THE DAILY RECORD-UNION.

FRIDAY.....JUNE 3, 1881

ADVERTISEMENT MENTION.

Theater—Kate Claxton—"The Two Orphans."
Mendelssohn Quintet Club of Boston.
Company B, First Artillery, this evening.
Card of Thanks—H. G. Smith.
For Sale—Certificates.
Situation Wanted—By middle-aged woman.
Attention, Sacramento Hussars.
I. O. O. F.—Sacramento Lodge, No. 2.
I. O. O. F.—Relief Committee.
Situation Wanted—By a widow.
F. and A. M.—Sacramento Lodge, No. 40.
"The Four Pillars of Civilization."
Caledonian Reception Committee, this evening.

Auction Sales.

D. J. Simmons & Co.—Sale of Arcade Hotel and furniture, fixtures, liquors, etc.
Martin Pflug & Co.—Household furniture.
Sherburn & Smith—Great furniture sale.

Business Advertisements.

James I. Felter & Co.—Wines and Liquors.
Huntington, Hopkins & Co.—Hardware.
Redemption of Civil Bonds of 1873.
William Gwynn—Alabaster Lime, etc.
Grand Opening—New Atlantic Hotel.
Supplies for the State Prisons.
Bristol's Pills and Sarsaparilla.
Hall, Luhrs & Co.—Our Taste Hams.

LOCAL INTELLIGENCE.

MERCHANDISE REPORT. — The following freight passed Ogden for Sacramento on the 31st: For Batchelor, Van Guilder & Co., 1 car harrow material; Continental Oil Transportation Company, 1 tank oil; Huntington, Hopkins & Co., 155 pieces and 121 bundles iron pipe, 121 pieces tubes, 3 cases bottled cider, 5 barrels and 1 box vises, 3 cases hardware, 11 boxes axes, 1 barrel lanterns, 4 cases locks, 1 case hooks; Baker & Hamilton, 1 car wagons, 11 boxes forks; Whittier, Fuller & Co., 1 case machinery, 2 boxes moldings; W. A. & C. S. Houghton, 1 box books; Mebius & Co., 1 box cigars; C. P. R. R. Company, 4 cases fog signals, 6 bales waste; Billingsley & Co., 1 box brooms, 10 boxes tacks; Capital Furniture Company, 4 boxes marble; A. Heyman, 1 piano; Weinstock & Lubin, 1 box underwear; A. Dennery & Co., 11 casks silver-plated ware; S. Farnsworth, 2 boxes household goods; Booth & Co., 1 barrel maple sugar; Adams, McNeill & Co., 100 boxes and 750 half-boxes candles; Stone & Co., 2 bundles leather.

AUCTION SALES.—Sherburn & Smith will sell June 6th, at 10:30 A. M., at the residence of E. M. Skaggs, northeast corner of J and Second streets, a very large amount of valuable and fine furniture, carpets, bedding, crockery, glassware, etc., which is fully described in another column....Bell & Co. will sell to-day at 2 P. M., at the residence of Mrs. S. B. Gregory, 2320 H street, between Twenty-third and Twenty-fourth, kitchen, dining and bedroom furniture, consisting of range, with fixtures, chairs, tables, carpets, crockery and glassware, etc....Martin Pflug & Co. will sell at 10:30 this morning at salesroom, 1016 Fourth street, between J and K, a large consignment of household furniture, comprising, in part, parlor set, cottage bedroom set, extension dining table, chairs and tables, fifty spring beds, thirty walnut and other bedsteads, twenty-five washstands, lounges, two Brussels carpets, crockery, glass and tinware, two cook ranges (Nos. 6 and 7), etc.

SALE OF THE ARCADE. — The sale of the Arcade Hotel is announced by D. J. Simmons. This is one of the finest pieces of property in the hotel line in this part of the State, and the sale is to be without reserve. In addition to the sale of the building, the entire furniture and furnishing of the hotel will also be disposed of at auction, including the costly sets, pieces, carpets, crockery, glassware, and everything complete, goods all being arranged by catalogue. Also at the same time the entire stock of fine liquors, cigars, bar fixtures, splendid refrigerator, bar mirrors, dining-room furniture, etc., full particulars of which will be given hereafter. Catalogues will be ready next Monday, and the sale will commence on June 16th and last during the 17th and 18th. This is an event in the line of auction sales.

SUPPOSED SUICIDE.—Yesterday morning the dead body of a young man, well dressed, was found on the levee in Washington, on the opposite side of the river, just below Mr. Reed's place, with a pistol shot in the side of the head and a revolver lying by him. He is supposed to have committed suicide, but who he is no one thus far has been able to tell. He was apparently about 25 years of age, with a thin face, dark mustache, grayish eyes, and had $33 in money in his pocket, but no papers were found upon him. Justice T. G. Hodgdon held an inquest, but nothing further than the above was elicited. The remains are now at the office of Coroner Vermilya, where they will be kept for a day or two for identification.

RAILROAD PARTY.—The railroad officials from the East, consisting of W. B. Strong, General Manager of the Atchison, Topeka and Santa Fe Railroad, and those who recently came to this coast in his party, came up from San Francisco yesterday in their special car, accompanied by General Superintendent A. N. Towne and A. D. Wilder. They visited the Railroad Hospital and shops. The Eastern party went by special as far as the snow-sheds yesterday afternoon, where they were to remain until this morning and then proceed east. Messrs. Towne and Wilder returned to San Francisco on the afternoon train.

THE BOSTON QUINTET CLUB.—It has now been definitely arranged with the Mendelssohn Quintet Club of Boston to give another concert in this city before their departure for Australia. It will take place next Tuesday evening at the Congregational Church, when an entirely new programme from that given at their recent appearance will be presented, and which will no doubt be greeted with a large and as appreciative an audience as was the previous one. Reserved seats may be obtained without extra charge by applying at the music store of L. K. Hammer, on J street.

THUNDER-STORM.—The heaviest thunderstorm which has been known in this region for years passed over last evening between the hours of 10 and 12 o'clock. Heavy banks of black clouds hung in the southeast, and also opposite in the heavens, and the lightning was almost incessant and of a brilliancy that would do honor to the regions where such displays are more in order than in California. The thunder at times was quite heavy, and all in all, it was a remembrancer of Eastern thunder-storms. It rained for a short time quite hard, but soon ceased. This is the first rain storm since April.

POLICE COURT.—In this Court yesterday Ah Gwin failed to appear to answer to the charge of battery, and his bond was declared forfeited, and an alias warrant ordered to be issued. George Wallace pleaded guilty to a drunk and was fined $5, but not having the change was granted the privilege of staying five days in the city jail. James Kern pleaded guilty to keeping a disorderly house, and was fined $25 and costs, which he paid. John Riley was partially tried as a vagrant, and case continued till the 9th instant. Adjourned.

"THE TWO ORPHANS."—Kate Claxton will appear this evening at the Metropolitan Theater in the romantic and popular drama entitled "The Two Orphans," and will be supported by her own company, selected at the East, and which recently arrived upon the coast. There will be no extra charge for reserved seats, which may be procured at the box office of the theater.

FREIGHTS BY RAIL.—Carloads of freight were received here yesterday as follows: Three of wine, 1 of machinery, 1 of lumber, 1 of ice, 1 of beer, 1 of nails, 1 of merchandise, 1 of materials, 1 of oranges, 2 of fire clay, 1 of coal and 3 of wood. Carloads were forwarded East: Two of vegetables, 9 of wool, 5 of salmon, 1 of hides, 2 of wine and 1 of merchandise.

PLEADED GUILTY.—James Kern, proprietor of the Free and Easy Saloon, who was arrested a few days since upon a charge of keeping a disorderly house, yesterday came into the Police Court and pleaded guilty and was fined $25 and costs, which he paid.

NOTICE.—Just arrived from the Eastern market—ladies' fine goat, side lace, sewed shoes, $2, warranted never to rip. Red House. *

ENTIRE CHANGE and a broader plan of action, notice of which will be given on Monday, the 6th instant. Signed: Hale Bros. *

LARGEST VARIETY of men's and boys' felt and straw hats. Hat Department Mechanics' Store. *

MILLINERY GOODS.—Large assortment. Millinery Department Mechanics' Store. *

CALEDONIAN GAMES at East Park to-morrow.

WAR AGAINST DEBRIS.

AN ACTION BROUGHT IN THE NAME OF THE STATE AGAINST SLICKENS.

Full Text of the Complaint—Proceedings in the Case—An Injunction Granted Against the Miocene Mining Company Pending Trial.

The county of Sutter recently filed a petition with the Atterney-General of the State for the right to bring an action in the name of the State, and use his name as Attorney-General in said action, the object of the suit being to enjoin the Miocene Mining Company from continuing its hydraulic mining at the place named in the petition. This petition was subsequently supported by similar ones from other counties, asking that the petition of Sutter county be granted. The Attorney-General upon consideration, and bonds for costs having been furnished, granted the request, and a complaint was yesterday filed in the Superior Court of Sacramento county, and an order of injunction pending trial was granted by Judge Denson. The following is the complaint and all the proceedings in the case thus far:

THE COMPLAINT.

State of California, in the Superior Court of Sacramento county. The People of the State of California, upon the relation of Sutter county, plaintiff, vs. the Miocene Mining Company, defendant.

The People of the State of California, by A. L Hart, its Attorney-General, now come and complain against the Miocene Mining Company, and for cause of such complaint show to the honorable Court as follows, to wit:

I. That the Sacramento and Feather rivers lie entirely within the limits of the State of California; that the latter is a tributary of the former, and both are navigable rivers, and have been continuously navigated by steamers, barges and smaller crafts and vessels during the last thirty-one years, and during the earlier part of that period said Sacramento river was navigated from the Bay of San Francisco to the city of Sacramento in ships, and ocean steamers, and other water craft; that said Feather river, during the first twelve years of said period, and before the navigation thereof was much impaired by the deposits therein of tailings from the hydraulic mines, was navigable from its mouth up to the towns of Marysville and Yuba City, at all stages of the water, by steamboats of large size, and is still so navigable by small steamboats of light draught, and by barges and other small vessels, and during the higher stages of the water by large steamboats; that both of said rivers have been declared, by Acts of the Legislature of the State of California, to be navigable to the extent stated in Section 2340 of the Political Code of said State, and to that extent have actually been so.

II. That hydraulic mining as now practiced and understood, is a mode or process of mining for gold by which high banks of earth and gravel usually composed of streaks containing gold enough to pay for the washing, and streaks that do not—the latter in cubic contents largely predominating—are washed and removed from their natural position, after being shaken up and shattered by means of immense blasts of powder, into sluice-ways and flumes, and thence into the natural water courses and rivers, by means of large streams of water forced through iron pipes and thence discharged from nozzles attached to said pipes with great force and velocity against the said banks of earth and gravel, by a heavy water pressure of from one hundred feet to four hundred feet in height, the gold being separated from the earth, sand and gravel by the action of the water, and retained in the pavements of said sluice-ways and flumes, whilst the refuse matter, consisting of boulders, cobble stones, pebbles, sand and clay, generally called and known as "tailings," or "*debris* from the mines," is washed into and down said natural water courses and rivers and deposited in the beds and channels thereof, throughout their entire length, the heavier portion thereof being first deposited and lodged in the upper portions of said water courses and rivers, whilst the lighter portions thereof are carried further down and deposited in the lower portions of said rivers. This hydraulic process of mining has been practiced and carried on to some extent in the mountainous parts of the State of California during the last twenty years—it attained great dimensions about the year 1876, and at the present time is carried on extensively, principally in the counties of Butte, Yuba, Sierra and Nevada, and on a smaller scale in some of the other mountainous counties. The tailings from all the hydraulic mines worked in the four counties above named are discharged into the Feather river and the streams tributary thereto, and a large portion thereof have been deposited and lodged in the bed and channels of said Feather river throughout its entire length below the town of Oroville, in Butte county, but a large portion thereof has been washed and carried by the water into and down the Sacramento river and deposited in the bed and channels of the last named river throughout its entire length below its junction with said Feather river.

III. That prior to the month of February, 1881, and before the commission of the wrongful acts by the defendant hereinafter complained of, the deposit of tailings from the hydraulic mines, as aforesaid, in the beds and channels of said rivers had filled up and raised said beds and channels to a considerable extent in the lower portions of said rivers, and to a much greater extent in the upper portions of the navigable part of said Feather river, and had greatly widened the beds of said rivers and shallowed the channels thereof, and thereby had considerably impaired and obstructed the navigation thereof, and had caused said rivers to overflow their banks and to submerge large portions of the adjacent lands—the property of citizens of this State—during the seasons of high water, and thereby had interfered with and obstructed the free and comfortable use and enjoyment of said lands by the owners and occupants thereof, to a much greater extent than at any time before said rivers were so filled up, as aforesaid, by said tailings, and to a much greater extent than said lands would have been overflowed, or the use and enjoyment thereof would have been interfered with or obstructed had not said tailings been so deposited, as aforesaid, in the beds and channels of said rivers.

IV. That the defendant herein, the Miocene Mining Company, is a corporation organized in the State of New York, under and by virtue of the laws of the State of New York, for the purpose of mining in Butte county, of the State of California. That prior to the month of February, 1881, said defendant acquired the possession of, and claims to own a large tract of mineral land, to wit: about 1,500 acres, situate adjacent to said Feather river, on the north side thereof, about one mile above the said town of Oroville. The surface of said tract of land is generally about 200 feet above the low-water level of said Feather river, and is susceptible of being worked and mined by said hydraulic process to a depth of about thirty feet below the surface, and to that depth is composed of various strata of cement, gravel, pipe-clay and sand, the greater part of which, except the pipe clay, containing small particles of gold. That by means of a ditch and iron pipes defendant has conducted to said mine a constant supply of 3,000 inches of water, which it is using, and will continue to use, under a vertical pressure of 350 feet, to mine its said tract of land by said hydraulic process, discharging the water through monitors, from nozzles of eight inches in diameter, and dumping all the tailings from such mining directly into said Feather river, immediately adjacent to said tract of mineral land. That the defendant commenced to mine its said tract of land in the mode and by the process aforesaid, on or about the ——day of February, 1881, and since that day has discharged and dumped into said Feather river, at a point adjacent to said tract of land, 12,000 cubic yards per day of solid material from said mine, composed of small bowlders, cobble-stones, gravel, sand and clay, during all the time it has so mined; and at that rate it will require over twenty years to mine out and exhaust said tract of land. And plaintiff further shows that the defendant, by its agents, has declared its intention, and really intends, to continue to mine said tract of land in the manner and at the rate aforesaid, and to discharge and dump the tailings from such mining ground into Feather river as aforesaid, until said tract of land shall be mined out and exhausted, and will so continue to mine and to discharge and dump said tailings into Feather river, unless enjoined and restrained by order of this honorable Court. That the tailings discharged and dumped into Feather river by the defendants aforesaid have been washed and removed down said rivers by the natural force of the waters, and commingled with tailings from other hydraulic mines, and with them have been deposited and lodged in the beds and channels of said rivers and upon the lands adjacent to said rivers. That since the defendant commenced to mine in said tract of land as aforesaid, the beds and channels of the Feather and Sacramento rivers have been filled up, raised, widened and shallowed by the deposits therein of tailings from the defendant's mine, and other hydraulic mines as aforesaid, to a much greater extent than at any time before, and by reason thereof the navigation of said rivers has been impaired and obstructed, and the banks thereof and the lands adjacent thereto have been overflowed and injured to a much greater extent than at any time before the commencement of such mining by the defendant as aforesaid, and that by said mining and discharge of tailings into Feather river by the defendant as aforesaid, said defendant has largely and materially added and contributed to the said filling up, raising, widening and shallowing of the beds and channels of said rivers, and to the impairment and obstruction of the navigation of said rivers, and also to the said excessive overflow of the banks and lands adjacent to said rivers, to the great injury of said lands, and to the damage, discomfort and injurious annoyance of the owners of said lands and the residents thereon.

V. Plaintiff further shows that the power and force of the water to scour out and carry off the tailings from the hydraulic mines deposited in the beds and channels of said rivers as aforesaid, are proportioned to the depth of water flowing in said beds and channels and between the banks of said rivers. The greater the depth of the water so flowing, the greater is its force and power to scour out and carry off said deposits, whilst such force and power decrease in proportion to the diminution of the depth of the water so flowing in said river beds and channels, and to the extent that said water is surcharged with earthy matter. That said river beds have already become so much filled up and widened by the tailings from the hydraulic mines, including those of the defendant, that the depth of the water therein has been thereby greatly diminished, especially during the high stages of the water, when the water overflows the banks of said rivers and spreads over large tracts of land on each side of said rivers, instead of being confined within the natural banks, as it would have been but for said deposits therein from the hydraulic mines. That by reason of the diminution of the depth of the water in the beds and channels of said rivers, they will hereafter be filled up and the navigation thereof obstructed much more rapidly in proportion to the quantity of hydraulic tailings deposited therein than formerly, when their waters had greater depth and greater purity, and consequently more power to scour out and carry off such deposits. That a continuance of the deposits of tailings from the hydraulic mines, including that of defendant, during the next two years, at one-half the rate they have been deposited during the last two years, will totally destroy the navigability of said Feather river, and further obstruct and impair that of the Sacramento river, and will submerge and render unfit for cultivation or habitation all the bottom and lower lands adjacent to said rivers, on both sides thereof, by the overflow thereof and the deposits thereon of sand and gravel from said hydraulic mines, to such depth as to render said land unproductive and valueless. That more than 50,000 acres of such lands, of first-rate quality, and of great value, have already been so overflowed and covered by a deposit of land and tailings from said hydraulic mines, to which the tailings from the said mine of the defendant has largely and materially contributed, to a depth of from one foot to fifteen feet, and have thereby been rendered totally unfit for cultivation or any other useful purpose, and of no value whatever. That there are in the valley of said Feather river, below Oroville, and within reach of its overflowing waters, over 100 000 acres of valuable agricultural lands—the property of citizens of this State—highly improved and cultivated, which remain uninjured, or injured only in a small degree by the overflow thereof and deposits thereon of tailings from said hydraulic mines, but which will be subject to such overflow and deposits thereon, and which will be overflowed by water, and covered by a deposit of tailings from said hydraulic mines, including that of the defendant, and thereby greatly deteriorated in value and usefulness to the owners thereof, if not rendered totally useless and of no value whatever, within a very short period of time, if hydraulic mining be continued by the defendant and others, as at present conducted; and plaintiff is informed and believes, and upon such information and belief alleges, that unless restrained and enjoined by this honorable Court, such hydraulic mining will be so continued by defendant and others during the next twenty years, to the utter and total destruction of all the agricultural lands and the improvements thereon, and of all the cities and towns within the valley of Feather river, and within the valley of the Sacramento river below the town of Princeton, in Colusa county.

VI. Plaintiff further shows that the discharge and deposit of tailings by defendant from its said mine as aforesaid so fouls and adulterates the waters of Feather river, at all points below defendant's said mine and down to the junction of the Yuba river, as to render said waters unfit for any use by the inhabitants of said valley, and that in the absence of such fouling and adulteration said waters were and would still be of first-rate quality for all the purposes for which water is used by man and beast.

VII. Plaintiff further shows that the filling up of the beds of said Feather and Sacramento rivers by tailings from the said hydraulic mines of defendant and others, and to which filling the defendant has largely contributed and will continue so to contribute unless restrained by this Court, and the consequent overflow of the banks of said rivers and the lands adjacent thereto, and the deposit of tailings thereon as aforesaid, both the natural and artificial drainage of the lands and the sewerage of the cities and towns in the Feather river and Sacramento valleys have been greatly obstructed, and thereby said valleys have been rendered more unhealthy to the inhabitants thereof than they otherwise would have been, and will thereby continue to be rendered still more unhealthy by the continuance of hydraulic mining, conducted as aforesaid by defendant and others.

VIII. Plaintiff further shows that if hydraulic mining by defendant and others is stopped and not again resumed, that the waters of said rivers will at once commence to scour and carry off the tailings heretofore deposited therein as aforesaid, and within a few years will thereby restore said rivers to their former and normal conditions of navigability, deep channels and pure water.

IX. Plaintiff further shows that the wrongful acts of the defendant, above complained of, constitute a public nuisance of a continuously recurring nature, produced and continued by repeated wrongful acts of defendant, and not subject to abatement, but that the only appropriate or adequate remedy for which is by injunction from a Court of Equity, and for which there is no remedy at law except by information or indictment, as for a misdemeanor, the penalty of which is, and will be, totally inadequate to suppress the wrong; besides, such misdemeanor must be prosecuted in the county where it is committed, and is there triable by a jury, where it would be difficult and generally impossible to convict the offender, by reason of the great influence of those generally guilty of the offense, and from the fact that a majority of the people in those counties where the offense is committed regard the wrongful acts herein above complained of as constituting no public offense. That the prospect of real and speculative profits from hydraulic mining, as herein above described and complained of, is generally such that persons engaged in it would suffer all the prosecutions and penalties of the law that could be inflicted upon them, rather than discontinue the commission of the offense; besides, numerous and repeated prosecutions of each offender would be necessary to produce any effect whatever. That the navigability of said Sacramento and Feather rivers, and the value and usefulness of the agricultural lands of said valleys, and the roads and highways therein, are in imminent danger of total and irretrievable destruction by the wrongful acts of defendant above complained of, and that such destruction can only be prevented by the writ of injunction from a Court of equity. That if the wrongful acts of the defendant and others, above complained of, are continued, the beds and channels of the upper portions of said rivers will very soon be so filled and choked up by tailings from defendant's and other hydraulic mines, that said rivers will be turned from their natural beds and channels and spread and run at random over the entire valleys, in which condition the depth of their waters will be so diminished that they will have no force or power to scour said channels or to carry off the tailings deposited therein as aforesaid, and said valleys will become dismal swamps.

Wherefore, the plaintiff prays that during the pendency of this action the defendant and all its officers, agents and employes may be enjoined and restrained from discharging or dumping into said Feather river, or causing or suffering to flow into said river, any tailings, bowlders, cobble stones, gravel, sand, clay, debris, or refuse matter from its said tract of mineral land, mine, or elsewhere, and that upon the final hearing and trial of this action the said defendant may be so aforesaid enjoined and restrained perpetually, and that plaintiff recover its cost of suit herein.

A. L HART,
Attorney-General of the State of California.
J. H. CRADDOCK,
Attorney for Plaintiff.
George Cadwalader and P. Van Chief, of Counsel.

State of California, County of Sacramento, ss.—S. E. Wilson, being first duly sworn on his oath, says that he is a citizen of California, and a resident of Sutter county; that his residence for the last twelve years has been on the northwest bank of Feather river, nearly midway between Yuba City and its mouth; that during the whole of this time he has been cultivating at said place a farm containing over two thousand acres of land; that all the products of the said farm (as well as that raised upon the farms of a number of his neighbors), have been shipped to market by Feather river from affiant's landing on the river bank of his said farm. Affiant further says, that Feather river affords the only means whereby he and his neighbors can get the produce of their farms to market; and that said produce consists chiefly of hay, wheat and barley. Affiant further says, that for the last five years, for his own accommodation and that of some of his neighbors, he has maintained a warehouse at his said landing on Feather river for the storage of his and their grain, and its shipment at proper times to market; and affiant further says, that at said landing, and from steamboats and barges plying on said river, he receives the bulk of his supplies for his farm and farming business. Affiant further says, that he is one of the largest stockholders in the Farmers' Union Warehouse Company, a corporation which has maintained for a number of years, and is now maintaining, at Yuba City, a large and costly warehouse, capable of storing 15,000 tons of grain. Affiant further says, that he has heard read the foregoing complaint, and knows the contents thereof, and that the same is true of his own knowledge, except as to the matters therein stated on information and belief, and as to those matters he believes it to be true. S. E. WILSON.

Subscribed and sworn to before me, this 24th day of May, 1881.
[SEAL.] EDWARD CADWALADER, Notary Public.

THE INJUNCTION.

Upon filing of the complaint Judge Denson granted the following order of injunction, and at the same time directed that the attorneys for plaintiff be in readiness to try the case, as he should regard it his duty to put other cases aside, if necessary, in order to give prompt trial in this, as soon as the defendant shall be ready and desire the case taken up:

In the Superior Court of Sacramento county, State of California.—The people of the State of California, plaintiff, vs. The Miocene Mining Company, defendant:

It appearing from the duly filed and verified complaint herein, that the plaintiff is entitled to the relief demanded, and that part of such relief consists in restraining during the pendency of this suit the commission of certain wrongs in the complaint described.

It is, therefore, ordered that the above-named defendant and all the officers, superintendents, foremen, agents and employes be enjoined and restrained from discharging or dumping into Feather river, and also from causing or suffering to flow into said Feather river any tailings, bowlders, cobble stones, gravel, sand, clay, debris or refuse matter from its mine or tract of mineral land, and that a writ of injunction issue accordingly.

Done at chambers this 2d day of June, 1881.
S. C. DENSON, Superior Judge.

THE FANTASTICS.—A meeting of the Fantastics was held last evening at the Courthouse, R. Dale presiding and W. F. Griggs secretary. There was a large attendance. Frank Rubstaller was elected Grand Marshal for the occasion of the Fourth of July celebration. Frank Fredericks was selected as a committee in charge of collecting funds for the necessary expenses. The rules governing the Fantastics last year were adopted, except rule six, which was stricken out. Upon motion, a committee of five was appointed to draft a plan of the celebration. E. Lavine, Robert Cook, D. DeBernardi, H. Greer and F. Smith were appointed. The meeting then adjourned.

PUBLIC CONFERENCE.—A public conference on the four pillars of civilization will be held under the auspices of the Sacramento Educational Institute, at the Metropolitan Theater, on Wednesday evening, June 8, 1881. Addresses will be delivered as follows: Religion, I. E. Dwinell, D. D.; labor, Hon. W. A. Cheney; government and law, Hon. Grove L. Johnson; education, Hon. F. M. Campbell.

PRISONERS EN ROUTE.—Sheriff Thompson of Nevada county passed through yesterday on his way to Folsom with two Chinese prisoners, Ah Sin and Ah Lun. They are sentenced to one year each for assaulting a tax collector with intent to kill him.

ANOTHER clock out of the articles taken by the Chief of Police from the Chinese pawnbroker's establishment on I street was identified yesterday as one stolen from Hook and Ladder house No. 1, on Fifth street, about two months since.

GRAND LARCENY.—Day before yesterday some person, in the absence of the family, entered the residence of George Tavener, who resides on the Jackson road, and stole $700 in gold.

THE river was one inch higher yesterday, marking 15 feet 4 inches. The rise is caused by the effect of the past two or three warm days upon the snow in the mountains.

FOR SOUTH AMERICA.—Five car loads of flour were shipped from this city for San Jose De Guata, South America, yesterday.

A GLORIOUS TIME awaits all who will attend the Caledonian games to-morrow at East Park.

T. W. KEENE AS "RICHARD THE THIRD."

The character of "Richard the Third" is one of the most repulsive and monotonously wicked in history; which is a very sure indication that the true picture of the man has not descended to us. Shakespeare has represented him in accord with tradition—that is, without one redeeming quality. Shakespeare's "Richard the Third" is the most unnatural of his dramas. It is a study in malignity for which no parallel can be found. His Richard is deformed alike in body and in mind; vicious and cruel, with all the cold indifference of a gnome; but at the same time full of subtilty and the fire of an evil genius, and in fact with the elements of greatness perverted in him. Now upon this foundation has been built the acting version of "Richard the Third," and in it all the monstrosities of history and of Shakespeare have been intensified, made extravagant and outrageous, by a deliberate piling on of ferocity and brutality and wanton inhumanity to the character of Richard. The acting version is not Shakespeare's; it is not history; it is a hideous travesty of both. And this is what Mr. T. W. Keene was called upon to play last night. He has been accused of ranting, and he does rant. But no man can play that character without ranting. For what between Colley Cibber and his successors it has become a mere farrago of mouthings and jingling catchwords, and whoever takes the part must strut and bellow and roar so as to split the ears of the groundling. Shakespeare's Richard is another kind of villain, for Shakespeare never drew a villain without plenty of brains. But Shakespeare is not responsible for Mr. Keene's Richard; neither is Mr. Keene. It is, as we have said, a ranting part. It tears a passion to tatters, to very rags. We are sorry that Mr. Keene chose it for his only appearance here, for we recognize in him abilities which could not be worse illustrated, and might be much better. He has talent. He has the industry to study carefully. He is at present too subservient to stage traditions, and must free himself from that tendency if he would succeed. Above all, he will do well to eschew mere mouthing parts. Let him essay Shakespeare when Shakespeare is played, but let him avoid Colley Cibber and Company. Mr. Keene cannot make anything more of this Richard role than the mutilated play—half Shakespeare, half fustian—allows; but last night he did the best that could be done with it. As for his support, it was, so far as the masculine part went, poor. His daughter has a gracious presence, and with more *verve* and animation may make an actress. The mounting of the piece was atrocious, and it detracted from its effects, which are all of the stage stagey. Mr. Keene's acting was appreciated by the audience, who insisted on his appearance at the close of the fourth act, and would not be denied. He had a very full house, and an attentive and cordial one. When next he comes to Sacramento we hope he will give us a better opportunity of testing his real mettle. This evening Kate Claxton makes her appearance in the "Two Orphans."

ATTEMPTED SUICIDE.—It is stated that a woman, whose name could not be ascertained, attempted to commit suicide by throwing herself in front of a railroad engine, in the vicinity of Sixth and E streets, day before yesterday. She stood by the track, and when the engine was coming and about twenty feet away, threw herself across the track. The engineer saw her, and, as he was not running fast, stopped before reaching her, and two or three persons near by quickly took her from the track.

STILL ALIVE.—At latest accounts last evening Morelli, who was shot the night before, was still alive, but it was thought he would not live till morning.

ARRESTED.—The only arrest made yesterday was that of Jose Abdon Laiva, for battery, by officer Campbell.

THE COURTS.

SUPERIOR COURT.
DENSON, Judge.
THURSDAY, June 2, 1881.

Warren Heaton vs. the Pacific Mutual Life Insurance Company—Case, heretofore set for June 7th, is continued for the session.

Margaret Lewis vs. Jury & Lyons—Case continued for the session.

Mrs. P. Wiedeman vs. John Wagner—Case tried and submitted.

East Park Association vs. Robert Mellan—Judgment awarding possession of premises to plaintiff, with costs, damages and rent, as per agreement of both parties. Execution stayed ten days.

R. J. Kirby vs. William Beckman et al.—Plaintiff allowed to file supplemental complaint within five days.

Mrs. Virginia Thompson vs. same—Same order.
John Green vs. same—Same order.
Mary Day vs. same—Same order.
A. R. Klein vs. same—Same order.
John Kelly vs. same—Same order.
Z. W. Payne vs. same—Same order.
Thomas Smith vs. same—Same order.
The People, upon the relation of Sutter county, vs. the Miocene Mining Company—Injunction granted.

Adjourned.

TO-DAY'S CALENDAR.

Kripp vs. Foog Lee.
Padison vs. Padison.
Henarie vs. Shear.

THE DOUGHTY FAMILY.—Martin and Sophia Doughty, formerly of Williamson county, Tennessee, are supposed to be dead. Their children in California are wanted as heirs to an estate. Address S. G. Nye, Attorney, Oakland, Cal.

HALE BROS. are again making extensive alterations, the purport of which will be fully explained in Monday's issue.

DON'T FAIL to attend the Scottish games to morrow.

LADIES' SHADE HATS. Millinery Department Mechanics' Store.

LADIES' fine English kid, button boots, sewed, only $2 50. Red House.

The best appetizer out—Rock and Rye. George W. Chesley, sole agent.

TURKEY RED TABLE COVERS, all sizes. Domestic Department Mechanics' Store. *

BROWN LINENS FOR DUSTERS. Domestic Department Mechanics' Store. *

THE FULL PROGRAMME of Hale Bros. will be before the public on Monday, the 6th instant.

LINEN FOR LADIES' DUSTERS. Domestic Department Mechanics' Store. *

RADICAL CHANGES AT HALE BROS.'—Due explanation will be given on Monday, the 6th instant.

REMOVED.

FRANK BIDWELL. OWEN COOK.

BIDWELL & COOK,

(Successors to DAUGHERTY & CO., have removed from No. 907 Front street,)

TO NO. 128 K STREET, BET. FRONT AND SECOND.

HAVING PURCHASED THE STOCK, BUSINESS and goodwill of DAUGHERTY & CO., we hope to retain the patronage of their old customers, and ask our friends and the public to favor us with a share of their trade. We have the finest store in the city, and will keep the best stock of GROCERIES the market affords.

☞ Don't forget the number—128 K street, between Front and Second. BIDWELL & COOK.
m6-3p1m

D. DEBERNARDI & CO.,

WHOLESALE COMMISSION DEALERS IN

Butter, Eggs, Poultry, Vegetables,

Fruit, Fish and General Produce.

☞ With the experience of years in this business and every facility to prosecute it, and by the use the very latest improvements in packages, we respectfully state to the trade, that feeling our ability to select the best of goods, at prices suitable to the present time, we solicit their patronage, and shall endeavor to merit a preference for all favors they may be pleased to extend to us. Respectfully,
D. DEBERNARDI & CO.

☞ With pleasure we notify the public that we are again in the Retail Department of the Sacramento Market, No. 508 K street. We shall endeavor to make this market one of the neatest in the State. Nothing but first-class articles will be kept, such as FRUIT, VEGETABLES, POULTRY, GAME, FISH, etc. We will be able to accommodate the largest purchaser as well as the smallest, as we have in connection a large Wholesale Department.
m25 1m D. DEBERNARDI & CO.

COMMERCIAL INSURANCE CO.

OF CALIFORNIA.—FIRE AND MARINE. Office, No. 405 California street, San Francisco. A. LEONARD, Agent, No. 1012 Fourth street, Sacramento. m3-3p3m

G. GRIFFITHS'
PENRYN
GRANITE WORKS
PENRYN CAL.

THE BEST VARIETY AND Largest Quarries on the Pacific Coast. Polished Granite Monuments, Tombstones and Tablets made to order.
Granite Building Stone
Cut, Dressed and Polished to order d11-1p6

GENERAL NOTICES.

One Moment!

Are you suffering from any ailment? Have you any sores about you? Is your nervous system shattered? Have you pain anywhere? If any or all of these troubles afflict you, do not delay, procure BRISTOL'S PILLS and SARSAPARILLA; in them you will find sure and speedy relief. je3-1t

Pioneers—You will meet at the Hall TO MORROW (Friday), June 3, 1881, at 1½ o'clock, to attend the funeral of our late Brother, STEPHEN A. BOUTWELL.
je2-2t [B. C.] JAMES McCLEERY, Secretary

Dr. La Mar's Seminal Pills.—The best remedy in the world for General Debility, Nervous and Physical Prostration, Loss of Sexual Vigor, Seminal Emissions, and the many ailments caused by Excess, Self-Abuse, Dissipation, etc. All sufferers, young and old, will find in these PILLS a remedy that speedily restores wasted vitality, and rekindles the flame of Hope, Health and Ambition. THE GLORY OF MAN IS HIS STRENGTH. DR. LA MAR'S PILLS are a veritable "Fountain of Youth." Price, $2 50 per bottle. Sent by Express, on receipt of price (or C. O. D.), to any address. A. McBOYLE & CO., Druggists, P. O. Box 1,952 San Francisco. m25-6m

Pratt's Abolition Oil!—The People's Remedy has cured thousands; it will cure you. It has no equal. Sufferers with Rheumatism, Neuralgia, Sciatica, Partial Paralysis, Lame Back, Gout, Sprains, Bruises, Sore Throat, Colic, Cramps, Cholera Morbus, or any internal or external ache or pain, will find prompt relief by using ABOLITION OIL. The tests of time and use have proven its value, and its popularity is the best guarantee of its success. For sale by all druggists. Price, small, 50 cents; large, $1. Ask for PRATT'S ABOLITION OIL. A. McBOYLE & CO., Druggists, San Francisco, Sole Proprietors. m25-6m

Drink Hall's Pepsin Wine Bitters and be happy and content. Cures dyspepsia and indigestion. Absolutely pure. *mr25-1f

For the Choicest, Freshest, Home-made Confectionery, all kinds, at lower prices than any other house—wholesale or retail—call at HENRY FISHER'S. fe25-1m

For the Best and Cheapest Meals in the city, go to HENRY FISHER. fe23-1m

For Fine Cakes, Ice Cream, etc., go to HENRY FISHER, No. 508 J street, between Fifth and Sixth. fe23-1m

AMUSEMENTS.

METROPOLITAN THEATER.

FRIDAY AND SATURDAY, JUNE 3 and 4.

☞ GRAND SATURDAY MATINEE! ☜

First engagement in this city of the famous actress,

KATE CLAXTON!

Supported by her Celebrated Eastern Company.

FRIDAY EVENING.....JUNE 3D,
The ever popular romantic drama,
THE TWO ORPHANS!

SATURDAY MATINEE.....AT 2 O'CLOCK,
Sardou's emotional comedy drama,
FROU FROU!

SATURDAY EVENING.....JUNE 4TH,
Farewell performance, Charles Reade's great drama,
THE DOUBLE MARRIAGE!

☞ No extra charge for reserved seats. Seats for sale at Box Office. je2-3t

"THE LAND FOR THE PEOPLE, AND NO COMPROMISE!"

FIRST ANNUAL PICNIC

OF THE

SACRAMENTO LAND LEAGUE

AT

East Park Grove, on Sunday, June 5th.

THE EXECUTIVE COMMITTEE OF THE League will spare no pains and expense to make this PICNIC one of the most pleasant affairs of the season. GAMES for the amusement of old and young have been arranged, and unique and handsome PRIZES will be given to the winners.

Street Cars will convey passengers to and from the grove every ten minutes.

There will be a TUG OF WAR between Twelve Married and Twelve Single Men.

Also, a White Guinea Pig will be given to the Boys for a prize.

Music by Jones, Beebe & Grant's Band.

Admission, 50 cents; Ladies, Free; Boys over 12 years of age, full price.

(See Programme of the Day for List of Prizes.)
je2-3t

AUCTIONS.

AUCTION SALE

OF

Valuable Real Estate!

D. J. SIMMONS & CO.....Auctioneers

WILL SELL

TUESDAY MORNING, JUNE 7,

At 11 o'clock, ON PREMISES, the following property:

WEST HALF LOT 6, N AND O, FIFTH AND sixth streets, being on O street, between Fifth and Sixth, with a beautiful FRAME DWELLING th