THE DAILY RECORD-UNION.

SATURDAY............DECEMBER 11, 1880.

THE REASONS

For declaring the WEEKLY UNION the best family paper are obvious. It is the only weekly paper which is issued in two parts, and carries to its readers the news of the day twice each week. By this means the news is to the great mass of readers in the country nearly as fresh as if gleaned from a daily paper. It is the only sixteen-page weekly journal in the State; it is a complete news, commercial, literary and critical paper; its columns have special departments carefully edited for the farmer, mechanic, merchant, the housewife, the young people, the lovers of curious puzzles, educators, artisans, bankers, brokers, readers of fiction and poetry, and the general reader of the political, scientific and business news of the day. In December there began in the WEEKLY UNION the first chapters of the new serial, "The Ventures and Adventures of Charlie Gould." It is a deeply interesting story of the stock market and stock gambling era of California. It is written by Edward F. Cahill of Los Angeles, and is the first of the RECORD-UNION'S $200 prize stories, for which there was such active competition. The WEEKLY UNION is mailed for one year, prepaid, to any address in the United States for $2 50.

NEWS OF THE MORNING.

In New York yesterday Government bonds were quoted at 113 for 4s of 1907; 101⅛ for 5s of 1881 111⅞ for 4½s; sterling, $4 79½@4 82½; silver bars, 111¼.

Silver in London yesterday, 51⅞d; consols, 98 13-16d @99 11-16; 5 per cent. United States bonds, 104¼; 4s 117¼; 4½s, 115½.

In San Francisco half dollars are quoted at ½ discount to par; Mexican dollars, 91c.

At Liverpool yesterday wheat was quoted at 9s 9d @10s 1d for good to choice California.

The London *News* settles the question as to the meeting of Parliament before Christmas.

The pension bill has been acted upon in the lower House of Congress.

The House of Representatives has adjourned till Monday.

The mail steamer matter between the United States and South and Central America and Mexico was considered in Congress yesterday.

More earthquakes in Europe are reported.

French expelled Jesuits are announced as arriving at certain of the American continental ports.

Senator Coke of Texas expresses himself as to the desires of his people in a division of that State.

A circular regarding admission to the grade of cadets in the revenue marine service, has been issued by the Secretary of the Treasury.

The Ritualistic cases come up in the Court of Queen's Bench on habeas corpus next week.

The Irish agitation continues to increase.

The London *Times* is out with expressions on the Gladstone circular and that by the Chief Secretary for Ireland.

Further legislation on Indian affairs is proposed in Congress.

The Quarantine Convention has taken important action, and has named a California physician as a committeeman.

The New York papers comment on the act of the California Secretary of State in permitting electoral returns to be amended.

Lord Granville's letter to the United States Minister on the subject of the Newfoundland fisheries is given publicity this morning.

Dr. Chas. Earll, the Chicago abortionist, has been disposed of.

Judge Silent has decided the Pinal county railroad tax cases.

McFatridge, the alleged letter-rifler, is on examination at Los Angeles.

The great Idaho suit at Nevada City has come to an abrupt but temporary close.

Stormy weather on the Oregon coast is reported.

Moonshiners have killed a United States Marshal in Alabama. They are to be followed up at once.

A terrible colliery explosion is reported in England with a great loss of life.

The Sublime Porte wants a definite answer from the Powers on the Greek question.

An ironclad of a new pattern is talked of.

The Washington news indicates filibustering and perhaps a dead-lock in the House soon.

Spain wants an amicable agreement with the United States about duties on certain goods.

HOLIDAY ISSUE.

Following the custom first established by this paper the RECORD-UNION will on the 1st day of January, 1881, issue a mammoth edition containing valuable statistics, business review of Sacramento, and interesting special articles.

The superior value of the New Year's issues of this paper is already so well known as to require no detail of the prospectus. The editions of this special issue have often reached 30,000 of the daily alone. All matter presented in the daily reappears in the WEEKLY UNION, thus receiving the widest and most general circulation.

The RECORD-UNION and WEEKLY UNION are the only papers published outside of the metropolis having a general circulation.

The WEEKLY UNION has over TEN TIMES the circulation of its local cotemporaries, and the largest and most general circulation of any weekly published on this coast.

THE PACIFIC COAST AND THE CABINET.

There are intimations, whether well or ill-founded we do not know, to the effect that the Pacific coast may be thought entitled to representation in the Cabinet of General Garfield. Hitherto California has been restrained by a discouraging remembrance of her distance and relative insignificance from bestowing much attention upon rumors of this nature, but if indeed there be a possibility of her recognition, and that of her neighbors, she will not hesitate to express her sense of the contemplated honor, and her belief as to the man upon whom it should be conferred. At such a juncture the thoughts of all careful observers must inevitably be directed to the Hon. Aaron A. Sargent, than whom the President-elect could certainly select no abler or more trustworthy assistant, and whose choice for a Cabinet position would be accepted as eminently satisfactory by the people of this State and coast. It would be a work of supererogation to rehearse the praises of Mr. Sargent. We cannot forget that his admirable qualities and qualifications are of necessity understood as well in Washington as here. He has served California for some ten years in both houses of Congress with an industry, fidelity and capacity leaving nothing to be desired. He has shown a comprehension of the needs of his constituency, speaking volumes for his vigilant thoughtfulness. The splendid business qualities which have enabled him to be so useful to his smaller constituency will unquestionably fit him for equal services in the broader field of the Cabinet. A thoroughly representative Californian, Mr. Sargent is an equally representative American. Cultivated, full of statesmanlike experience, familiar with governmental problems from the lowest to the highest, a nobly consistent and undauntedly courageous chief in the Republican party—we know of no man on the coast who is so pre-eminently marked out by fitness and natural selection for such a position as has been suggested. If General Garfield invites Mr. Sargent to take a portfolio in his Cabinet, he will at once give the country assurance of his intention to choose well, and he will secure the services of a gentleman who will do much to make his administration a success. We heartily trust, for both General Garfield's and Mr. Sargent's sake, first, that the intention of taking a Cabinet officer from California may have been truly reported, and, second, that our late United States Senator may be the man.

RESPONSIBILITY IN MENTAL DISEASE.

If society were governed and the law administered on strictly rational and scientific principles, the punishment of crime would be far less difficult than it is, and it would not be necessary so often to call attention to the divergence between theory and practice. In such a hypothetical state of affairs the statutory definition of murder would be accepted just as the statutory definition of burglary and arson is now accepted, and the functions of the jury and the Court would be confined to ascertaining whether the action of the defendant brought him within the scope of the legal definition. As it is, however, there are in practice several laws governing murder cases which do not appear upon the statute book, and which in fact go counter to all statutory enactments; and it is to these "unwritten laws," as they are called, that appeals are made in almost every case of homicide. Thus a man is justified in committing homicide if a female relation of his has been seduced. Or he is to be held blameless on the ground that he was irresponsible through a temporary access of mania. In both these cases assumptions are made which have no warrant in law, though it must be admitted that experience with juries has amply justified counsel for the defense in having recourse to them. In assuming the irresponsibility of a defendant on the plea of temporary or impulsive insanity, counsel are aware that they are calling to their aid a very potent auxiliary. The enormous difficulty of determining questions so subtle and intricate as those which are raised by the plea of temporary insanity must inevitably tend to confuse even an intelligent jury. The certainty of contradiction in the testimony of the medical witnesses is another element of strength for the defense. And if only counsel can persuade the jury that in the event of a doubt their client ought to be held irresponsible, their case is won. So boldly and extensively has this line of defense been operated that the actual law in regard to murder is rapidly falling into contempt. What constitutes murder to-day it would be no easy matter to say. Of course the codes contain a precise enough definition of the crime, but in practice this definition is ignored. It is from the jury box, and not from the statute, that we must learn the actual state of the law, for it is public opinion, sophisticated or unsophisticated, that determines what the punishment of crime shall be, or whether it shall be punished at all. Now in regard to murder juries have for some time plainly ignored the written law, and have yielded assent to the dictum of the lawyers that what is most improperly called by them "unwritten law" is alone of binding force. The fact that this so-called unwritten law is neither more nor less than the rude code of a barbarous stage of society, the outcome of a social compact compelled by the abuses of administrative force, should cause it to be regarded with suspicion. In truth it has nothing in common with civilization, but is a revival of that *lex talionis* which it is the interest of civilized men to eliminate as speedily as possible. The plea of insanity has, however, come to fortify this barbarous recourse, and it has proved very formidable and very successful. It has, perhaps, caused more signal defeats of justice than any other plea ever employed. It has in not a few cases brought the law into contempt. It has served as an excuse for liberating deliberate, sane and habitual assassins. It has been so abused that Society must consider seriously the means of abolishing or neutralizing so prolific a source of wrong and evil. To this end we think the first step ought to be a realization of the true scope and significance of the plea. It is both difficult and dangerous to undertake to draw the lines sharply between sanity and insanity, to begin with. Insanity is disease of the mind, and it is as various in its manifestations as disease of the body. Now it would be very difficult for the most skillful physician to take any human being, and after examination, declare positively that he had no germ of physical disease about him. Of course we know that men are commonly pronounced "sound" for various purposes by medical men, but we know also that they often prove subsequently to be anything but sound.

It is the same with the mind as with the body, in fact the distinction drawn between them is only confusing. Mind is a mere manifestation of physical organs, and if the physical organs are diseased the mental manifestations will be diseased. For insanity is hereditary in a very large proportion of cases, and it may be transmitted in various degrees of intensity. Those who inherit the disposition to murder are said to have the insane neurosis, and the inherited disposition may manifest itself either in generally eccentric habits, in some special bent of mind, or in a tendency toward impulsive mania. It might be alleged from a purely pathological standpoint that all who had the insane neurosis were irresponsible. But so it might be alleged, and with possibly equal force, that all who inherit the criminal instincts and habits, the low brow and prognathous jaw of the dwellers in the slums of great cities, are irresponsible. The dog who is seized with hydrophobia, and who bites his master or his best friends, is certainly equally irresponsible, for he is suffering from brain disease. Yet we do not hesitate to kill the dog, and we should not hesitate to punish the criminal. To attempt to draw the line between sanity and insanity in determining responsibility for crime is in fact altogether outside of the province of the law, and this is the point to which it is necessary to direct the public. Perhaps we all of us have a touch of insanity. Perhaps there is no such thing as perfect sanity, just as there is no such thing as perfect bodily health. Everything is relative, in fact, and on so obscure and complicated a subject we must be content with partial results. It is impossible to fix the exact state of any man's mind. It is impossible to say with certainty that any given homicidal impulse was not induced by mental disease. It is always possible and very often probable that this is the case, and especially when the motive of the deed is not apparent at the first glance, as it is in cases where robbery accompanies murder. When the homicidal attack is committed upon some connection of the murderer, as is often the case, insanity may be postulated with perfect plausibility. When there has existed a real or imaginary cause of hatred against the victim, the impelling cause of the final assault may still be insanity. Disease of the mind may make a man somber and melancholy; may set him brooding, and may finally goad him into homicide. The truth is that insanity is much more common than people generally suppose, and its gradations are so fine that it is impossible to trace them. It is, moreover, a disease which may lurk harmless all a life; or it may merely give emphasis to the dominant tendencies of character; or it may be latent until middle life, and then manifest itself in some sudden outbreak of folly or frenzy. In short, it may show itself in a thousand ways.

But though insanity is very common, and though it tinges so many actions, and though it may be postulated as present in a great many murder cases, it does not follow that all criminals who have the insane neurosis, or are actually more or less mad, should be held irresponsible. On the contrary, it is necessary to realize that insanity is quite compatible with complete responsibility. Even supposing that the insane persons cannot help themselves, Society is justified in punishing them if by so doing it can prevent others from doing as they have done. In fact, Society daily punishes those who, by the accident of birth, are quite as much destined to crime as the hereditary maniac is to insanity. Our so-called "dangerous classes" are born criminals, and all their training and tendencies are in that direction. They *could not* be honest and law-abiding with their surroundings, yet Society punishes them, and is justified in doing so. But it cannot be admitted that the insane who commit crime are in most cases really irresponsible in the sense of not knowing what they are doing. Save in violent mania and idiocy the capacity to distinguish between right and wrong is always present. The man who yields to homicidal mania knows that he is doing wrong; knows that he is committing a crime; actually struggles against the impulse; and finally surrenders to it very much as any of us surrender to more harmless temptations. Now for the purpose of the law this ability to distinguish between right and wrong is all that is necessary to justify punishment. The law cannot enter into pathological analyses. It cannot undertake to discriminate between nice shades of mental disease. It must content itself with ascertaining that he who commits murder knew he was committing murder when he did the deed. It must be remembered that, as Griesinger observes, "The criminal acts "of the insane have not ordinarily the "characteristics of irresistible impulse." In fact it is very seldom that they could not have restrained themselves from the commission of the crime. With this view all the perplexities which the legal theories of the relation of insanity to crimes have raised, will disappear. It will no longer be of consequence whether the defendant is said to have had the insane neurosis, or to have been the subject of impulsive insanity or transitory mania, or whatever else it may be called. It will only be necessary to prove that he understood what he was doing, to render him a fit subject for punishment. As has been observed by Dr. Mayo, "The law should not permit the "idea of insanity in its agent to plead his "excuse when he knows that he is per- "fectly aware of the murderous tendency "of his actions, and, in being unable to "resist them, is only in the same predica- "ment with every recognized aspirant to "the gallows." The man who commits murder, possessing intelligence to know what murder is, should in fact be hanged, and that without any reference to the question whether insanity impelled him to the deed. Unless this is conceded Society will soon be without the power to protect itself against murder.

JUDGE BLACK ONCE MORE.

Judge Black's letter to the New York Chamber of Commerce on the relation of railroads to the state is so full of monstrous theories that it seems necessary to deal with it deliberately. There are to-day not less than five thousand millions of dollars invested in railroads in the United States, and therefore when a prominent lawyer publicly states that "the notion "that railways are the property of the "companies authorized to run them is a "cardinal error," and that these companies "have no proprietary right, title or claim" in them, it is time to inquire where the country stands on these propositions. Judge Black sets out with the utterly false and misleading analogy of a highway. A railroad is not a highway, and does not resemble a highway in anything but the one circumstance that it is a kind of road. Judge Black asserts that railroads are the property of the state because "a "public highway cannot be private "property." This is a mere quibble about words. A railroad has nothing in common with a public highway, which is a means of communication constructed by the state, expressly for the use of the people. Railroads are not so constructed. They are built with private capital, and this whether they are subsidized or not, since if they are subsidized the Government only lends them certain sums, which are to be presently repaid out of their earnings. The truth is, however, that Judge Black seems to have been standing on his head when he constructed the singular views which he has here presented. He has certainly reversed the real relations between the state and the railroads. He asserts that the corporations are only trustees for the state, and that they are controlling public property, whatever they may think to the contrary. In fact, however, it is the state that is the trustee, and not the corporations. They are owners. It is a mere abstraction, representing the people, and acting for them. Whatever rights of sovereignty over the railroads it exercises and possesses, it owes solely to its character of agent. Private capital has been employed in building the railroads, and the employment of this private capital has been based upon the distinct engagement of the state that the property so created should, with certain conditions and restrictions, inure to the benefit of the projectors. In these arrangements the state has bargained on behalf of the people, with the clear understanding that the latter would derive from the building of the railroads such benefits as made it well worth their while to offer the assistance agreed upon. To assert that the railroads have therefore been built for the state, or that they belong to it, is to assert that the people can turn thieves and steal what does not and never did belong to them by any color or pretense.

In fact Judge Black's argument is sophistical and weak, and it contains propositions which if accepted would be fatal to the rights of all property whatsoever. He endeavors to make much of the assertion that railroads are "laid out and built by "the authority of the state." The state gives its consent to the traversing of its territory, and this is all in the majority of cases. What special rights can the giving of such a consent confer upon the state? He says that railroad companies "have no "proprietary right, but a mere franchise." What is a franchise, but the authorization of the state to conduct certain business in a certain way, and for a certain time? Such an authorization is in effect a property of the most valuable kind. Judge Black admits indeed that there are "vested rights" in a railroad, but at the same time he takes positions which would deprive these vested rights of all consequence. For he holds that the state must determine what compensation the railroads are to have, and this of course is equivalent to saying that the tolls leviable under the franchise may be cut down to nothing. The tendency to cut them down to nothing is not an imaginary one, as has been shown in the Granger agitation, and in our own Railroad Commission scheme. Wherever in fact the right of the actual owner of property to control it is denied, it follows necessarily that these owners will be wronged, since it cannot be the earnest interest of anyone but themselves to do them justice, and since if the public are allowed to dictate the terms on which goods shall be sold to them, or service of any kind, they will be certain to make the arrangement from their own standpoint, which of course is the most opposite of that of the seller. In fine, what Judge Black advocates is confiscation, which is a polite name for robbery. Here are five thousand millions of dollars invested in American railways. It would perhaps be a good thing to get possession of this enormous capital by exerting the prerogative of the state. That is the idea which seems to underlie all such sophistries, and it is necessary that the people as well as the men who have invested their capital in railroads, should reflect upon the questions thus brought into prominence.

THE QUESTION OF A PERMANENT OFFICIAL CLASS.

The objection that the American people do not want a permanent official class is one of the oldest as well as one of the feeblest which the opponents of Civil Service reform have advanced. As, however, it seems to have made some impression upon the unthinking, it is perhaps worth while to examine it and see what it really amounts to. Those who use it are accustomed to talk about the danger of establishing "an aristocracy" by abolishing the spoils system, and some people do not reflect enough to perceive the absurdity of all such apprehensions. The truth is that the "Boss" system in our politics has gone nearer to creating a dangerous permanent class of office-holders than anything else that has ever influenced the country, and that Civil Service reform aims at abolishing the evils which belong to that system. Under the "Boss" system the Federal offices have become in several notorious instances the perquisites of a handful of men who have used them to put and keep in office a class of politicians who never would have been eligible on the score of fitness. The "Bosses" are precisely the people who believe in a permanent official class, and who are doing their best to establish it, and the kind of permanent official class they believe in is certainly not what the country needs. But why should the idea of a permanent official class, abstractly considered, be regarded as dangerous to the republic? Is not permanence in office the very first condition of good service in any business whatever? Does any man imagine that the banks and mercantile houses and manufacturers could prosper if they did not guarantee permanence in office to all their employes who serve them well and faithfully? And is a permanent class of Federal officeholders any more to be dreaded than the permanent class of bank clerks and mercantile clerks which has always existed? It is in the present state of the public service alone that office-holders can be a source of danger. It is when they are forced into politics by the "Bosses," and are compelled to contribute to campaign funds, and are made to exert themselves for the furtherance of partisan ends, that they become mischievous. But civil service reform proposes to do away with all these sources of danger. It proposes to sever the connection between the Federal office-holders and partisan politics; to treat them from a business basis alone; to select them for fitness, and to make competence and fidelity the conditions of their retention; to compel them to give their time to the work for which they are paid, and to prevent them from running the "machine" at any Congressman's bidding. A class of office-holders thus separated from politics and placed upon a business standing will be incapable of mischief. Organization among such a class for political purposes would be quite useless. They could not fortify themselves in their positions, simply because every man would hold his office on the strength of his individual fitness, and could not rely upon any other man to bolster him up if he ceased to be fit.

At present the Federal office-holders are a permanent class, and a permanent class of the most dangerous kind. It is in fact almost in their power to carry a Presidential election to-day. They are able to raise funds for campaign purposes against which mere private subscription counts for very little. They constitute a powerful machinery completely controlling State politics in the great centers of population and activity. They can be handled like an army, and they are so handled for partisan purposes. Whoever has any sane objections to a permanent class of office-holders must have derived them from experience under the spoils system, but such objections have no force when applied to Civil Service reform. If we wish the public business to be well transacted we must administer it upon rational principles, and this is the kind of change now demanded. Rotation in office has been the curse of American politics for years. It has been the chief argument for the spoils system, and has made the latter what it is. It is irrational, vexatious, mischievous and extravagant. It does not give vigor to our politics, but it saturates them with corruption. It excludes the natural selection which is Nature's wise rule, and substitutes for it selection by caprice and self-interest. When Civil Service reform is introduced the people, for the first time in two generations, will once more be enabled to govern the country. They do not do that now, whatever they may think. We have not now a really popular government, but a government by "bosses" and machine managers. Abolish patronage (the very name of which ought to be offensive to an American), and the Civil Service will cease to be an instrument whereby party may be intrenched in power. It will then become what it ought always to have been, namely, the sober business department of the Government; the means whereby the public affairs are transacted, and nothing more. Every man in it depending upon his own exertions, every man in it responsible for his actions, no "chiefs" to exercise petty tyrannies, no politicians to intrigue this one out and the other one in—the country would then have a permanent official class of which it could feel proud, and at the same time it would know that nothing was to be feared from this class. That is what is needed, and what Civil Service reform alone can give us.

EDUCATION AND CIVILIZATION.

Mr. Richard Grant White has got himself into trouble by attempting to show that the public school system is a failure, and that in fact it does not prevent the States where it flourishes from producing a larger percentage of crime and vice than appear in the States where it has taken least hold. He endeavors to demonstrate that there is in fact less crime proportionally in some of the most illiterate of the Southern States than in some of the most literate Northern States. The New York *Times* answers Mr. White's arguments, and asserts that he has reached erroneous conclusions by failing to admit some data of vital importance. It says: "New England is densely populated, the "South thinly; New England has many "large cities, the Southern States mentioned "very few; New England has scores of "large manufacturing towns overrunning "with ignorant and degraded Canadian "and Irish operatives; the South has "nothing of the kind; and in New En- "gland the conditions of life are hard, its "bare necessities are costly, and families "starve on incomes which would bring "comfort, if not luxury, to families of "poor whites in the South." These are sound considerations, but by far the most important is the "influence of foreign im- "migration upon the criminal record of "the Northern States." The *Times* points out that "in 1860 the proportion of foreign- "ers to natives in New England was 1 in "7, and in the six Southern States 1 in "17, or, omitting the slaves, not more than "1 in 25. And it is equally important to "remember that the sons and daughters "born here to these immigrants, though "they appear in the census returns as "'native whites,' are really a foreign ele- "ment, and one from which the prisons "and poor-houses are largely filled." There can be no doubt that the criminal statistics of the Northern States are so largely affected by the foreign immigration that any such attempt as Mr. White has made to compare the relative morality of the two sections, as influenced by the schools, must be a failure. That the school system has disappointed its best friends will have to be admitted. Mr. White is correct in saying that it "is not the reformatory agent "which it has honestly been supposed to "be." It has, however, failed mainly because the right methods have not been employed, nor the right kind of knowledge imparted, and not because knowledge is powerless to civilize. How great a proportion of the crime and vice of our thickly-populated States and cities is due to the steady influx of foreign immigration it is of course impossible to estimate, but that it must be very large none can doubt who have any acquaintance with the character of the foreign elements referred to. These bring to the country a great mass of ignorant adult population, and this ignorance is admitted, after a brief and wholly useless probation, into politics, and is permitted in many cases to determine the character of the government of important centers, and even of whole States. Not to take this into consideration in making a comparison between the North and South is to vitiate the whole proceeding, and to do injustice to the North while creating the mischievous impression that education exercises no appreciable influence upon the morals of the community. It should also be remembered that if crime in the South does not figure as conspicuously on the records as at the North, one reason for this is that in the South some kinds of crime are rarely punished at all, and that the class which enjoys this impunity is the most heinous. In fact it is evident that Mr. White has jumped to conclusions with undue haste, and that his argument requires to be revised and reconstructed.

GLADSTONE'S HEALTH.

It has been stated that Mr. Gladstone's health is so impaired that his physician has prescribed absolute cessation of public business. If this is the case the situation will be doubly serious, for it is extremely doubtful whether his government can carry on the business of the country at this juncture without his invaluable aid. The session of Parliament about to open will be one of the most important for many years. The Irish question has to be met, and it is evident that it is no longer possible to temporize with it. The land bill which the Government will introduce, and which it will urge with all its influence unless the Land League should precipitate a rebellion, will certainly be opposed desperately by the Conservatives, and, in fact, by the whole English landed interest, which will see in the proposed change the doom of the English as well as of the Irish land system. Should it be found necessary to adopt strong coercive measures in Ireland the presence of the Premier on the floor of the House will be quite as indispensable, and it may be doubted whether in his absence his colleagues could be prevented from falling into fatal differences upon leading measures. In short, a worse time could not have been taken for Mr. Gladstone's collapse, and yet when we remember his age and the amount of work he has done we cannot be surprised that he should fail at last. It is to be hoped for the sake of his party and for the sake of the reforms his government contemplates, that his health may be better than report states, and that at least he may be enabled to sit out the coming session, and show the world how he proposes to solve the Irish problem.

THE QUESTION OF JURIES

Our article on juries in murder cases has elicited a valuable suggestion from a well-known criminal lawyer of this city. He expresses the opinion that one of the most prolific causes of failure of justice in murder cases is the common practice of allowing juries to mix with the public while the trial is proceeding. He states that where the Sheriff has been instructed by the Court to take charge of the jury from the beginning of the trial, and to guard them from all approaches, their verdicts have been almost always intelligent and satisfactory. His theory is not that jurors are corrupted, but that in mixing with the crowd, in taking their meals at a hotel, in passing to and fro along the streets, they necessarily come in contact with a great deal of irresponsible opinion, and are more or less influenced by it. It is at the option of the Court to order the jury to be locked up throughout the trial, and if this practice was made obligatory upon Judges there is strong ground for believing that the interests of justice would be furthered. Where jurors are carefully isolated and kept to themselves they feel the responsibilities of their position more keenly, and they bestow more attention and reflection upon the evidence. In such cases they are free from all extraneous influences, and therefore the more likely to come to a dispassionate and intelligent decision. Certainly any change in the practice of the Courts that would bring about so desirable a reform in the quality of criminal verdicts is worth attempting, and therefore we hope that some member of the Sacramento delegation will note this point for an amendment to the Codes or the Constitution, whichever may be necessary.

THE HOLIDAY SEASON.

SACRAMENTO TRADE AND BUSINESS DIRECTORY.

Superior Inducements Offered by Our Merchants and Tradesmen—Low Rates the Rule.

The close of the year is the season when the stock of every merchant and tradesman is full, fresh and placed at the lowest living rates. There are very many reasons why Sacramento as a business center is the most advantageous place in which to purchase. Chief among these may be set forth: Its central location, and the ease with which orders for shipment can be filled. Orders for goods of every description reach Sacramento daily, in time to be filled and shipped the same day. Sacramento merchants save large freightage fares to their customers of the interior by reason of our location. They are nearly all direct importers, and sell at rates equal to, and, in a large line of goods, less than merchants at the commercial port of the State, who labor under the disadvantages of high rents and long transportation rates. There are reasons, however, equally potent. Competition here is closer and more evenly balanced, and the stocks are selected with more care, as our tradesmen enjoy the advantages of selection in variety and quality that are not equally open to dealers in larger cities, who are forced to large stocks and compelled to rapid sales. The Sacramento public, too, is more critical and exacting, and tradesmen here are obliged to reach and fill a high standard of excellence as against their more pretentious neighbors. These and other reasons will present themselves to the thoughtful buyer, and extend into all the realms of trade. Sacramento wholesale and retail grocers and merchants, manufacturers and dealers, have in past years shown that they can and do offer decided inducements to interior buyers, which they have always recognized and improved and still will avail themselves of. The holiday season's approach induces more lively competition and brings to the front a still better grade of goods, and as a fact our merchants assure us that in most classes of goods a finer quality, better workmanship and more choice designs prevail than in any previous year, and of holiday goods especially is this true. In accordance with our annual custom we present herewith a list of merchants whose prudence and judgment have chosen our columns as mediums for presenting their claims to the people. While to the general public abroad these houses offer superior inducements, upon our own people they have peculiar claims, and no Sacramentan will forget the duty he owes to patronize first his own townsmen and those who contribute to the prosperity and maintenance of the city of his home—aside from which, he will find on examination that as varied assortments and rare goods, at as low rates, are to be had at home as in larger marts. It, however, does not now need argument to establish the advantages of this market, for the fact is, that the people have proved them by the most practical tests, and to-day the market area of the city extends throughout Northern and Central California, south a long distance, and east to the furthest Territories, and the trade of Sacramento is established beyond all question. These reasons cannot be gainsaid, and with their statement, which will suggest others equally forcible, we introduce the reader to our home houses:

Toys and Fancy Goods.

Ackerman & Co., 189 J street, between Sixth and Seventh.
Dale & Co., 185 J street, between Sixth and Seventh.
Mechanics' Store, Fourth and K streets.

Jewelry, Watches and Silverware.

William B. Miller, 190 J street, between Sixth and Seventh.
J. Bernhard Klune, 60 J street, between Second and Third.
H. Wachhorst, 79 J street, between Third and Fourth.
Samuel Jelly, 120 J street, between Fourth and Fifth.
J. Hyman, Jr., 136 J street, between Fifth and Sixth.

Books, Albums, Games, Etc.

H. S. Crocker & Co., 42 and 44 J street, between Second and Third.
W. A. & C. S. Houghton, J street, between Sixth and Seventh.
M. R. Beard & Co., J street, between Third and Fourth, south side.

Dry Goods and Fancy Goods.

Hale Bros. & Co., Ninth and K streets.
Mechanics' Store, Fourth and K streets.
Red House, 198 J street, between Seventh and Eighth.
Louis Bien, southwest corner of Eighth and J streets.
C. H. Stevens & Co., Eighth and J streets.
Lipman & Co., corner Fifth and J streets.

Music and Musical Instruments.

L. K. Hammer, J street, between Eighth and Ninth.
Dale & Co., 185 J street, between Sixth and Seventh.
A. Heyman, I street, between Sixth and Seventh.

Crockery, Glass and Plated Ware.

Ackerman & Co., J street, between Sixth and Seventh.
L. L. Lewis & Co., 132 and 134 J street, between Fifth and Sixth.

Hats and Caps.

Red House, 198 and 208 J street, between Seventh and Eighth.
Mechanics' Store, Fourth and K streets.
S. J. Nathan & Co., northeast corner of Third and K streets.

Wines, Liquors, etc.

James I. Felter & Co., Second street, between J and K.
Wilcox, Powers & Co., K street, between Fifth and Sixth.
Gruhler's saloon, 522 J street.
Ebner Bros., K street, between First and Second.
Emil Buckow & Co., K street, between Seventh and Eighth.
Billings & Co., K street, between Fourth and Fifth.
Julius Strutz, 41 J street, between Second and Third.

Fruits, Nuts, Seeds and Trees.

W. R. Strong & Co., J street, near Front.
M. T. Brewer & Co., corner J and Second streets.
R. Levy, J street, between Second and Third.

Groceries.

Adams, McNeill & Co., corner of Front and L streets.
George W. Chesley & Co., Front street, between J and K.
Hall, Luhrs & Co., southwest corner Third and K streets.
S. Godman, corner J and Second streets.
P. H. Russell & Co., J street, between Seventh and Eighth.
C. W. Rapp & Co., J street, between Fifth and Sixth.

Meat and Vegetable Markets.

Sacramento Market, K street, between Third and Fourth.
Oriental Market, K street, between Fourth and Fifth.
Fulton Market, corner Fifth and K streets.
Phenix Market, 76 K street, between Third and Fourth.
New York Market, corner Tenth and K streets.
City Market, J street, between Front and Second.
Chris. Weisel, L street, near Eighth.
DeBernardi & Co., K street, between Third and Fourth.

Cigars, Tobacco and Sample Rooms.

Lafayette Hall, K street, between Third and Fourth.
Capital Ale Vaults, J street, near Third.
J. George Kerth, 412 J street.
Gruhler, J street, between Fifth and Sixth.

Gents' and Boys' Clothing.

S. J. Nathan & Co., northeast corner of Third and K streets.
Red House, J street, between Seventh and Eighth.
Mechanics' Store, Fourth and K streets.
Samuel Nathan & Co., 147 J street, between Fifth and Sixth.
Lithauer & Co., J street, between Fourth and Fifth.

Boots and Shoes.

Mechanics' Store, Fourth and K streets.
Red House, J street, between Seventh and Eighth

Cutlery, Hardware, Etc.

Huntington, Hopkins & Co., K street, between Second and Third.
Baker & Hamilton, J street, between Front and Second.
Marcus C. Hawley & Co., 43, 45 and 47 J street, between Second and Third.
L. L. Lewis & Co., 132 J street, between Fifth and Sixth.

Stoves and Tinware.

L. L. Lewis & Co., 132 J street, between Fifth and Sixth.

Commission Merchants.

Lyon & Barnes, J street, between Front and Second.
M. T. Brewer & Co., corner Second and J streets.
W. R. Strong & Co., J street, near Front.
R. Levy, J street, between Second and Third.

Paints, Oils, Chromos. Etc.

Whittier, Fuller & Co., 1020 and 1022 Second street.

Real Estate and Insurance Agents.

W. P. Coleman, J street, between Third and Fourth.
Sweetser & Alsip, 47 Fourth street, between J and K.
Cadwalader & Parsons, corner Third and J streets.
A. Leonard, Fourth street, between J and K.

Hotels and Restaurants.

Hotel Langham, corner Fourth and L streets.
Arcade, Second street, between J and K.
Railroad House, 81 Front street.
State House, corner Tenth and K streets.
Young America Oyster and Chop House, Second street, between J and K.
New Atlantic, corner I and Twelfth streets.
Mechanics' Exchange, I street, between Front and Second.
Antone Mauretich, J street, between Third and Fourth.

Agricultural Implements and Wagons.

Hawley & Co., 43, 45 and 47 J street, between Second and Third.
Baker & Hamilton, J street, between Front and Second.
Pike & Young, corner Fourth and L streets.

Gas Fixtures, Plumbing, Etc.

L. L. Lewis & Co., 132 and 134 J street, between Fifth and Sixth.
Scott & Muir, 303 J street.

Furniture and Bedding.

James G. Davis, K street, between Fourth and Fifth.
W. D. Comstock, corner Fifth and K streets.
S. Postka, 717 J street.
Van Heusen & Huntoon, 204 J street, between Seventh and Eighth.

Harness and Saddlery.

R. Stone & Co., J street, between Fifth and Sixth.

Founderies, Boiler Works, Etc.

Guttenberger & Co., corner of Front and N streets.
H. H. McWilliams, Front street, between I and J.
Root, Neilson & Co., Union Foundry, Front, between N and O streets.
James Maguire, 148 K street, between Fifth and Sixth.
J. A. Cunningham, I street, between Front and Second.

Druggists.

Kirk & Co., J street, between Fourth and Fifth.
M. S. Hammer, Fourth and K streets.
Bell & Kolliker, Sixth and J streets.
Boston Drug Store, Third and J streets.
S. B. Ridgway, 214 J street.

Our professional friends do not deal in holiday goods, but they are none the less entitled to a place in the annual review of the advertising patrons of this paper. We give them full mention, but do not wish to be understood as advising the gift of a lawsuit as a token of esteem, or case in surgery as an indication of good fellowship. The same rules will apply to other advertising patrons.

Lawyers.

T. B. McFarland, southwest corner of Fourth and J streets.
Creed Haymond, northeast corner of Fourth and J streets.
S. Solon Holl, Sixth and I streets.
L. S. Taylor, Fifth and J streets.
Grove L. Johnson, Fifth street, between I and J.
Jones & Martin, 607 I street.

Physicians.

Dr. G. L. Simmons, J street, between Second and Third.
Dr. W. E. Briggs, 429½ J street.
Dr. Hatch, J street, between Third and Fourth.
Dr. A. B. Nixon, M street, between Ninth and Tenth.
Dr. W. A. Hughson, corner of Seventh and J streets.
Miss Kellogg, M. D., corner of Seventh and I streets.
Dr. W. A. Briggs, in Dr. Simmons' building, J street, between Second and Third.
Dr. Spinney, No. 11 Kearny street, San Francisco.
Dr. Mintie, No. 11 Kearny street, San Francisco.
Dr. Gibbon, No. 623 Kearny street, San Francisco.
Dr. Salfield, No. 216 Kearny street, San Francisco.

Auctioneers.

Bell & Co., J street, between Ninth and Tenth.
Sherburn & Smith, 87 K street, between Third and Fourth.
D. J. Simmons & Co., Fourth street, between J and K.

Dentists.

H. H. Pierson, 111 J street, between Fourth and Fifth.
Brewer & Southworth, corner Seventh and J streets.
Hare & Mead, 605 J street.
Dr. Thrailkill, Masonic Temple, Sixth and K streets.
Dr. Wood, Fourth and J streets.

Banking Houses.

D. O. Mills & Co., corner J and Second streets.
Sacramento Bank, northwest corner Fifth and J streets.
People's Savings Bank, southeast corner Fourth and J streets.

Insurance Companies.

Union Insurance Company, Cadwalader & Parsons, Agents; northwest corner Third and J streets.

Miscellaneous.

Pioneer Box Factory, Front and M streets.
Frank Foster, book-binder, No. 83 J street, between Third and Fourth.
J. F. Clark, undertaker, 49 and 51 Fourth street.
A. J. Vermilya, undertaker, J street, between Fourth and Fifth.
C. Schaeffer, cooper, 89 Fourth street.
Neubourg & Lages, mill and malt-house, Fifth street, between J and K.
Carle & Croly, builders, 82 Second street.
Houston & Co., employment office, Fourth and K streets.
W. R. Knights, dealer in hides and tallow, Front and L streets.
Sacramento Planing Mill, corner of Front and Q streets.
Pioneer Livery Stable, Fourth street, between I and J.
Black Diamond Coal Company.
G. Griffith, granite works, Penryn, Cal.
American Laundry, S. B. Cooley, proprietor.
Friend & Terry Lumber Company.
Sacramento Business College, I street, between Seventh and Eighth.
McLane's Liver Pills.
Worcestershire Sauce.
Hostetter's Bitters.
Eureka Baths, K street, between Third and Fourth.
Hall's Balsam.
Sozodont.
Phosphate Soap.
Keystone Pump Works.
Berteling & Watery, opticians, 427 Kearny street, San Francisco.
Madame Charlotte Robert, dressmaker, corner Eighth and I streets.
D. & D. Falconer, builders, corner Seventh and I streets.
Pfunder's Oregon Blood Purifier.
Tropic Fruit Laxative.
Liebig's Coca Beef Tonic.
Confectionery, Peterson, J street, between Sixth and Seventh.
Electro-Magnetic Belt Company.
Davis Sewing Machine Company.
Pacific Gold, Silver and Nickle Plating Works, San Francisco.
Terra cotta and stone ware, Hobby & Smith, 317 J street.
Sacramento Shirt Factory, 809 K street.
California Elastic Truss Company.

"Your little birdie has been very, very sick," she wrote the young man. "It was some sort of nervous trouble, and the doctors said I should have perfect rest and quiet, and that I must think of nothing—absolutely nothing. And all the time, dear George, I thought constantly of you." The young man read it over, and then read it through again very slowly, and put it in his pocket, and went out under the silent stars and kept thinking, and thinking, and thinking. But he didn't say anything. He only kept thinking.—[Rockland Courier.

Dixon farmers are hard at work plowing.