,376,672	1,634,211	9,061,900	676,556	448,660	16,125	631,068	448,660
Nevada	319,904	302,484	4,334,835	3,707,497	1,854,523	1,601,490	1,887,315	1,371,604	18,505	45,475	9,061,900	1,634,211	10,395	3,962	448,660	448,660

OYSTERS FOR TWO.—Yesterday morning about 2 o'clock two men, known as Captain Stewart and Edward Raney entered Toney's restaurant, on J street and ordered oysters with an air of dignity and consequence that made the attendants suppose they were "dishing them up" for no ordinary guests, and which the sequel proved true. After they had disposed of a square meal of oysters and the accompaniments, they stepped up to the counter and one of them put his hand on his pocket as if to pay, and at the same time, as if a second thought, remarked, "Oh, by the way, give me a cocktail for the driver," and by gestures intimating that they had a carriage and driver waiting them at the door. The cocktail was prepared, and stirred with a silver spoon to give it a gilt edge, which sugar implement was unfortunately left in the glass. Picking up the eye-opener, without making payment, they walked to the door, and, as soon as outside, made a break for up street as fast as their ability in that direction would carry them. The polite restaurant attendants, looking out and seeing there was no "driver" out there, and no one famishing for a cocktail, took in the situation at once, and made chase after them and called for the police. Officer Smith heard the alarm, and while en route for the scene Raney had the misfortune to run into his arms, and he and his oyster stew were taken to the lock-up. Stewart eluded pursuit until between 4 and 5 o'clock in the morning, when he was found soundly reposing in a selected bed at the Morse House, where he had run his cheek for "one of the best beds you've got." This was obtained upon the dodge of being a soldier, and that he would get money in the morning from one of the officers. Upon finding him he was taken by the officer from his little bed, and conveyed to another at the city jail. It was afterwards learned that they had been bilking drinks and cigars upon the plea of soldier, at various places during the day, which dodge was aided by their wearing military caps. Members of the Grand Army of the Republic indignantly deny that these bilk deadheads have any connection with that Order or right to the honor of a soldier. They will be heard before the Police Court this morning, and may yet pay dearly for their oysters.

TEMPERANCE ENTERTAINMENT.—Siloam Lodge, No. 2, and Capital Lodge, No. 51, Independent Order of Good Templars, held a joint social entertainment at the Westminster Presbyterian Church last evening. There was a large attendance, and the affair proved to be a social success. Ice cream and cake were furnished all present by the ladies. A programme was carried out, embracing vocal and instrumental music, readings and recitations, and in which Dr. Thrailkill, R. T. Cohn, Mrs. Risdon, George Tenbrook, Frank Palmer, Addie Eskridge, Jennie Logan, C. Gray, Mrs. W. Katzenstein, Jennie Woods and others took part.

PAID AND DISCHARGED.—Henry Freedlander, alias Pale-faced Harry, and Theodore Henning, alias Bonanza Mike, were yesterday allowed to pay the balance of their sentence in money, at $1 for each remaining day of their sentence in the County Jail. It will be remembered that they were sentenced at a recent session of the Court for robbery, by means of the strap game. Their fines were paid and they discharged from jail yesterday.

PERSONAL.—A. M. Sharpe leaves to-day on the overland for a visit to Hamilton, Canada, to be absent about two months. Geo. T. Bromley passed here for the Upper Valley yesterday. John Talbot returned from the East yesterday. Judge Wheeler of San Francisco passed here from Chico for San Francisco yesterday. C. N. Fox returned here from Marysville yesterday. C. D. Lord of San Francisco is in the city.

"DUSTERS," "DUSTERS," at the Mechanics Store.

"HATS," "HATS," at the Mechanics' Store.*

"BEAVER SUITS," at the Mechanics' Store.*

BRIEF NOTES.

Flags were at half-mast yesterday at the railroad shops and over No. 1's engine-house out of respect to John Ryan, who died Sunday of cancer in the face. Deceased was a member of one of the Tribes of the Improved Order of Red Men, and one of the Lodges of Knights of Pythias.

Pickpockets, rounders, confidence men and thieves, are getting thick in this city, and it is as well to be on the lookout for them. At the camp ground Sunday one of them stole from Mrs. Fugit, of Galt, $10, and some of them operated at the crush at the circus Saturday.

Yesterday in the Superior Court James Francis and Michael Keating, natives of Ireland, were admitted to citizenship on the testimony of E. Christy and H. F. Burns.

Sixty-one immigrant passengers will arrive on the train from the East this afternoon, of which fifty-one are males.

There are undelivered messages at the Telegraph office for Wm. Powell and J. D. Stephens.

One car load of lumber was shipped from this city yesterday for Benson, Arizona.

THE RIVER STRIKERS.—The strike among the boat hands upon the river at this place, which was raised last Saturday by the importation of twenty men from San Francisco, by Captain Foster, has since broken out further up the river. On Saturday, fifteen deck hands, upon being refused an increase of $5 per month, left the steamer Dana at Colusa, while en route to Jacinto. Captain Page, of the Dana, telegraphed to Captain Foster at once of the new eruption, whereupon Captain Foster arranged by telegraph with H. J. Glenn, at Jacinto, to furnish men to load the steamer upon her arrival, which he did, and the steamer started back for Knight's Landing yesterday morning, arriving there last night. She was to be met at the latter place by a new crew, forwarded from San Francisco yesterday by rail. Everything is running smoothly here in relation to the extensive handling of grain, and no further trouble from strikes is anticipated, as no attempt in that direction can be effective, except against the strikers.

INDEPENDENCE ANNIVERSARY.—Next Thursday will be the seventieth anniversary of the Declaration of Independence by the people of Mexico. The Mexican residents of Sacramento propose to note the passage of the day in an appropriate manner. The flag of the Mexican Republic will be raised in different parts of the city, and at night there will be a ball and literary and musical exercises at Father Mathew Hall. F. G. Romover, J. F. Rodriguez and C. C. Moreno constitute the committee of arrangements. Senor J. B. Guerero will deliver an address about 10 P. M., and Professor P. Blizia will be the musical director of the evening. There will be a varied and patriotic programme on the occasion.

MERCHANDISE REPORT.—The following freight for Sacramento passed Ogden on the 11th and 12th: Studebaker Bros., 1 carload wagons; Locke & Lavenson, 50 rolls carpet lining; Weinstock & Lubin, 1 box hosiery, 1 box hats; H. C. Kirk & Co., 3 packages patent medicine; C. H. Gilman, 2 boxes dry goods; Benj. Cohen, 2 boxes dry goods; Gus Lavenson, 2 boxes shoes; Continental Oil and Transportation Co., 1 tank oil; L. K. Hammer, 1 organ; R. Stone & Co., 4 boxes saddlery; Huntington, Hopkins & Co., 450 kegs nails, 5 boxes and 3 cases hardware, 1 hay knife, 3 boxes firearms, 1 box cutlery, 1 barrel lantern globes, 2 boxes metal lamps, 1 box stamped ware; J. Gelling, 2 kegs cans.

POLICE COURT.—In the Police Court yesterday, T. F. McMahon pleaded guilty to the charge of disturbing the peace and was fined $50 and costs, which he cannot pay, and will return to the County Jail, which he left Friday, and serve another term of fifty days. Robert Wilson, John Graham and Thomas Dudley pleaded guilty to the charge of sleeping in cars without the beds made up, and will be given the Court's estimate of the offense to-day. Frank Smith, disturbing the peace, pleaded guilty and will receive judgment to-day. The City vs. James Duffy, for violating hack ordinance, was continued till the 15th instant.

THE PENALTY.—In the Superior Court yesterday Judge Denson sentenced W. B. Cook and Eliza Murray, who were under conviction for beating a colored man named Williams in a house where the defendants lived on Fifth street, between L and M, a fortnight or more ago, and an account of which appeared in the RECORD-UNION at the time. They were found guilty of assault with intent to do great bodily injury. The Judge fined them each $150, with the alternative of 150 days each in the County Jail.

FREIGHT MOVEMENTS.—The following carloads of freight were received yesterday in this city: One of wood, 1 of crude oil, 1 of Boca beer, 3 of merchandise, 5 of wheat, 7 of coal, 1 of wine, 1 of dry hides, 1 of ground barley, 2 of wood, 1 of wheels, 1 of screenings, 4 of steel rails. Also through carloads for the East were forwarded: Four of wine, 1 of brandy, 4 of salmon, 1 of canned fruit, 3 of barley, 1 of hops, 3 of merchandise, 2 of wool, 1 of deer skins, 1 of copper, 1 of cement, 1 of powder and 1 of canned peas.

STATE BOARD OF EQUALIZATION.—The State Board of Equalization yesterday heard testimony in the cases of Huntington, Hopkins & Co., Baker & Hamilton, the Pacific Mutual Life Insurance Company, Mr. Smith, Ninth and R streets, and heard the Supervisors of Santa Clara county, who protest against the proposed raise of assessment values in that county. The Board is anxiously awaiting the decision of the Supreme Court in the cases involving the greater portion of the powers of the Board.

TRAMP CAMP RAIDED.—Constable Cantrell of Washington yesterday made a raid upon a camp of tramps, located about half a mile above that place, and brought in five out of a battalion of about twenty. They repose in the sweat box on the other side of the river. Mr. Cantrell says that if those tramps were allowed to enter the coming free-to-all races at Agricultural Park the horsemen would never get a sight of the stakes.

DEAD BODY FOUND.—Yesterday Hartford Anderson, Justice of the Peace at Folsom, sent a dispatch to Coroner Vermilya, stating that there was a man found dead three miles from Folsom, and wished to know what should be done. The Coroner not being at home, his assistant, George Montgomery, telegraphed back for Mr. Anderson to attend to the case. No further particulars had been received last evening.

GAME LAW.—To-morrow the close season ends and the open season begins, when it will be lawful to hunt, pursue, take, kill or destroy quail, partridge or grouse, mallard, wood or summer duck, red-head, gadwell or gray duck, or blue-winged teal. Hunters quite generally agree that, for this year at least, the close season for quail should have extended to October 1st. The quail is still too small to kill.

POLITICAL.—The Republican Legion is to have a rally at Howe's Hall, Masonic building, this evening. The Executive Committee is directed to be present. The Second Ward Club, that meets at First and K streets, is to assemble in its room there this evening. It invites all Republicans to attend. Company A, Republican Legion, is called to meet at Howe's Hall this evening, to receive the new uniform.

MINERAL LAND PATENTS.—The following mineral patents were received at the office of Ed. F. Taylor, Register United States Land Office, yesterday: No. 4,189, for the old Harmon quartz mine, claimed by Louis A. Garnett et al.; No. 4,191, for the placer mine of James Sweeney et al.; No. 4,192, for the placer mine of John Rathgeb, Sr.

COMMERCIAL.—The steamer Varuna, from the upper Sacramento with barge of grain, arrived. The steamer Pioneer, with barge loaded with grain, arrived from above and departed for San Francisco. Schooner Sacramento, with lumber for the Friend & Terry Lumber Company, has also arrived at the wharf.

POLICE ARRESTS.—Captain Stewart was yesterday arrested for petit larceny by officer Smith; Edward Raney, disturbing the peace, by officer Smith; William Todhunter, for battery, by officer Woods; Sarah McCann was arrested as insane by officer Smith for safe keeping.

NOTARIES.—Governor Perkins has appointed as Notaries Public: Wm. Ryan, Downieville; G. G. Bradt, San Diego; George Mecartney, Bodie; J. W. Freeman, Bakersfield; and L. G. Yates, Centerville, Alameda county.

SENT TO FOLSOM.—Wong Ah Can, who was sentenced in the Superior Court yesterday to five years imprisonment at Folsom, was taken to that place by Deputy Sheriff J. E. Baker on the 4 o'clock train last evening.

BEGINS TO-DAY.—The El Dorado Agricultural Society Exhibition begins at Placerville at 2 P. M. to-day. A number of Sacramentans will be present.

"CONGRESS GAITERS," at the Mechanics Store.

COMMERCIAL.

San Francisco Produce Market.

SAN FRANCISCO, September 13th—1 P. M.

FLOUR—The Oregon steamer is at hand with about 1,500 bbls. We quote as follows: Best City Extra, $5 12½; Bakers' Extra, $5@5 12½; Superfine, $3 50@4; Interior Extra, $4 50@4 75; Interior Superfine, $3 50@4; Oregon Extra, $4 50@4 75; Oregon do, $5; Oregon Superfine, $3 50@4; Walla Walla Extra, $4 50@4 75 ₱ bbl.

WHEAT—The week opens tamely. On 'Change this morning the attendance was notably slim, while the volume of business was smaller than for any day this month. The fact of this being Collection Day may in part account for the general supine feeling. Shippers, so far as learned, are not buying to any extent, while the prospect of improved export demand under existing circumstances is not very encouraging. Quotations from Liverpool denote no change for the better. Sales include 2,500 ctls choice milling, $1 37½; 500 do good shipping, delivered alongside, $1 32½; 512 do for superfine, $1 17½ ₱ ctl. We quote: No. 1, $1 32½@1 35; choice milling, $1 37½; No. 2, $1 27½@1 30 ₱ ctl.

BARLEY—Transactions do not indicate any great fluctuations in values. Feed seems to work off slowly at unchanged rates. In brewing there is more or less movement for both old and new, but prices are substantially the same as have been current for a month. For Chevalier there is a moderate export demand, though at a limited figure. For choice standard, $1 40 is the top asking figure, and holders make no secret of their willingness to shade in order to secure a buyer. Sales of 1,800 ctls good old brewing, 90c; 500 bay feed, 80c; 500 do do 77½c; 450 do dark coast, 75c ₱ ctl. Brewing is quotable at 90@95c; feed, 75@80c; Chevalier, $1 35@1 40 for choice bay and 85c@$1 25 for coast.

HAY—Only a moderate business reported. Cargo lots on the wharf range from $9 to $12 50 ₱ ton.

HOPS—New crop is quotable at 15@20c ₱ lb for all arrivals to date.

FRUIT—The Oregon steamer arrived yesterday with small consignments of Apples and Pears, with which the market is already abundantly supplied from local sources. Peaches are rapidly diminishing in quantity. Grapes continue plentiful, the Muscat variety this morning being in excess of the demand. No Strawberries came to hand to-day, and only two or three chests of Blackberries were received. We quote as follows: Apples, 40@50c ₱ box for green, and 75c@$1 for red; Pears, 30@40c ₱ box; Bartlett do, 50c ₱ box of 25 lbs, 65@85c ₱ box of 40@45 lbs, and $1@1 25 ₱ box of 60 lbs; Cantaloupes, 25@50c ₱ crate; Sweetwater Grapes, 50@75c ₱ box; Tokay, 75c@$1 25 ₱ box; Black Hamburg, 50@75c ₱ box; Muscat, 60c ₱ box; Rose of Peru, 50@75c ₱ box; Crab Apples, $1 ₱ box; Watermelons, 60c@$1 ₱ dozen; Blackberries, $2 50@3 50; Figs, 50c ₱ box; Peaches, 75c@$1 for boxes and baskets; Plums, 1½@3c ₱ lb; German Prunes, 75c@$1 ₱ basket; Lemons, $9@10 ₱ box for Sicily, and $5@6 for Australian; Limes, $17 50@20 for Mexican; Tamarinds, 12@15c ₱ lb; Bananas, $2@4 ₱ bunch.

HONEY—Supplies seem to be dropping off. We quote: Comb, 11@13c; strained, 6@6½c for dark, and 7@7½c ₱ lb for white.

BUTTER—Medium and ordinary qualities are in ample supply, but choice grades are scarce and bring fancy figures. We quote as follows: Good to choice, 25@30c ₱ lb, with an occasional advance for fancy brands; inferior to ordinary, 20@23c, inside rate for mixed lots from country stores. New firkin is quotable at 21@25c ₱ lb. Pickled comes within the range of 25@27½c. Eastern is in fair supply, and 20@24c ₱ lb will probably cover the bulk of offerings.

CHEESE—No disturbance in values. We quote: California, 12@14c; do, in drums, 14@15c ₱ lb; Eastern, 16@18c; Western, 14@15c ₱ lb.

EGGS—Holders vary widely in their views. For choice lots 32@34c ₱ dozen was asked this morning, but we heard no transactions. The Oregon steamer brings 45 boxes, which will be discharged this afternoon. Outside receipts are moderately fair. We quote: California, 27@32½c; Salt Lake, 25c; Eastern, 25c; Lime 25c; Oregon, 25@27½c ₱ dozen.

POULTRY—The demand is quite light, but consignments are not large, and prices remain stationary. We quote: Turkeys, 15@18c ₱ lb for live; Roosters, $5@5 50 for old, and $4@5 50 for young; Hens, $5 50@7; Broilers, $3@4, according to size; Ducks, $3 50@4 50 ₱ dozen; Geese, $1 50@2 ₱ pair.

WOOL—Owing to continued dullness, we are compelled to give nominal quotations. Operators express no opinion as to the future, though hoping for the best. Telegrams from Boston report that market as still in an unsatisfactory condition. Buyers were said to be more plentiful, but their views were so low as to value that no sales could be made. We quote nominal, as follows: 16@19c for burry; 20@22c for free southern and San Joaquin. Northern is quotable at 20@25c for ordinary heavy grades; Humboldt, 30@32c; Siskiyou 27@28c; Washington Territory, 25@28c. Fall lamb clips are quotable at 12@14c for fair to good Southern, and 14@16c for choice do; poor Northern, 15@17c ₱ lb. Strictly free and light Northern would probably bring 20@22c ₱ lb. Eastern Oregon sells at 16@20c for inferior, and 22@24c for choice. Fine light fleece Valleys come about 30c, while common grades are nominally 25@28c ₱ lb.

Sacramento Market.

FRUIT—Our Sacramento quotations are from the price-lists of W. R. Strong & Co., and are revised up to 6 P. M. yesterday. They represent trade prices, and have in view selected fruits suitable for shipment: Apples, 75c@$1; apples, peeled for long shipment, $1 25; pears, ordinary varieties, 75c@$1 25; Bartlett, $1 50@2; prunes, $1@1 25 ₱ box; peaches, $1 25@1 75 ₱ box; figs, 6@10c ₱ lb; plums, in variety, 75c@$1 50 ₱ box; oranges are very scarce, quotable at $40 ₱ M; Tahiti; lemons, Sicily, $9@10 ₱ box; California, $4@4 50; Australian, $8@5 50 ₱ box; limes, Mexican, $18@20 ₱ box; banana, $3@4 50 ₱ bunch; pineapples, $@9 ₱ dozen; tomatoes, 40@50c ₱ box; watermelons, 75@90c ₱ dozen; grapes are in variety at $1@1 25 ₱ case; Grapes, in box, 7@$1; cantaloupes, 60c ₱ dozen.

FEED—Our quotations are from the price-lists of E. A. Burr, of this city, and are corrected to date: Oat hay, $8@10 ₱ ton, baled; alfalfa, $7@8 ₱ ton, baled; bran, $11@12 ₱ ton; barley, 50@55c ₱ cwt.; ground barley, 95c@$1 ₱ cwt.; wheat, $1 25@1 35 ₱ cwt.; oats, $1 85@2 ₱ cwt.

Eastern and Foreign Markets.

NEW YORK, September 13th.

BREADSTUFFS—Flour and Wheat are quiet, latter at $1@1 03.

HOPS—California are quiet at 23½@24c.

WOOL—California is irregular at 13@18c for fall burry, and 16@25c for clean fall; spring burry, 18@21c; clean spring, 24@33c; pulled, 38@46c.

LONDON, September 13th.

WOOL—At the wool sale to-day prices were quiet and firm, and the demand, both for home and foreign, was well sustained. Six thousand bales were sold, chiefly Port Phillip, Sydney and Adelaide.

LIVERPOOL, September 13th.

WHEAT—Good to choice California, 9s 2d to 9s 8d. Spot lots are firmly held; cargo lots quiet; arrivals off