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HALE BROS. & CO.

THIS IS THE

FIFTH WEEK

—OF—

OUR STUPENDOUS CLEARANCE SALE,

—AND —

NO ABATEMENT OF THE INTEREST TAKEN!

WE HAVE CONTINUED THIS SALE FROM WEEK TO WEEK,

Each week in itself being distinct one from the other, and each representing a

NEW DEPARTURE,

—BECAUSE—

EVERY MONDAY MORNING

We go thoroughly through our stock, and select such articles as have escaped our notice before, or else we considered them so staple that it would not be necessary for us to reduce the price; but we find that the people now are principally looking for

Exceptional Bargains!

HENCE, IN ORDER TO DISPOSE OF THEM,

A STILL FURTHER REDUCTION

Will be Necessary,

—AND —

WE ARE RESOLVED TO DO IT!

—THEREFORE,—

EVERY WEEK PRESENTS CHOICER AND MORE DESIRABLE BARGAINS.

We are expecting a large line of goods for spring, consequently our seeming haste to dispose of our WINTER STOCK. We premeditated this haste, and carefully considered the necessity of preparing for Spring. We desire that our SPRING GOODS shall all be new, and none carried over from any previous season.

MAKE THE BEST OF THIS SALE NOW;

—FOR—

Remember, We are bound to close out all of our Fall and Winter Goods, and these goods, at these remarkable prices, cannot last long.

Country Orders Receive Prompt and Careful Attention.

HALE BROS. & CO.,

829, 831, 833, 835 K street,

—AND—

1026 NINTH STREET, SACRAMENTO.

THE CONSOLIDATION.

SPEECH OF SENATOR VROOMAN UPON THE RAILROAD QUESTION.

Unwarranted Assertions Answered and Facts Presented—Unjust Discrimination in Taxation—Etc.

During the consideration on Thursday of Assembly Concurrent Resolution No. 21, relating to consolidation of the several railroads composing the Southern Pacific route, Mr. Vrooman, of Alameda, addressed the Senate, speaking extemporaneously, and of which a full stenographic report is presented, as follows:

Mr. Vrooman—It seems to me that this is a question which should be determined by an appeal to the reason and not to the passions or prejudices of Senators. I am exceedingly thankful that this discussion has taken place, for one reason at least; it has led some of my Democratic brethren to admit that there are some rights vested in the General Government. I am somewhat familiar with the political history of the country. I am familiar with its politics, and this is the first time I ever heard a Democrat admit that there were any powers vested in the General Government which a State was bound to respect, and I am thankful that the admission has been made here to-day. It was stated by the Senator from the Tenth District (McClure) in his opening statement, that the Supreme Court of the United States had decided that there was no power in Congress to prevent a State from taxing all of the property situated within the State, except property, the title to which was in the General Government. I had hoped that some of the able Senators and lawyers who followed him would point to some authority in refutation of his statement; but not one of them has shown an authority to that effect, and I challenge them to do so. Why? As I understand the laws of my country concerning this matter, the State has the exclusive right to tax every bit of property within its borders, except the property the title to which is in the General Government; and, secondly, that the State has the exclusive right to regulate freights and fares within the borders of the State, and that there is no power anywhere which can divest it of that right.

Mr. Reddy—Suppose some one should make a complaint before the Railroad Commissioners to the effect that the railroad had made an overcharge; the Commissioners issue process and bring the company before them and try that proposition. Would not the railroad company immediately take the case to the Federal Court, and would not that oust the Commissioners from all jurisdiction?

Mr. Vrooman—If a complaint was made by a citizen that an overcharge had been made for freight within the State of California, I answer the Senator that under the Constitution of the State the Railroad Commissioners would have the exclusive right to determine that question, and there is no power that could take it away from them; I say that there is no law in existence that I know of which will transfer a case from the Board of Railroad Commissioners to the Federal Courts.

Mr. Reddy—Are the Railroad Commissioners a State Court?

Mr. Vrooman—The Railroad Commissioners do not constitute a State Court within the meaning of the Federal law which authorizes the transfer of cases. The Board of Railroad Commissioners are a peculiar body who are authorized to act in a legislative and executive capacity, and I repeat that there is no statute that would authorize such a transfer as you have spoken of. That I may not be misunderstood about the matter, I say that Congress has the right now to prescribe the rates for through freights and fares, and there is no power in the State which can successfully oppose Congress in the exercise of this right; but when it comes to taking care of local freights and fares, that authority is in the State officers, and they cannot be divested of it by Congress. Congress has no powers except such powers as are conferred upon it by the Constitution of the United States. Whenever Congress seeks to exercise a power, it must place its finger upon the word, line and sentence of the Constitution of the United States giving to it such power, and I ask Senators who are to follow me upon this question, to point to a single word, line or sentence of the Constitution of the United States which authorizes Congress to interfere with State matters so far as the regulation of freights and fares of railroads or common carriers is concerned, or so far as the taxation of property is concerned. Why, sir, the Senators upon the other side of the question think because this Act provides that this railroad shall be used for the transportation of mails and of supplies for the army, it thereby becomes a Federal agency beyond the control of the State! Do not the Senators know that the Southern Pacific Railroad to-day is an instrument for carrying the mails and supplies of the Government of the United States? Do not they know that there is a provision of its charter that in case of an emergency, as in the case of war, the Government has the right to take control of it? Do they not know that the road is bound to carry the supplies of the United States to the exclusion, if necessary, of the supplies of the citizen? Do they not know that the road was incorporated for the purpose of affording speedy transportation of the mails and supplies of the United States? And has anyone ever claimed that for that reason it was exempt from taxation? No, sir! The question was raised years ago concerning stage coaches, steamboats, etc., that because they carried the mails of the United States they were exempt from taxation, but the Courts decided they were not thereby exempt. Now, sir, this discussion upon the other side has taken a wide range. Senators have seen proper to call in question and raise the point that the Southern Pacific Railroad did not pay its taxes. Now I undertake to say that when the facts are all known there is not a fair-minded man in this State but would say that the company has done right in fighting the payment of these taxes so assessed to the bitter end. I was told by a railroad manager some months since that it was immaterial how this litigation turned out, as the company proposed to pay every dollar of taxes that they owed to the State as the amount may be fixed by the local Boards of Equalization. I said to him: Why, sir, if the people of the State had treated me as they have you, I would never pay a cent of taxes except at the end of an execution. I undertake to say that there is not a miner nor a farmer in the State who would not do the same thing. I understand that the fundamental basis upon which all taxation is grounded is that it shall be equal and uniform, and I understand that the farm of the farmer, and the mine of the miner, shall be assessed by the same Assessor and measured upon the same basis. Is there anybody who will dispute that?

What have the people of this State attempted to do? They say to the Senator from Placer county, if you operate a railroad lying in more than one county, it shall be assessed by the State Board of Equalization, and you shall not be allowed to appear before the Board, and your property will be assessed at an arbitrary rate, irrespective of its value and irrespective of the value of property alongside of it. They have said to the Senator from the Tenth District, who owns a railroad lying all in a single county, your road shall not be assessed in that way. Is there anybody who will tell me that the Senator in the former case would not and should not resist the payment of taxes so assessed? I assert that anybody who would not resist that kind of treatment is no man, but a coward.

I desire to call the Senators' attention to this, because there has been sought to be made so much capital upon this point. I lay it down as a proposition that taxation shall be equal and uniform; that the true theory of taxation is that every man who has property shall contribute to the support of the Government, and thereby to the protection of his property and of his person, just in proportion as he has property to protect and no further. No man will dispute that proposition. Now, then, what are the facts? The facts are that the State Boards of Equalization of this State have assessed the rails of the Southern and Central Pacific Companies at $6,000 per mile. These rails can be laid down now for less than $5,200 per mile. Any man knows that rails depreciate a certain percentage every year they are used, and of course they cannot be at any time worth more after they are laid down than they were when they were new, and they have been assessed at $800 per mile more than they cost new.

Again, the roadway is taxed at $1,000 per mile. The roadway across the mountains is assessed at $80 per acre, and it is not worth four bits, and there is not a man within the sound of my voice who does not know this to be the truth. The roadway across the Colorado and Mohave deserts is assessed at over $80 an acre, and it is not worth a cent an acre, and a thousand acres of it could not raise a healthy flea in a dry year. Is there any man that would pay any such tax as that? I would not. I would fight it in the Courts, and if I won it I would never pay it. Notwithstanding all this, the railroad companies have paid over $1,100,000 taxes within the last two years, and this in face of the fact that the Courts have held up to this time that there had been no legal assessment of their property, and they were not liable for a dollar of taxes so assessed. I hope, Mr. President, that the Senators will excuse me for this rambling diversion, from the fact that I wish to follow the order in which the subject has been treated. The Senator from Mono [Reddy] said it was a notorious fact that the railroads had resisted the fixing of freights and fares in this State. I have never heard of their resisting any order of that kind. I have never heard that the Railroad Commissioners have ever fixed a schedule of freights and fares.

Mr. Reddy—Allow me to correct you. I stated that prior to the new Constitution they had prevented, or endeavored to prevent, the fixing of freight and fares. I did not say they had resisted any order of the Railroad Commission, because a majority of the Commission never made an order that they wanted to resist, and probably never would if they had remained in office.

Mr. Vrooman—As I have said before, I have been a somewhat careful observer of matters connected with the political affairs of this State and the Railroad Commission. It is true that the majority of the Railroad Commission has never made an order that the railroad company wanted to interfere with; but I don't know that the minority of that Commission have made any order, or tried to make any that the Railroad Commission desired to resist.

Now the Senator from Mono laid down three propositions. First, that the men who have built the railroads have been actuated entirely by selfish motives, and that whatever tears they have shed in the interest of the poor, oppressed people of this country, have been crocodile tears; second, that the consolidation proposed would be an economic measure, but economic in the interests of the railroad company; that under this proposed Act of Congress competing lines, if they desire to consolidate, could not do so. I shall ask the Senator from the Tenth District to answer the last proposition, because I find my strength failing me. I wish to call your attention to the first proposition, namely, that the men who built the railroads have been actuated by selfish motives, and that whatever tears they have shed in the interest of the poor, oppressed people in this country, have been crocodile tears. In that connection I also desire to call attention to the remark of the Senator from Sonoma (Johnson), about the munificence of the gifts that have been showered upon these people by the National Government.

I think it will not be out of place to call attention briefly to the history of the Central Pacific Railroad Company. I find that Thomas H. Benton, at a meeting in St. Louis in 1849, advocated the construction of a Pacific railroad. I find also a man by the name of P. P. F. DeGrand in 1849 advocating the same thing, and I call attention to the fact that he desired the railroad should be constructed under a single Act of Congress, in order to relieve it from the freaks of legislation. We come down from 1849 to 1852 and we find the Legislature of this State asking Congress to grant aid for the construction of a Pacific railroad. I find that in 1859 the Legislature of this State called a Convention of the Legitures of the Pacific States and Territories, to be held in San Francisco, to ask Congress for aid. In Congress we find, in 1859, the Hon. Wm. M. Gwin advocating the construction of the Pacific railroad, and saying that the Government would save enough in four years, in the cost of transportation of mails and troops, to pay for the road. We find Jefferson Davis raising his voice, both as United States Senator and Secretary of War, in favor of the road. In 1860, and again in 1864, the Democratic and Republican parties in their platforms declared in favor of the construction of a railroad from the Atlantic to the Pacific, and that the Government should aid in its construction. In 1862 Congress passed an Act authorizing the construction of the road, and in 1864 that Act was amended.

Now, as to the munificence of the gifts received by the company. Twenty-seven million dollars of aid bonds were issued by the Government as a loan to the Central Pacific Railroad Company, but the officers of the company never saw a single one of these bonds. They were sold in New York, and the whole $27,000,000 aggregated but $18,900,000 in gold. I desire the Senators to take note of that; that this munificence amounted in gold coin to $18,900,000 only, and was but a loan. The company is to-day paying 6 per cent. on $27,000,000, and they received but $18,900,000, and therefore they are paying to-day nearly 10 per cent upon the money they received, and are paying it into the sinking fund, so that when these bonds become due the company will pay $27,000,000 for only $18,500,000 or a little over. Anything munificent about that? Now, in addition to this loan, the company received as a gift certain quantities of Government land. Every one knows that they received only the alternate sections on each side of the road. What was it worth at the time of the gift? Absolutely nothing. If it has been increased in value to the benefit of the railroad company by the construction of the road, has not the value of the sections held by private owners been equally increased in value to the benefit of those owners? Where is the exclusive munificence in this?

Again, a few years ago there was a great deal of talk concerning the great value of these lands; so the railroad company proposed to the Government to return every acre of land that they received if the Government would allow $1 an acre to be credited upon a debt which would not then be due for fifteen years. Now if there was anything very valuable about those lands, that was a good speculation for the Government, but the proposition was declined. The lands received by the railroad company are not worth an average of $1 an acre to-day. Where is the munificence of the gift? A Democratic Congress appropriated $40,000,000 to the railroad of Illinois to construct 450 miles of railroad through a level country. Forty millions of dollars to construct 450 miles of railroad through a level country! More, sir, that is all of the national, State and municipal aid ever granted to this company, which has constructed over 2,700 miles of road, a large part of it over the worst mountains ever traversed by any railroad in the world. And yet the Senators grow eloquent over the munificence of the gift to the Central Pacific Railroad. Again, under the Act of Congress, the railroad company was required to complete its road on or before the first day of July, 1876. It completed it seven years before the time at which it was required to complete it by its contract. And I here desire to call the attention of the Senators to the fact that from the time that railroad was completed in 1869 to the time when it should have been completed under its contract, the Government saved over fifty millions of dollars in the transportation of mails, supplies, etc. I desire to call the attention of those Senators who say that that was a munificent gift, to the fact that the Government saved more in that period of time than the entire amount of the money received by the railroad company if it had been a gift instead of a loan, plus the value of the land given. I desire to call their attention to the fact that the Government of the United States has saved ten millions of dollars each year in the cost of transportation of mails, freight and supplies by that railroad company over, and above what it would have cost to transport the same amount by land as formerly done. But still they tell us that these men shed crocodile tears, and have been actuated by selfish motives in all their acts. These are facts, Senators—plain, undeniable facts. I am not appealing to your passions, I am not appealing to your prejudices; but I am stating to you facts taken from the record—a record that is open to Senators who are in favor of this resolution as much as the Senators who are opposed to it. And when Senators stand up here and tell us that this company has received munificent gifts, I tell them that for every cent the railroad company ever received it has returned to the people a million dollars in benefits, and I challenge them to contradict the statement. Was there ever such an enterprise undertaken and prosecuted to a successful termination under such adverse circumstances as this railroad was built? Why, sir, when the railroad company commenced to build this railroad, the merchants of San Francisco had absolute control of all the other merchants of this coast. The powerful steamship companies combined, and the powerful clipper lines combined as a unit, and said this railroad must not be built. It is a fact within the knowledge of every Senator upon this floor who has arrived at years of maturity, that before the building of the railroad the merchants in San Francisco could combine and fix a price on food and provisions; and they would sometimes advance the price 500 per cent. in a single day. They kept a record of all inbound vessels, with their cargoes, and if any vessel was over due a month, all they had to do was to go out and buy up what was in the market of that which the vessel was bringing, and there was no power on earth that could get new supplies to the city inside of thirty days. I say it was no uncommon thing to have the common necessaries of life advanced 500 per cent. in one day. Why, sir, I remember the time when I was upon the line where this railroad is now built. I had to pay one dollar a pound for flour to sustain life. Can any such condition of things arise now? I say it was these monopolies that opposed the construction of the railroad. It was those monopolies which subsidized the press of this State, and called the construction of this railroad "the Dutch Flat Swindle." Was ever any enterprise met with the obstacles that were thrown in the way of the construction of this railroad? San Francisco agreed to take stock to the amount of $600,000, and the merchant and banker said "No; this enterprise can never be carried to a successful issue, and in order for us to maintain our standing as business men we must not contribute the $600,000 and take their stock, because if we take their stock we will become personally liable under the Constitution of this State for the debts of the corporation when it shall have failed, as it surely will." And thereupon these enlightened and far-seeing gentlemen got together to resist the issuance of this stock, and gave to that company the worst stab any enterprise ever received in this State. They said, "We do not believe in your solvency; we do not believe in your ability to construct this road, and therefore instead of giving you six hundred thousand dollars, and taking your stock in lieu thereof, we will give you four hundred thousand dollars in money if you will not force us to take the stock." Was ever any company met with such a proposition as that? At that time the company had to look to capitalists for the means to construct this road. Notwithstanding the opposition of these merchants; notwithstanding the opposition of these owners of the steamship lines; notwithstanding the opposition of the owners of the clipper ship lines; notwithstanding the opposition of the powerful stage company that at that time controlled the travel of this State in every direction, and who foresaw that the completion of the road would be their downfall—the road was completed. And I say that it has saved to the Government of the United States, since it was completed, over $140,000,000 in the transportation of the mails and supplies alone. I say that it has saved to the people of this State for the same services as many millions more. How have they been met in an attempt to bring ship and car together? San Francisco finally gave the railroad company, in order that they might bring railroad and ship together, sixty acres of land out on the mud flats. They started to drive piles on it, and the nature of the land was such that when they had struck the last blow on a ninety-foot pile they came very near losing the hammer. Afterward the company found that somebody in the dim and distant past had made a map making streets on that land, and then they asked the Supervisors to declare those streets closed, and they asked the Legislature to pass an Act allowing them to close those streets, which was done; but the then Governor refused to sign it, at the instance of the jealous people of San Francisco.

They next tried to get Goat Island, and they met with the combined opposition of the people of San Francisco. There is not a man who was engaged in that opposition but will admit that he was wrong; and you can't find a man who will not admit that millions of dollars would have been saved to the State if they had allowed the railroad company to have the island. Now, sir, so much for that proposition.

But we are told by members that this grasping monopoly is grinding down everybody. Terrible idea! Go to the foot of Second street and look at the shops built upon land rescued from China slough, where thousands of men are employed. Go down to the city that I in part represent. What do you see? Where, a few years ago, was nothing but barren sand, is now factory after factory. During the last year thousands of men have been set to work in factories that never would have been constructed, that could not exist to-day, but for the railroad company. Has any Senator pointed to a single county in this State, a single municipality, a single acre of land, that has been injured by the construction of the railroad? I have not heard of it; but I do know that down in the county of Fresno, for instance, where, a few years ago, it was but an arid sheep range, worth about nine cents an acre, they have now their orchards and vineyards, and they are raising their fruit and sending it away, and have a thrifty population that could not exist there but for the railroad. I know that a strip of property, twenty miles wide on each side of the railroad, in the San Joaquin valley, has increased in value twenty millions of dollars by the construction of the road.

Go into the foothills, since the mines have been worked out, and you find orchards and happy families. Could they exist there for a day if they did not have the means to transport their fruit and vegetables to market by railroad? Have they not been benefited by the railroad?

Let us go down to San Francisco, and consider the wheat-carrying business. I had little supposed, until we got into this discussion upon this floor, that anything which served to reduce freight rates, that anything which saved to the producer and consumer dollars and cents, was anything but a benefit to them. I had supposed that anything which saved to the people of this State five millions of dollars in the transportation of their wheat crop, would be a benefit. The Senator from Mono said this would be an economical measure—it was an economical measure for the railroad company.

Let me give you the exact figures. In September, 1881, freight on outgoing charter was 75s. For the same month in 1882 it was 53s. 7d., a reduction of one-third. And thus freight charges have been constantly decreasing, until now they are only 37s. and a fraction, and this reduction in freight has been brought about by the construction of the Southern Pacific Railroad, which you are now trying to cripple. I say to you Senators who represent agricultural constituencies, you will save on the transportation of your wheat crop this year more money than the entire State and county taxes that will be collected in the State this year. Will Senators tell us that this is an undesirable thing?

In order to show that I have not falsified this matter, I desire to read a resolution, and I call your attention to it. I get this from the record. It substantiates every word that I have said on the reduction of freight on outward cargo by the building of this road. It comes from the Board of Trade, the Chamber of Commerce, and the ship-owners. I don't suppose there is any Senator on this floor who will say they are in favor of the railroad company. It reads: "Resolved, that the aggressive attitude of the overland railroad toward the shipping"—Now why, why should producers complain of the aggressive policy of the railroad against somebody else, who is a common carrier, if freights and fares are thereby reduced? Third harvest and freights and fares have been reduced to such a limit by the competition of the railroad that no vessel can pay expenses, including port charges, which are the dearest at San Francisco of any other port in the world. As I read that resolution, it says: Resolved, that the railroad company can transport commodities into this port cheaper than the ships can do it; therefore, the ships are going to stop coming. If they could carry it cheaper than the railroad they would come here.

Now, here we have the statement of two propositions. First, that the railroad company, by competition, has reduced freights below what the products can be carried for by sea; and second, that because they have done so, they will in the future be in a position to transport your productions at a less rate than vessels can transport them. I don't see anything injurious about that.

There is another proposition right in that connection, as has been suggested by the Senator from the Tenth; and I charge you, Senators, before you vote upon this question, to weigh all the facts that have been stated to you. It is an undeniable fact that the vessels that have come to this port—that the vessels that have been engaged in this carrying trade of California—have been under the British flag. It is a fact that 99 per cent. of the freight money that has been paid for transporting the productions of this State has been paid to ship owners residing in England. All that we have kept for circulation among our own people is the little that the pilots have received from these same foreign ship-owners, and efforts are now making to raise a fuss about that.

Now, how about the money paid to the railroad company? Every dollar is paid to men who reside in this State—paid to men who have their homes in this State. In the city of Oakland the railroad company has invested more than a million dollars in shops, and over a quarter of a million dollars is paid out every year to men who have their homes and families there.

Should any man hesitate as to where he should place his vote, when the question is as to whether he shall continue to pay freights to British ship owners or to men who spend their money in this State, and to a corporation that must of necessity pay over to our own citizens 60 per cent. of the receipts in operating expenses? It should not take a great while to determine the question upon this proposition alone.

Now, I desire to call your attention to another proposition embodied in this resolution. I would not vote for the resolution even with the preamble stricken out. I do not believe it is right. I think the policy of it is wrong. I understand the objection made to the bill now before Congress is that it will allow the consolidation of a continuous line of railroad between the Pacific and the Atlantic Ocean. I understand the objection is that by this consolidation a great monopoly will be created. Now, I submit that in legislating we, a young State—we, an inexperienced State—in legislating upon these questions should try to profit by the example and experience of older States and communities. I take it that when we are legislating upon a question of this kind, involving a doubt as to whether we will be benefited or injured by the consolidation of the railroad companies, we ought to look to other countries and see what the effect has been of consolidation there, and see whether it is going to be injurious or otherwise; whether it is going to create a great monopoly. Let us see how it will work. Now, in England they have what they call the Northwestern District. In that district there were thirty-seven competing lines of railroad. I call the Senate's attention to the fact of thirty-seven competing railroads. What was the result? The result was imperfect service, many accidents and no dividends. Finally, under many Acts of Parliament, these thirty-seven lines of railroad were amalgamated (they use in that country the word "amalgamate" instead of our "consolidate"), all into one great monopoly; all into one grand monopoly; all under the control of one master-mind. What was the result of that amalgamation or consolidation? The result was better service, fewer accidents, lower freights and fares, and higher dividends. They had the same ideas there when these roads commenced to agitate the question of amalgamation. When Parliament first commenced to inquire into the matter of consolidation, some of the members had this same idea, that it would be injurious; but after the system had been in operation a few years, Parliament appointed a committee to examine into the effect that this amalgamation had had upon the country.

I call your attention, upon this point, to an article in the *Railroad Journal*, a lecture by Atkinson. I lay this down as a proposition, that wherever there has been a consolidation of railroad lines, consolidation has been for the benefit of the people. Now Mr. President, this railroad line, this railroad across the continent, was built for the purpose of benefiting this State; and can any man say that it has not done so?

[A motion to adjourn is made, and lost.]

Mr. Vrooman, continuing: As I was remarking when I gave way for a motion to adjourn, upon the completion of the Suez Canal the people of the United States realized the fact that, in order to control the trade of China and of India, it was necessary to construct a railroad across the continent. It has been constructed; and the trade of those countries, which formerly went to Europe, and for the benefit of foreigners, now passes over the American continent; and that could never have been brought about but for the fact that this railroad had been constructed; and still they say that the construction of the railroad was an injury to the people of this State.

Now, Mr. President, I desire to refer briefly to another matter, which I would not have referred to but for the fact that a great deal has been said upon this floor as to what the people desire in this connection. At San Jose, in June last, one of the great political parties of this State placed upon its ticket, as their standard-bearer, a gentleman who had held a position for years as Railroad Commissioner, a man whose public acts, so far as I knew and so far as the people of this State at that time knew, had never been against the interests of the railroad people. The party paper, on the morning after the Convention adjourned, announced that that gentleman had been placed at the head of the ticket with the aid of the active influence of the railroad company. Now, I wish it distinctly understood that what I am saying in this connection is said in no critical spirit, but I am relating the facts as they appeared before the people. I do not say whether they are true or false, because I know nothing about it, and am not expressing any opinion about it. As I say, then, the party paper announced the next morning that the gentleman nominated had been nominated by the railroad influence. That paper, so far as I know, declined from the start to indorse him—and, perhaps, two—of the candidates upon that ticket for the office of Railroad Commissioner. In September of that year the Convention of the Republican party met in this city, and they placed at the head of their ticket the original anti-railroad man of this State. They placed at the head of the ticket a man who never, in public or private, had said or done one thing in the interest of the company, but always had been against the company on general principles. Now, that was the condition of things so far as these two great political parties were concerned. They went before the people upon that issue. The Republican leader made his campaign purely upon the anti-railroad issue; didn't talk about anything else, and I don't think he knew anything else. The other gentleman, I believe, did not make any canvass, but it was stated in one of the principal papers in San Francisco that, a few days before, this candidate had had an interview with the President of the railroad company at a hotel in San Francisco. I don't say whether that is true or not, but it was announced in the papers. On the day of election the matter stood this way: One party had a man at the head of their ticket who had been in public positions where he might have shown his antagonism, if he had any, to the railroad company; but he had never shown any. The other party had a man who had always shown the most bitter antagonism to the railroad. The anti-railroad man was beaten by a larger majority than any man who ever ran in this State upon any issue, or upon any ticket.

The "original anti-railroad man" was formerly Railroad Commissioner in San Francisco—John T. Doyle—and he got the magnificent number of 2,500 votes, I believe.

Can the Senators say that they were sent here to make an aggressive warfare upon the railroad company, that the people have expressed themselves in such an unmistakable way? The anti-railroad man ran behind his ticket in every county of the State. Take it in my own county. I was nominated upon the railroad issue. It was a fact notorious that I had been defending the company in every large case in that county for two or three years past—I was nominated upon that issue, and there was made the biggest fight against me within my own party, upon personal grounds, that was ever made against any candidate for any office in this State. The Democratic County Committee hired a lot of disreputable men to go about the county and proclaim in every precinct and on every stump in that county that I was receiving a salary from the railroad of $10,000 a year (that was not true; I wish it had been); yet, with this opposition, I ran over 400 votes ahead of the man that was candidate for Governor, therefore I have reason for standing up here and taking the position that I do, because my constituents elected me when it was one of the issues. Now, looking over the Senators who are now upon this floor, I find there are many Senators here who have been in former Legislatures. They are men who have been above the senseless cry of anti-monopoly in this State. They are men who have followed their own convictions of right, and when measures favoring the railroad company came up, they voted for them when they thought they were right, and against them when they thought they were wrong. And because they did not truckle to the senseless cry of the press, they were classed as railroad men, and they returned to their constituents and they made their fight upon that basis; and I believe there are ten Senators who were returned upon that basis alone. And going over the list a little further, we find only three of the men who have been here before, and who claimed to be anti-monopoly, that have been returned. I refer to those facts for the purpose of showing that in my judgment the people of this State are not in sympathy with this senseless anti-monopoly cry that has been raised through the public press, for the purpose of intimidating and coercing the Senators to vote for this resolution. I make these statements because of the attempt that has been made in this discussion to cast odium upon the Senators who do not see fit to support this resolution. I submit that the questions involved in this resolution are at least debatable, and I submit there has been no such expression of the will of the people of this State as to cause men to support this resolution right or wrong, simply because it is a stab at the railroad. Now, sir, in conclusion I lay down a few propositions: First, that the Government has saved by the construction of the Central Pacific Railroad, in the matter of the transportation of mails and supplies, more than $140,000,000. Second, that there never was a time in the history of the State when freights and fares were as cheap as they are now. Third, there never was a time in the history of the State when a farmer could harvest and market his crop cheaper than he can now. Fourth, there was never a time in the history of this State when a farmer could transport his crop to market as cheap as he can now, and fifth, that the history of all times shows that the consolidation of competing lines of railroads has been beneficial to the parties who have to use those lines.

FOREIGN NEWS.

Brought Promptly to Justice.

CITY OF MEXICO, February 9th.—A telegram from Chihuahua says: On Sunday afternoon about 200 dissolute characters, who have often given trouble, attacked a store belonging to the Penos Altos Company. The employes resisted, and Manuel Anchon, a clerk, was killed. Buchanan Hepburn, the principal member of the company, went to the store to quiet the tumult, addressing the attacking party in conciliatory language; but finding that his moderation met with insults, he hurried back to his house. Just as he entered his room he was shot, and died instantly. Four hours later a fight ensued between the employes and the ruffians, four men being killed. Aid being summoned from the adjoining towns, the authorities and citizens turned out en masse, captured five of the ruffians—among them Hepburn's murderer—tried and executed them Monday. Hepburn was wealthy, and had invested much money in Chihuahua. Order has been restored, and the authorities are pursuing the criminals in the mountains.

The Dominion Parliament.

OTTAWA (Ont.), February 9th.—The Dominion Parliament was formally opened by the Governor-General to-day.

Dodging His Debts.

HALIFAX (N. S.), February 9th.—James MacDonald, the ex-broker who has been missing for some months, turned up to-day and took his seat in the Legislative Council. He has exemption from arrest for debts during the session.

The New Charter for Egypt.

CAIRO, February 9th.—The Council of Ministers adopted the first thirty-four clauses of the new charter for Egypt, embodying the proposal made by Lord Dufferin.

The Insurrection in India.

BOMBAY, February 9th.—The First Regiment of Bombay Grenadiers and a mountain battery have been ordered immediately to Ali Rajpoor to suppress the insurrection of the Beehls.

Death from Cholera.

HYDERBAD, February 9th.—The Nawab, Sir Saler Jung, died of cholera last night.

COAST AND STATE.

The Cheney, W. T., *Sentinel* publishes this story: One of the most singular phenomena which ever fell under the writer's observation is visible in a well at Merriam & Hall's mill, up the N. P. At a depth of ninety feet the gravel is frozen solid, while forty feet above water is dripping. Ice forms so rapidly that Morris, the contractor, has been forced to throw up the contract. A draft of air at the bottom indicates a subterranean passage.

The bulk of immigration into Whatcom county, W. T., is going into the Nooksack river country, a rich and comparatively level plateau, extending from Bellingham bay to the British Columbia boundary on the north, and to the foothills of the Cascade range to the east, because it is recognized as an exclusively farming country, where new-comers can either purchase improved tracts of 160 acres for from $500 to $3,000, or settle adjoining these places on Government land.

The Trinity *Journal* tells of two boys while hunting discovering a bear den in the mountains. They put brush over the entrance and fired it, intending to smoke bruin out, but bruin merely pushed away with his paws the sticks of wood. Two days and nights the struggle continued. At last dry brush was used, and the bear came out with a rush and a growl, to receive a shot from the gun of one of the boys. The bear fell, slightly wounded, down the mountain side, where he was followed and killed. The weight of the animal was 450 pounds.

A CORRECT VIEW.—The San Francisco *Morning Call* editorially remarks; "The East is large enough and rich enough to possess itself of the transcontinental lines which find their western terminus in California. The ownership once established in New York, San Francisco would be only the extreme end of the line. The business of the roads would be conducted with no more regard for the interests of this coast than for the interests of any other portion of the road. Such a result is to be avoided, if possible. The antagonisms which are created or fomented between the people and the railroad companies, for political purposes, are threatening the best interests of the people. There is no real ground for these antagonisms. The interests of the two parties to the quarrel are too closely woven together to be considered apart. The points in dispute are such as a committee of five business men, with no constituents behind them to blind their perceptions of justice, would settle in a dozen short sessions.

THE SUNDAY QUESTION IN AUSTRALIA. The proposal to open the Sydney Art Gallery on Sunday afternoons from 2 to 5 o'clock has been decided in the affirmative, after a debate extending over three nights, and occupying many pages in the official parliamentary reports. The terms of the motion, which was made by Mr. Copeland, member for New England, took notice of the fact that the Museum and Public Library in Sydney had already been thrown open to the public, and that the step had resulted in a very large attendance of Sunday visitors. Many of the members expressed themselves emphatically averse to the opening; but, on a division, the majority in favor of the motion was 17, the numbers being 41 to 24.—[St. James' Gazette.

Out West they have got to calling every amusement hall an opera-house. This is about as bad as the East, where, scattering a little sawdust and some cigar stubs on the floor, changes a saloon into a beer garden.

Historians say that Attila often dined on horseback. That's nothing. The Parisians go the whole animal.

THE LEGISLATURE.

A Quiet Day in Both Houses—Confirmation of Military Appointees—New Special File in the Senate—The Appropriation Bill in the Assembly.

The Senate met at 10 A. M., President Daggett in the chair, and quorum present.

Spencer of Stanislaus was granted indefinite leave of absence on account of sickness.

Reports from standing committees were received as follows:

Finance—S. B.'s 279, 280 and 281, relative to deficiencies in appropriations for State Printer and Superintendent of Public Instruction—favorable report. Also, S. B. 160, appropriating $15,000 for protection and improvement of State University—favorable report, with amendments.

Contingent Expenses—Recommending that the clerk of the Lieutenant-Governor be allowed $5 per day. Also, allowing Clement Bennett $825 for reporting the investigation by the Committee on Commerce of the Harbor Commissioners. Also, allowing J. A. Fitcher $16 80 as mileage to San Francisco as sub committee on Mines and Mining. Also, allowing each member and attache of the Committee on State Prisons $19 20 for mileage to San Quentin on the late investigation. Also, allowing each member and clerk of the Committee on Commerce and Navigation $16 80 as mileage on the late investigation at San Francisco.

Judiciary—Upon the question of whether, upon an appointment by the Governor of a member of the Board of Regents of the University of California to fill a vacancy for an unexpired term, it is necessary that the name of such appointee should be submitted to the Senate for confirmation, and, if submitted, should the committee take action thereon, the majority reported that it is not necessary that it should be submitted to the Senate for confirmation, and it submitted, no action should be taken. Also, a minority report contra.

Elections—Finding that L. W. Buck, who contested the seat of J. M. Dudley of Solano, is entitled to the seat. Minority report, signed by McClure and Vrooman, gives the seat to Dudley. Also, S. B. 123, relating to elections, favorable report.

Commerce and Navigation—S. B. 129, declaring part of the branch of the San Joaquin river, known as Middle river, not navigable; and S. B. 208, declaring certain streams of water public ways, favorable report.

Corporations—S. B. 145, amending Section 355 of Civil Code, relative to the powers and purposes of corporations, with favorable report; also on S. B. 145, amending same section, with adverse report.

Mines—S. B. 68, concerning the development of mineral resources, and for support of the Mining Bureau, with amendments and favorable report.

A message from the Governor was received, approving S. B. 1, repealing the Sunday law. Also transmitting report of the Committee of the State Board of Health [No. 6], adopted February 26, 1881, in reference to the selection of a suitable place for State quarantine grounds and station.

Vrooman gave notice that next Monday he would call for reports from the Committee on Rules, as to amendments to Rules 5 and 7; and from the Judiciary Committee on S. B. 50.

Bills were introduced as follows:

By Cox, authorizing the erection of a State agricultural and industrial exhibition building on the State Capitol grounds, etc.

By Lynch, for the better protection of life and property.

By Spencer of Napa, relating to the Clerk of the State Board of Equalization.

By Sullivan, relating to the reorganization of swamp land reclamation districts.

By Whitney, relating to the printing of statutes and journals.

AFTERNOON SESSION.

Immediately after recess the Senate went into executive session, and unanimously confirmed the appointments of H. W. Smith, of San Bernardino, as Brigadier-General First Brigade; James A. Shepherd, of San Joaquin, as Brigadier-General of Third Brigade; also John T. Carey, of Sacramento, as Brigadier-General of Fourth Brigade, N. G. C.

Business in open session was then resumed, and S. B's. 170, 182 and 183 were made the special order for next Tuesday, at 3 P. M.

The Committee on Rules reported amendments to Rule 7, making a "special file," on which shall be placed the following bills: Appropriation; County and Township Government; Municipal Corporation; Road and Highway, and Constitutional Amendments, which will take precedence in order named, and the file have preference over the general file. Adopted.

Adjourned.

THE ASSEMBLY.

The Assembly met at 10 A. M., Speaker LaRue in the chair and a quorum present.

A resolution was introduced by Brown to take up immediately, read the first time, and place at the head of the second reading file, A. B. 65, to establish a speedy and inexpensive system of procedure in civil cases. Lost.

The House then went into Committee of the Whole and considered the appropriation bill.

A motion to strike out the salary of the State Engineer, for the purpose of abolishing that office, was moved by Atwell and lost.

The salary of the secretary in the office of the State Engineer was reduced from $2,400 to $1,600, and an item of $1,500 traveling expenses of the Railroad Commissioners was stricken out.

The salary of the porter for the State Board of Equalization was increased from $300 per annum to $600, and the amount allowed as rewards for the arrest of highwaymen was reduced from $5,000 to $3,000.

A motion by Leverson to change the appropriation of 7 per cent. of $100,000 to 4½ per cent, for the support of the Hastings Law College, was lost.

The item of $5,000, for the restoration and preservation of fish of the State, was cut down to $2,500, and an amendment to extend the Act so as to include the protection of catfish, was lost.

The amount for services of Registers and Receivers of the United States Land Office was reduced to $750 from $1,500.

Considerable discussion was had upon motion by Webb, to strike out the $1,500 per annum for the Guardian of Yosemite valley. Nicol strenuously opposed the motion, and a lively deb