THE DAILY RECORD-UNION.

WEDNESDAY............OCTOBER 17, 1883

# Special Eight-Page Edition

## THIS MORNING'S NEWS.

In New York Government bonds are quoted at 121¼ for 4s of 1907, 114⅛ for 4½s, 101 for 3½s; sterling, $4 82½@4 86; 100¼ for 3s, 100 for 5s; silver bars, 110¼.

Silver in London, 50 11-16d; consols, 100 15 16d; 5 per cent. United States bonds, extended, 105; 4s, 124; 4½s, 117.

In San Francisco Mexican dollars are quoted at 87½@88½ cents.

In the stock market at San Francisco, Ophir and Hale & Norcross continue the center of attraction, the former closing yesterday at $6 25. Twenty thousand shares were sold.

Two burglars fought in a saloon in New York yesterday, and each killed the other.

Zara Burns, a young girl, was found brutally murdered at Lincoln, Ill., Monday.

The remains of Confederate soldiers disinterred at Arlington arrived yesterday at Norfolk, Va.

Great excitement prevails at Lafayette, Ind., over the Ada Atkinson murder, and lynching is anticipated.

Wyatt Ames, a murderer, in attempting to escape at Little Rock, Ark., was shot to death.

Under a decision of the Massachusetts Supreme Court, nearly every hotel in the State can be closed.

In a railroad accident near Chattanooga, Tenn., two firemen were killed.

Ex-President Hayes is in New York.

In a shooting affair at Glendive, Mont., one man was killed and another wounded.

The question of State-aided emigration is agitating London.

O'Donnell, Carey's murderer, is refused the use of tobacco.

Eighteen Socialists, charged with high treason, are on trial at Olmutz, Moravia.

The embargo upon the importation of American bacon will soon be withdrawn in France.

Trichinosis is committing frightful ravages in Prussian Saxony.

Merced is experiencing a sensational murder case.

Kylie, the rape fiend, was sentenced in San Francisco yesterday to fifty years in the Folsom prison.

The great firm of Zembronma & Co., of Monterey, one of the oldest and wealthiest houses in northern Mexico, has suspended.

Charles J. Walden, the embezzler, has been sentenced at Stockton to thirteen years' imprisonment.

The Sierra Valley stage was robbed again near Truckee Monday evening by two highwaymen.

John McCudden, a prominent citizen, died in Vallejo yesterday.

Rain fell heavily in San Bernardino county Monday night.

Benjamin Butterworth has accepted the position of Commissioner of Patents.

A farmer was murdered with a pitchfork near Cork, Ireland, Monday.

Sixty-one fine horses were killed at Cincinnati Monday night in the brewery accident.

The King of Anam is about to send a deputation to Paris.

The appointment of General Sir Henry Norman as Governor of Jamaica has been confirmed.

In a row at Bridgeport, O., Monday, Edward Combs was killed and half a dozen others injured.

Near Columbus, Ga., Monday, Thomas Prince was instantly killed by his father-in-law, B. S. Jeffries.

A stage was robbed by highwaymen near Henrietta, Tex., Monday night.

Two children were killed by a train near Connellville, Pa., and a young woman and another child badly hurt.

Slight fire in New York.

A jury was obtained at Colusa yesterday in the Miller murder case.

Cetewayo has surrendered to the British Resident at Durban.

A sixteen-round prize fight took place in Brooklyn, N. Y., yesterday morning.

Three members of the Corean Embassy left Washington yesterday for San Francisco.

M. Dornes was accidentally drowned at Albina, Or., Monday night.

The Mayor of East Portland, Or., has resigned his position.

The Grand Encampment, I. O. O. F., met in annual session at San Francisco yesterday.

The new route East by way of the Atlantic and Pacific Railroad will be opened Saturday.

Readers of the RECORD-UNION will find much to interest them upon the inside pages of to-day's issue.

## THE CIVIL RIGHTS BILL DECISION.

It cannot be said that the decision of the Supreme Court of the United States, holding the first and second sections of the "Act to protect all citizens in their civil and legal rights," approved March 1, 1875, invalid as to the States, but binding as to the Territories, is unexpected by those who have studied the subject in the past. At the time of its passage the legality of the Act involved in grave doubt some of the best friends of the negro. It has long been the opinion of many leading jurists of the country that the Act was an exercise of power by the Federal Government in excess of the authority intended to be conferred by the Fourteenth Amendment. In the debates upon the bill the very objections were raised to it, by thoughtful minds, which the Supreme Court now sustains. The first section of the Act reads:

Section 1. That all persons within the jurisdiction of the United States shall be entitled to the full and equal enjoyment of the accommodations, advantages, facilities and privileges of inns, public conveyances on land or water, theaters, and other places of public amusement; subject only to the conditions and limitations established by law, and applicable alike to citizens of every race and color, regardless of any previous condition of servitude.

Section 2 provides that the violation of Section 1 by denial of the privileges secured, except for lawful reasons, to citizens of any race or color, and regardless of any previous condition of servitude, shall be deemed a crime, punishable by fine or imprisonment, and by forfeiture to the person aggrieved of $500 penalty and costs. It gives the right to sue for the penalties at common law or under State statute.

The case before the Supreme Court involved the question of denial of rights and privileges to colored citizens in inns, on vehicles of public transportation and in places of public amusement, by individuals, and not pursuant to State laws. The chief of the cases was that of Robinson and wife against the Memphis and Charleston Railroad Company. The Supreme Court holds that the authority did not reside in the Federal Congress to pass the Act either under the Thirteenth or Fourteenth Amendments to the Constitution, because those amendments are prohibitory upon the legislation of States only, while the legislation which Congress might properly indulge in to enforce the amendments is corrective only. These amendments, or so much of them as are vital to this consideration, are:

ARTICLE XIII.

Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist in the United States, or any place subject to their jurisdiction.

Section 2. Congress shall have power to enforce this Article by appropriate legislation.

[Declared in force December 18, 1865.]

ARTICLE XIV.

Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States, and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

Section 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this Article.

[Declared in force July 28, 1868.]

The Court holds that the legislation authorized to be adopted by Congress for enforcing either of these amendments is not direct legislation upon the matters respecting which States are prohibited by the amendments from making or enforcing acts. It was not intended, says the Court, for instance, that the forbidding of a State to deprive a citizen of liberty or property without due process of law, should give power to Congress to provide the due process for the protection of life, liberty and property. It was intended only to prevent State laws obnoxious to the constitutional amendments from being enforced, to the deprivation of the rights and privileges secured to citizens. In other words, we are to understand that Congress cannot within the scope of its authority affirmatively enter the domain of the State to provide the process for the protection guaranteed. If a State by law sought to deprive a citizen of a right secured to him under the Constitution, then the Federal power would intervene to enforce the constitutional prohibition. The Thirteenth Amendment relates only to slavery and involuntary servitude, and hence did not confer upon Congress the authority to pass the law at issue, for the power given Congress, says the Court, extends only to the subject matter of the amendment itself—slavery, and its necessary incidents and consequences, and has nothing to do with different races or colors. A speaker, we may here interpolate, at the recent colored Convention, referred to the equality recognized in France, but he did not go further and point out that it is not the result of an affirmative law, but rather of social conditions. The Court says that the whole question of legal equality of races and classes of citizens is confined to the Fourteenth Amendment, which prohibits the States from doing anything to interfere with such equality; that is to say, then, it must be assumed that the equality exists, and the guaranteed rights are enjoyed, and are undisturbed except by adverse legislation.

As far back as the celebrated case of Munn vs. Illinois the same Court held, where it was objected that a State statute was opposed to so much of the Fourteenth Amendment as prohibited a State from denying to any person the equal protection of the laws, that the amendment simply prevents a State from doing that which will operate as a deprivation of a right without due process of law—it is, in short, a limitation upon the powers of the States.

The decision, therefore, does not limit or narrow the guarantees secured to colored citizens, who in their recent Convention declared that they "have had enough of class legislation." Mr. Douglass, speaking in that body, was commended for his statement that "the amendments to the Constitution establish freedom and abolish all unfair and invidious discrimination against citizens on account of race and color, so far as law can do so. In their view citizens are neither black nor white, and all are equals." And, again, when he declared, "We leave social equality where it should be left—with each individual man and woman. No law can regulate or control it." The Civil Rights Act goes to its death without injury to guaranteed rights, and the decision does not signify retrogression. But it has served a purpose as an aid in breaking down political prejudices which can never again exist in the Republic.

## AVOIDANCE OF THE CHINESE RESTRICTION ACT.

It is alleged that nine out of ten of all the Chinese arriving on the steamers from Hongkong are of the identical class intended to be excluded by the ten-year Chinese Exclusion Act; that by means of certificates issued by the Chinese Superintendent of Customs, hundreds of Chinese come to the coast under the guise of traders, students, merchants and travelers, who are really under the ban of the restriction law; that our own Customs officers have no discretion in the matter, and are, under the law, compelled to accept the Chinese certificate of the right of the Chinaman bearing it to land, and that there is no check whatever to the issuance of these certificates by the officials in China. If these things are true, and the evidences certainly appear to substantiate the allegations, then so far as our Restriction Act is concerned, it is wholly at the mercy of Chinese officials in China, who have no care whatever regarding the enforcement of our laws, and probably secretly enjoy the power they possess to nullify our enactments. The San Francisco *Bulletin* relates how these certificates of right to land are procured: "According to reports which come from Chinamen themselves, certificates are secured in this way: The Chinaman wishing to come to this country makes application to the Superintendent of Customs, to whom he gives his name, occupation, etc. He does not obtain his certificate then; goes away, and in the course of a week or two two Inspectors are sent out by the Chinese Superintendent to look into the case and to ascertain whether or not the applicant's story is correct. They hunt up the applicant, and no case is recorded, so far as known, where a certificate has been refused." The exclusion of Chinese according to certain restrictions was entitled to be fairly and honestly tried. If the law can be and is evaded as stated, then there has been and can be no test of the system of Chinese exclusion, and which it is most desirable, alike for the friends of the law and the system, and those who doubt and oppose the policy of both, shall be fairly tried. The ten-year limit is slipping away, and very little has been gained, because between the freebooters and smugglers on the north of us, the sentimentalists of the east and the certificate business in China, the operation of the law has been retarded, and in several respects practically defeated. This is much to be regretted, and it would seem to be the first duty of Congress when it assembles to take steps to close the loopholes by which one of its most solemn enactments is entered and despoiled of its vitality.

## BOLD STEALING IN NEW YORK.

A most singular state of affairs has developed in the New York Bureau of Arrears. A clerk named Carroll is a heavy defaulter. Had the most ordinary precautions been taken, the most ordinary business system been observed, the theft would not have been possible. The fraud was so bold-faced, so easy of detection, that the wonder is it ever escaped attention for an hour. Whenever payment of arrears is made in the department, it is the duty of the clerk to receive the money and enter it on his books. He must then pass it to the cashier who enters it again, and from these the ledger entries are made up, while the money passes on to the head of the department, who retains the custody of it. Now, while this is not a very secure system of checks and balances, since the checks are all within one department, still, if those over the clerk were prompt in duty, and daily examined the entries and balanced the whole set of books, as should be done in all such departments, no fraud would be possible, except by collusion. If there should be collusion, however, it must be assumed the rascals would be sharp enough to cover their tracks by forcing balances, or by omitting entries in the first instance. But nothing of this kind was done. Carroll simply received the money, made the entry and put the dollars in his pocket, trusting to good luck and the chance of the cashier or head of the bureau ever looking over his books. Had they done so they must have discovered the theft. Mayor Edson says, "It makes me sick to think such a fraud could be perpetrated, and go so long and not be discovered; it makes me sick to think there are such dishonest men put into office." It is sincerely to be hoped that Edson will become so "sick," and the citizens of New York so ill, and the people of all the municipalities in the Union so grievously unwell, that they can secure no relief except by divorcing politics from municipal affairs. This must come in time. Under the system now in vogue by which ward managers name our officials, who in turn must reward with clerkships those who work for them and strike at the polls; under the system that seizes upon a part of every salary as a means to defray party expenses, reward "the boys" and fee ticket-peddlers and bullies, we must not be so foolish as to express surprise that clerks steal, officials rob, and bosses plunder the cities of the country. There is no reason why such things should be. Politics have nothing to do with the keeping of streets, the improvement of parks, the lighting of highways, the drainage of a town, with sewerage systems, the disposal of sewage, with debt-discharge or municipal financial economy. We mistake; politics do have much to do with all these purely business affairs, and that is the matter with most of our city administrations. The remedy is not difficult of application; it is at the hand of every man if he will but reach forth and apply it. As a New York paper puts it, "any reform which stops short of the complete elimination of politics will be at best only a half-way remedy. The service should be reconttructed thoroughly, and all appointments and preferments be based upon merit and fitness alone. This would simply be introducing into the municipal departments the ordinary methods followed by every merchant and banker in his business. There is not a business house in the city where such frauds as Carroll's could pass undiscovered for a single day."

## A BLUE LAW FOLLY.

Without further light than the telegraph has granted to us, it is very difficult to ascertain what possible motive could have actuated the men who procured the arrest of people in Connecticut for an alleged violation of an old blue law Sunday enactment, which has been buried for a hundred and fifty years in the must and rust of forgetfulness. A number of citizens driving by on Sunday paused to gather nuts the early frost and the wind had cast from trees by the wayside. For this they were pounced upon by officers who appear to have been conveniently in hiding, and marched off, women, children and men, to a barn-yard, where they were herded like cattle all day long, and even after a drizzling rain set in. What good the Connecticut authorities hope to accomplish by this procedure the man of ordinary intelligence will fail to discover. If it was desirable to secure the repeal of the old law utterly, a single arrest would have been sufficient to have brought on the desired disgust, and some more serious offense than picking nuts from the ground might have been looked up on which to experiment. The cars on railroads are run on Sunday in Connecticut; tramways are operated; hotels and shops kept open; amusements indulged in; livery stables conducted, and a score of other violations of the old law are open and notorious. But where a statute has been for a century dead on the law books, what reason there can be for reviving it simply because the formality of repealing it has not been gone through with, passes conjecture. If the arrests were intended as jokes, they were cruel, witless and unpardonable. If intended to be earnest, and to secure the enforcement of the law, it demonstrates how serious a blunder nature makes when she spares to the present the men who are capable of resurrecting such an absurd statute, and thus establishing the fact that they were born a few centuries too late.

SOME one should chain up Talmage, the pulpit posturer of Brooklyn. He has been issuing edicts against the Mormons. Nothing but the sword will do for him. He wants serried columns to be marched against the winrows of abomination in Utah at once—without an hour's delay. He demands that Phil Sheridan be put into stirrups, and, leading a host of cavalry, be turned loose against Utah with the command, slay and spare not. We have noticed that those who know least of war are most rabid in demands for it. The men whose profession should teach them that peace is the foundation stone of religion, and who are so bloodthirsty that they can tolerate no other treatment of social cancers except such as is found at the edge of the sword, should be taken out of the pulpit and sent to some reformatory where they may learn that nations have methods of correcting great internal evils without waging war on the people of an entire territory.

OUR evening contemporary commits an amusing and scarcely pardonable blunder in publishing the Civil Rights Act of May 31, 1870, as the law passed upon by the Supreme Court of the United States on Monday. The dispatches very distinctly stated the date of the Act in issue—March 1, 1875. The law published by the *Bee* is that relating to the equal enjoyment of the right of all persons to make contracts, to sue, to be secure in person and property, etc. The Act, overturned in part, relates to the passage by States of laws denying to any persons, because of race or color, equal enjoyment of the privileges of inns, theaters, cars, etc. Our contemporary will find the law it quotes in the Revised Statutes (edition of 1875), under Title XXIV., page 348.

UNDER the old patent law of England the cost to an inventor for an exclusive privilege of three years was no less than $375, and for fourteen years $875. All this was in the way of fees. Of course to the poor inventor this was simply proscription. England has recently, however, reformed its patent laws in part, and American inventors can now make application by post, and the fees he must pay cannot exceed $20.

THE *Examiner* says: "Mr. Ingersoll will never be able to make the Ohio Republicans believe there's no hell." Since the result of the late election was made known no effort would need to be made. The Republicans have now a realizing sense of the locality named.

SINCE the Spanish Consul at Paris, under orders from Madrid, attended the Ferry banquet at Paris, it may be assumed that the Alfonso insult difficulty has been satisfactorily adjusted.

# PACIFIC SLOPE.

**Another Stage Robbery Near Truckee—Sentence of an Embezzler—The Murder Case in Merced—Heavy Punishment of a Rape Fiend—Parental Brutality in Nevada County—Advices from Oregon—Etc.**

[SPECIAL DISPATCHES TO THE RECORD-UNION.]

## CALIFORNIA.

### A Most Righteous Sentence.

SAN FRANCISCO, October 16th.—Judge Toohy's Court-room was crowded this morning with an eager throng, almost tearing down the doors in their anxiety to get in and witness the sentencing of Kylie, the rape fiend. The Judge took his seat promptly at 10 o'clock, and ordered Kylie to stand up and say why sentence should not be passed upon him. J. D. Whaley, the prisoner's counsel, moved for a new trial. The motion was denied. Counsel then moved for arrest of judgment. Judge Toohy denied the motion, and exceptions were taken in both rulings. In passing the sentence, Judge Toohy said: "Though you refused mercy to your prostrate victim on the evening of August 9th, the law will not now deal so hardly with you. It seeks not your punishment so much as to deter others from imitating your depraved example. Instead of a life sentence, and in order that you may be encouraged to reform your conduct, it is the judgment of law and sentence of the Court that you be imprisoned in the State Prison at Folsom for and during the period of fifty years." A stay of thirty days in execution of sentence was granted.

### The New Route East.

SAN FRANCISCO, October 16th.—The new route East, by the way of the Atlantic and Pacific Railroad, will be opened next Saturday. Arrangements between the connecting roads have been made, and the first car will leave at 9:30 A. M. Saturday. No through train will be run, a single through car being attached to the regular Southern Pacific express. It will be dropped off at Mohave, and there attached to a local, running to Needles, where it will be transferred to the Atlantic and Pacific train. After the new route is opened, the Atchison, Topeka and Santa Fe road will not run express trains from Albuquerque to Deming, and this morning Assistant Superintendent Pratt received a note that the Atchison, Topeka and Santa Fe trains would not, after October 20th, make close connections with the Southren Pacific trains at Deming. They will reach that junction about twelve hours behind the present time.

### Grand Encampment, I. O. O. F.

SAN FRANCISCO, October 16th.—The Grand Encampment, I. O. O. F., met to-day. Committees were perfected, and the Grand Officers submitted their report. The Encampment is in a more prosperous condition than ever before.

### The Sharon-Hill Case.

SAN FRANCISCO, October 16th.—The case of William Sharon, charged with adultery, was continued this morning in Police Court No. Two until Thursday next. Owing to the non-consent of counsel for the defense, a continuance can only be had for two days at a time. A dispatch has been received from W. M. Nellson, the complainant, at Tucson, A. T., saying that he would arrive in the city on Friday, and would be ready to go on with the case next Tuesday.

### "Unusual Punishment."

SAN FRANCISCO, October 16th.—The committee of the Board of Education, after an investigation of the charges against Mrs. Caldwell, of gagging children in school and turning their faces to the wall for disobedience, submitted a report to the Board, which decided to reprimand her for inflicting unusual punishment.

### The Merced Murder Case.

MERCED, October 16th.—At the preliminary examination of Willis Sumner for the killing of Thomas Griffith, the District Attorney introduced an affidavit showing that part of a correspondence between the prisoner and the wife of Griffith was in the possession of the prosecution, and that the writing showed a conspiracy between Willis Sumner and Mrs. Jenny Griffith to murder Thomas Griffith. The District Attorney then asked the Court to order the arrest of Mrs. Griffith, and that a search warrant issue to the Sheriff to search the person and residence of Mrs. Griffith for further written evidence of her complicity in the murder. Justice Robertson made the order. The woman is under arrest and the Sheriff has instituted a search of her residence for the correspondence between her and the murderer previous to the commission of the crime. The letter in the possession of the District Attorney was given to Buffalo Jim, a stage driver, by Mrs. Griffith, to deliver to Sumner. Buffalo Jim forgot to deliver the letter. In a few days after the murder Buffalo Jim gave the letter to the Sheriff. The contents of the letter are simply awful, and unfit for publication. The details of illicit intercourse between the parties are given with disgusting precision. The examination will be resumed on Thursday.

[SECOND DISPATCH.]

MERCED, October 16th.—The Sumner-Griffith murder case assumed a new phase this morning, on the arrival of the widow of the late Thomas O. Griffith at the Court-house, to appear as a witness in the examination of Willis Sumner, she being then arrested by the Sheriff on suspicion of complicity with Willis Sumner in the killing of her husband, and the two will be placed on examination together. Soon after Mrs. Griffith's arrest, Judge D. S. Terry was telegraphed for to defend her, and will be here this evening on the late train to prepare for her defense on Thursday. She is now in jail. The extent of the developments made by searching Mrs. Griffith's room at the ranch, and intercepting letters, is not known to the public, but the most exciting rumors are afloat concerning them, and it is probable that many of them are exaggerations based upon trifles. Still the excitement among the people increases, and all seem in expectancy of something new being developed whenever a Sheriff's officer makes his appearance on the street.

### The Lodi Embezzler in for Thirteen Years.

STOCKTON, October 16th.—Charles S. Walden, against whom the Grand Jury found sixteen indictments—one for forgery and fifteen for embezzlement—was sentenced to-day to imprisonment in the Penitentiary for five years for forgery, three years on one charge of embezzlement and five years on the other, making in all thirteen years. The other charges against him were dismissed. These crimes were committed by him while he was book-keeper of the Grangers' Business Association at Lodi. He was recently brought from Chicago by Sheriff Cunningham.

### Another Stage Robbery.

TRUCKEE, October 16th.—The Sierra Valley stage was again robbed by highwaymen last evening, about twelve miles from Truckee. Wells, Fargo & Co.'s express box, containing letters and waybills, and it is thought between $200 and $300, was carried off by the robbers. There were three passengers, two men and a woman, in the stage, and they were relieved of their loose change, amounting in all to only about $20. Their watches or jewelry were not disturbed. There were two of the highwaymen, although one kept out of sight behind a tree, a few yards away. The robbery occurred at precisely the same spot where the same stage was stopped about two months ago, and Mr. Buxton, the driver, is quite certain it was the work of the same parties.

### Contribution for O'Donnell's Defense.

VALLEJO, October 16th.—Three hundred dollars have been raised in Vallejo as a contribution to the O'Donnell defense fund. The committee of Irish citizens who are canvassing the town for this purpose expect to increase the subscription.

### An Old Citizen Dead.

VALLEJO, October 16th.—John McCudden, a prominent citizen and old resident, died this morning.

### Rain in San Bernardino.

SAN BERNARDINO, October 16th.—Yesterday all day there were strong indications of rain, and last night commenced one of those storms which makes the rancher's heart glad, and it continued through the night, and the indications are favorable for more, with a low barometer.

### Unnatural Parent.

NEVADA CITY, October 16th.—A complaint was filed in the Justice's Court here yesterday charging Louis Bouche, of Rough and Ready township, with unnatural treatment of his daughters, Fannie and Mamie, who are both upwards of 16 years old. It is alleged that Bouche drove them from home last week and they spent two days and nights in the woods, during which time they underwent much suffering. They were found by some of the neighbors and are now being properly cared for.

### Publishers Arrested for Libel.

PETALUMA, October 16th.—James Hoag and Charles Towne, puplishers of the Petaluma *Echo*, were placed under arrest last evening by a Deputy Sheriff, on complaint of District Attorney Thomas J. Geary, for libel. The parties were released on $500 bail, and the preliminary examination is set for Thursday at 10 o'clock.

### Jury Obtained in the Glenn Murder Case.

COLUSA, October 16th.—A full jury has been obtained in the Miller case.

## NEVADA.

### Severely Stabbed.

VIRGINIA, October 16th.—At 11:30 to-night Owen Flannery, of Gold Hill, was severely, if not fatally, stabbed in the lower part of the abdomen by William Savery, in a row in Hennessy's saloon, on C street. Savery was arrested; also William Delury, who was mixed up in the affray.

[SECOND DISPATCH.]

VIRGINIA, October 16th.—At 12 o'clock Flannery, the man stabbed by Savery, is vomiting blood. It is supposed that the knife, which entered an inch above the navel, penetrated the stomach. His case is hopeless, and a priest is now with the man.

### Incendiarism.

VIRGINIA, October 16th.—A small unoccupied house on South A street, belonging to Mrs. Wood, was destroyed by fire at 2 o'clock this morning. The fire was incendiary; no insurance.

## OREGON.

### Advices from Portland.

PORTLAND, October 16th.—An altercation occurred yesterday at Silverton between Peter Francis and G. W. Cox. Francis was dangerously stabbed in the breast, and during the row Cox made his escape.

Last night M. Dornes, engineer at the coal bunkers at Albina, accidentally fell into the river and was drowned. He is supposed to have been intoxicated. The body was not recovered.

Owing to some disagreement with the members of the Board of Trustees, Mayor Morris, of East Portland, tendered his resignation last night, which was accepted. This produces a temporary disruption of the city government of East Portland.

The suit of Miss Clara Woods against Dr. G. H. Davis, for breach of promise, is now on trial in the State Circuit Court. Plaintiff asks for $10,000 to soothe her lacerated heart. The suit is attracting much attention.

The special committee appointed to investigate the charges against Mayor Chapman will hold its first meeting Friday afternoon, and will be public. The committee express a determination to sift the charges thoroughly.

## UTAH.

### The Murphy Lynching.

SALT LAKE, October 16th.—A letter was received by acting Governor Thomas, of Utah, to-day, from Senator Ingalls, of Kansas, making an appeal in behalf of John Murphy, who was lynched by vigilantes in Park City, Utah, several weeks since. The Senator says that Murphy was a former resident of his county in Kansas, a good neighbor, and he appealed to the Governor to offer a reward for the apprehension of the vigilantes. There are no funds in the hands of the Governor for this purpose. The sympathy of the people in the community where the lynching was done is with the vigilantes, and the Grand Jury, which adjourned yesterday, failed to indict any of them although Murphy's case was brought before them. This is the case in which the vigilantes compelled a railroad conductor to take his train at midnight and carry them from Park City to Coalville, where they took Murphy from jail, conveyed him back to Park City and hanged him to a telegraph pole, for the murder of a miner by the name of Brannen.

### A New Departure—Bishop Ill—Presidency of the Mormon Church.

SALT LAKE, October 16th.—This morning a Pullman palace car, containing thirty Mormon missionaries, bound for the East, left this city. Apostle Cannon, at the last Conference, announced that the Elders going on missions invariably traveled without purse or scrip. This palace car luxury is regarded by saint and sinner as a new departure. George Q. Cannon and Delegate Paine accompany the missionaries.

Bishop Edward Hunter, presiding Bishop of the Mormon Church, and at the head of the tithing department, is very ill, and will not be able to survive the night. He is 91 years of age, and the oldest Bishop in the Church.

There is a report current in the city to the effect that John Taylor, by reason of his feeble condition and advanced age, proposes resigning the Presidency of the Mormon Church. If the report is true, and many believe it is, George Q Cannon will be his successor. This change will strengthen the Church.

## ARIZONA.

### Cases in Court.

PHŒNIX, October 16th.—In the Huachuca barley conspiracy case against the United States, which went to the jury on Saturday evening, the jury came into Court yesterday morning and reported themselves unable to agree, and were discharged. In the case of the United States vs. Charles Cashman, charged with abstracting letters from the mails, a trial was had, and the jury brought in a verdict of guilty as charged.

The mining suit, which has been pending for two years, entitled Philes et al. vs. Hickies, concerning a group of mines on Coal creek, was called in the evening, and judgment, with costs, rendered in favor of the defendant. This sets at rest the title to valuable property, and insures its speedy development.

### Maniac Drowned.

TUCSON, October 16th.—Louis Schoneberg, a German, aged about 35, while suffering from delirium tremens, escaped from the County Hospital yesterday and was drowned in an irrigating ditch.

## NEW MEXICO.

### Bad State of Affairs.

LAS VEGAS, October 16th.—A bad state of affairs exists along the advance of the Mexican Railway. Six men have been murdered during the past two weeks. Parties returning from the front say life is at a great discount there. Two men to-day found the skeleton of three Texas cattle thieves, murdered on the Glorietta four years ago. The exact fate of the thieves was unknown until now.

## SAN FRANCISCO ITEMS.

Dr. Tsun Yuen, an aged Chinaman, was found dead in his bed at 651 Clay street Monday afternoon.

Verdicts of suicide were rendered by a Coroner's jury in the cases of Charles Lockhardt and Nicholas Halden.

Officer William Doyle was tried before the Police Commissioners, Monday night, for having been asleep while on duty, and dismissed from the force.

The Newbern's yellow fever patients having recovered their usual health, the steamer and barge, after being thoroughly fumigated, have been released from quarantine.

Superintendent M. J. Keating, of the Alms-house, has enriched the county treasury by $354 35, the proceeds of the sale of twenty-three hogs, weighing 6,300 pounds, raised at that institution.

On stipulation of the parties in the case of the People vs. Leland Stanford et al., with reference to the Potrero Railroad franchise, Judge Finn has set aside his order overruling the demurrer, and the case is resubmitted.

Monday afternoon the tenth annual session of the Grand Chapter of the Order of Eastern Star was begun at Laurel Hall, A. F. Hitchcock presiding. The reports of the Grand officers were received as follows: Mary A. Flint, G. W. Matron; Mary M. Holtz, G. Treasurer; Kate J. Willats, G. Secretary. Committees were appointed to investigate the affairs and progress of the Chapter during the past year.

At the annual conference of the Ancient Order of Foresters Monday, District Chief Ranger J. B. Tungate presiding, thirty delegates from thirteen districts were present. The Committee on Credentials reported, after which Chief Ranger Tungate made his address. The membership of the Order is 1,400. The following officers were elected: Chief District Ranger, H. Beaver; Assistant District Ranger, Alexander Nicholson; Treasurer, M. Goldman; District Secretary, R. G. McLennan; District Beadle, Holton Webb; Trustees, John Nolan, Charles Kinnie and J. Watt; Orators, Dr. DeWitt, A. Froment and James Graff; Arbitration Committee, W. H. Williams, J. S. Garrett, J. A. Faulkner, A. Sands, Walter Ayling and Joseph Moscrop.

"Is the dog mad?" he asked the boy, as the animal dashed by. "I reckon he is," replied the boy; "I just see a butcher take a piece o' meat away from him, and kick him six feet into the air. Wouldn't you be mad if that was done to you?"—[Boston Post.

## FARM AND FRUIT.

### The Steady Prosperity of California and Its Future.

We are now enjoying the golden season of the year, when the "Harvest Home" is sung in glad realizations of the bountiful blessings enjoyed from well-laden fields of grain and gatherings of fruit during the season just closing. Although there has been in some sections a lighter yield from various causes than in some previous years, the general outcome of the summer's productions has brought prosperity, and given continued reason for content in our highly-favored land. The practical demonstration to the people in the East of our natural resources and greatness by extensive exhibits of California grains and fruits at the Illinois State Fair and elsewhere beyond the Rocky mountains, has not only removed the quite general belief heretofore entertained there, that the reports of our productions were overstated and untruthful, but these impressions have been overcome and refuted by the official reports of State Fair Committees, who not only with entire willingness acknowledge all that we have claimed and that the products of nature assert for us, but in their enthusiasm over the marvelous growth and quality of our cereals and fruits, officially say "the half has not been told."

The results which will flow from this, and the continued prosperity in all departments of industry in our State, will insure very soon a largely increased population, and with such increase will be a corresponding growth in values, demand for property, breaking up of large, neglected holdings and pasture ranges into small, well-tilled farms and pleasant homes; greater demand for skilled labor, increase of employment on the farm and in the shop; greater perfection in educational facilities for all, and the full realization of the possibilities which Providence, by the bestowal of unequaled natural advantages, has intended for those who have pursued the fleeing goddess of "Westward, Ho!" to the final limits, and chosen their heritage within the borders of the golden State.

The evidences of prosperity which are to be seen on every hand in city and country are of the most substantial class, and form a natural step in the development towards the higher and advanced condition to be reached in our State life and history. The increase in the agricultural and horticultural industries of last year were alone a most notable feature, but the increase the present season beyond that of last will be upon a far more extended scale, and these will undoubtedly continue with higher ratio from year to year.

PROFITS OF FRUIT VS. GRAPES.

A. W. Eames, of Los Angeles, writes to the *Rural Californian* upon the relative profit between fruit and grape culture: Now that the grape harvest is upon us, we hear of the large returns of wine and raisin vineyards to the fortunate owners, of from $100 to $200 per acre, and the question is asked, how those returns compare with other fruits? Many of us have heard of the San Jose orchard of twelve acres of apricots, the crop of which two years ago sold for $13,000; of $500 per acre of Bartlett pears; and of three seven-year-old apricot trees at Riverside, that two years ago produced 1,200 pounds. But these yields and returns are of course exceptional. An orchard at full bearing ought to average, one year with another, at least 150 pounds to the tree; apricots and prunes, if evaporated, will net three cents per pound; and at 100 trees to the acre, we have an average return of $450 per acre for trees in full bearing. Pears will stand more trees to the acre, and apples, on a suitable soil, will produce a larger yield, bearing heavily every year; but apples evaporated will net only about one cent per pound. It is probably safe to say that orchards of properly selected fruits in full bearing will double the annual coin production of vineyards. There are ten or twenty times as many acres being planted to vines as to trees, and if there is any danger of an overstock of wine and raisins, there certainly is none for apricots, pears and prunes. If dried apricots were as plenty as prunes, there would probably be as many used. The United States imported in 1881, 31,280,613 pounds prunes—Customhouse valuation, $1,552,946 17; raisins, 39,158,755 pounds; valuation, $2,711,771 74. In 1882, prunes, 59,170,305 pounds, valued at $3,083,966 10; paid duty, $591,703 47. Raisins, 43,779,867 pounds, valued at $3,260,033 74; paid duty of $1,097,496 71. From these figures it will be seen that the importations are increasing rapidly, and that we have a large and increasing market to supply. It has been estimated that at the present rate of planting raisin grapes, in ten or fifteen years we would be able to supply our own country. Without arguing that point, it is safe to say we never will have as many apricots and prunes as our own market will take.

CALIFORNIA RAISINS.

The Boston *Commercial Bulletin* has the following encouraging words about California raisins: These California raisins are made from the Malaga grape and are large and of excellent quality, and are acknowledged to be superior to foreign. They are also fresher, as they never have the ethery taste given to foreign raisins by the sea voyage. The grapes can be grown so cheaply in California and the raisin product is increasing so rapidly that in a few years, possibly in 1885, it is confidently expected that the California raisins can be laid down in this market at $1 25 to $1 30 for a 24-pound box, at which price the foreign raisins cannot compete with them. At present the freight on the California raisins is 1¼ cents per pound, which amounts to 25 cents on 20 pounds, and it is probable that as the shipments East increase, the freights will be lowered a little. The foreign raisins pay a duty of two cents per pound, and one-half cent per pound freight, and this on a 20-pound box would amount to 50 cents, and this 50 cents for freight and duty must be subtracted from whatever the Spanish raisins sell at against 25 cents to be subtracted from what 20 pounds of California raisins sell at. It is claimed by the Californians that they can produce raisins fully as cheap as the Spaniards, and that in a few years they will control the American market. In addition to their superior quality, buyers will be attracted to California raisins for another reason. They are honestly packed, the bottom layer being fully equal to the top, and the boxes have always full weight."

VARIOUS NOTES.

A red-polled bull exhibited at a recent cattle show in Norfolk, England, measured eight feet and three inches in girth, and was appropriately named "Falstaff."

An unknown disease, thought by some to be bloody murrain, has broken out among the cows in Newburg, N. Y. One dairyman, Samuel J. Hewitt, of that place, had thirteen cows. All were attacked and all died within half a day.

The hop fly, which produces the louse that infests hop-yards, is an importation from England. It works its worst late in the season, and hence the earlier varieties of hops are less liable to injury. Since the introduction of this pest the season for hop-picking is much shorter than formerly.

The black teeth in pigs are caused just as black teeth are in human beings, by bad breath and sour stomach, the result of indigestion. Young pigs are especially liable to over-feeding. The result is they become stunted and unthrifty. Enough food, so that they will eat it clean, and given at regular intervals, is the most approved practice.

It is estimated now that one cow in every thousand in this country is a Jersey. This breed has increased more rapidly by importation than any other, and it is in most sections where introduced the favorite for crossing with native cattle for dairy purposes. In this way a great deal of Jersey blood is brought into our American stock of dairy cows.

In almost every dairy herd there are one or more cows whose product does not pay cost of keeping and expenses. If the milk is sold or taken to a creamery, these unprofitable cows are quickly discovered and weeded from the herd, but in ordinary farming, where the milk is mixed with that of other cows, it is not easy to decide which animals are profitable and which are not.

A Kentucky paper says the breeding of fast horses has been much condemned, but it has done immense good to agricultural interests. It has turned the farmer's pot-bellied, bang-headed, stumbling, staggering plug into a smart, bright, quick-stepping horse that can do twice the amount of work his predecessor was capable of, and trot off to market or to church in a quarter of the time.

It is poor practice to be continually dosing animals. When we see a farmer frequently visiting the drug store for medicine for his stock, the impression is that there is something radically wrong in his management. He is the "sick one," and needs the aid of a good physician—some one to show him that the sickness rarely happens on a well-ordered farm; that clean, warm stables, and plenty of good feed, pure water in abundance, etc., are far better than their opposites, with all the physic that the largest drug store can supply. Nothing is more clearly proved than the importance of care and keeping of the right sort for the health of the farm animals, and their profitable growth and increase. Sickness will sometimes come with the very best management; and when it does, it is better to employ skilled hands to cure than to "doctor" and "physic" and perhaps kill the valuable animal yourself, which under proper treatment might have been saved at a trifling expense.—[Agriculturist.

## PASSENGER LISTS.

NEWHALL, October 16th.—Passed here to-day, to arrive in San Francisco to-morrow: G. Boca, Montevideo; S. S. Austin, Mobile, Ala.; M. McAnarney, New York; L. A. Newmarck, Los Angeles; Miss M. D. Cockranel, San Francisco; Miss J. W. Mackey, Los Angeles, Dr. Shorb, San Gabriel; T. E. Atkinson, San Francisco; Eugene Meher, A. R. Eisenbach, Los Angeles; J. F. Cogfrie and wife, San Francisco; G. W. Wells, Los Angeles; C. C. Brown, Pasadena; A. G. Jefferson, Hudson, Wis.; S. C. Mott and wife, Los Angeles; John Comstock, Hudson, Wis.; H. M. Wildis, San Bernardino; W. G. Walker, Santa Ana; O. S. Goodnow, wife and child, Dallas, Tex; Mrs. Barlor and child, Topeka, Ks.; W. T. Roff, New York; C. H. Leavitt and wife, Ohio; T. J. Cuddy, Los Angeles.

CARLIN, October 16th.—Passed here to-day, to arrive in Sacramento to-morrow: A. E. Thomson and wife, New York; E. M. Kinman and wife, Illinois; D. J. Lindsay and wife, Belfast, Ireland; J. G. Kellogg, San Francisco; Miss Sheppard, Oakland; Miss Barber, Germany; Wallace Mott, Angel Island, Cal.; Mrs. M. M. Stillwell, New York; F. Swart and wife, Chicago; P. Sheffield, London, Eng.; F. A. Wilner, United States navy; A. Musgrove, Halifax; H. P. Coon, San Francisco; A. Ayscough, Boston; A. Kendrick, Australia; Miss E. Pembleton, California; A. Robertson, Glasgow, Scotland; B. F. Weston and wife, Milwaukee; Mrs. E. Thomas, Cincinnati; M. Eyne and wife, Baltimore; Mrs. E. A. Dement, Miss Grace Dement, Milwaukee; Mrs. O. Liddell and two children, Salt Lake, Utah; O. Behrus and wife, Iowa; A. M. Morrison, Illinois; T. L. Carrow, P. T. Phillips, New York city; C. L. Booth, California; C. Lehner, Buffalo, N. Y.; H. R. Peck, Denver, Col.; A. C. Tufts, Sacramento; T. Bainbridge, Iowa; Wm. Moss, Ogden; P. Ginn, Mrs. A. Slack, Oakland; W. B. Estes, Missouri; G. W. Evans, Washington; Geo. Mason, Mrs. Geo. Mason, Canada; A. Mason, London, Eng.; G. Baxter, Washington Territory; L. Lucus, Indiana; C. L. Shorey, Canada; D. T. Lucus, Indiana; A. J. Syne, New York city; Lieutenant Oyter, Lieutenant Bailey, U. S. A.; E. D. Decow, Philadelphia; C. H. Willett, Chicago; 126 emigrants, including 91 males, to arrive in Sacramento October 18th.

## TRANSACTIONS IN REAL ESTATE.

FILED MONDAY, October 15, 1883.

October 15—People's Savings Bank to Jane Griffin—Lot 3, L and M, and Seventeenth and Eighteenth streets, city; grant.

October 15—Freeman & Bates to Jane Griffin—W. ½ of lot 3, L and M, and Seventeenth and Eighteenth streets, city; grant.

October 5—Leland Stanford to B. R. Crocker—Land in city, 5 acres; $500.

October 12—E. M. Leitch and wife to C. Schaefer—Lot 2, K and L, and Seventeenth and Eighteenth streets, city; $3,000.

October 2—J. O. Sherwood to Mary J. McCabe—Lot 4, F and G, and Eighteenth and Nineteenth streets, city; grant.

October 15—John Neal and wife to J. P. Counts—Fraction of lot 8, L and M, and Eighth and Ninth streets, city; grant.

September 1—Sabina C. Bernhart to Sarah Allen—Land in N. E. ¼ of sec. 27, T. 5, Galt, 1 acre; $250.

October 15—S. J. McCaughrey and wife to Sacramento County—Right of way for public highway; grant.

October 4—O. Harvey to Sacramento County—Right of way for public highway; grant.

October 15—Joseph Hall to Alexander Hall—Land in Sacramento county, 133.85 acres; grant.

September 26—Rufus Swift to L. M. Saippee and Fred. M. West, trustees of Stockton Savings and Loan Society—Land in San Joaquin county, 1,497.87 acres; $30,000.

## SUPERIOR COURT.

TUESDAY, October 16, 1883.

DEPARTMENT ONE—ARMSTRONG, Judge.

F. W. Fratt vs. James I. Felter—On trial.

Charles M. Campbell vs. E. P. Figg—Passed to be taken up by consent.

Todhunter vs. J. H. Carroll—On argument.

Ah Lee vs. Tan Kee—Dismissed, and costs taxed to plaintiff.

DEPARTMENT TWO—MCFARLAND, Judge.

J. B. Haggin vs. A. F. Raymond—On trial by jury.

AFRICANS EATING SALT.—I bought a head-rest of one man for a tattered old shawl which I had meditated tossing into the Congo as worthless just before. The people here were handing round salt to one another in a large leaf. They eat it alone and with extraordinary gusto. One of these Bayansi men that I had previously met at Msuata became so affectionate after I had given him a few pinches of table salt—to them an indescribable delicacy—that he implored me to become his "blood-brother." I half-laughingly consented, and he took his knife and, with the point of it, gently scratched my skin (on my forearm) as if he were going to vaccinate me. When a few drops of blood had appeared on the scarified flesh he greedily sucked them, repeating the same process on his own arm, inviting me to apply my lips to the wound. I made a show of doing so, and the ceremony was then concluded by our exchanging presents and mutual protestations of eternal friendship. I have never seen this blood-brother of mine from that day when I left him smiling at me as our canoes glided off from the shore, and I confess I should be curious to know whether he would remember me should we ever meet again.—[Cor. London Telegraph.

WHAT THE FARMERS SHOULD STUDY. The farmer should study the law of concentration. He should learn how to concentrate his crops on the best paying articles. Does he consider that butter, beef, pork and mutton represent only a certain amount of hay, grass or grain that his farm produces? That instead of selling the raw commodities he can, by putting them into these articles, get much better returns for his products? His study should be how to transform the products of his farm into something that is concentrating and will bring him the most money. What he raises has got to go to some market. By concentrating it little freight will have to be paid and thus much will be saved. A farm is not only a farm; it is, or should be, a factory for changing the products into articles of general consumption that have a commercial value the world over, that are of the best quality, that will keep well and sell well, and bring prices that will pay well for the skill, labor and capital employed in producing them.—[Petersburg Messenger.

"Save the Sweetest Kiss for Mother" is the title of the last new song. The author evidently overlooks the fact that the young man's precious time is so completely occupied in paying his respects to the daughter that the old lady stands a mighty slim chance of getting any kiss at all.

A fruit-grower says it is a good plan to trim fruit trees high and pasture orchards with sheep. The old plan of allowing the limbs to grow close to the ground and pasturing the orchard with a dog always seemed to us to be very effective, but a sheep that knows his business can also make it very torrid for the boys.—[Peck's Sun.

HORSFORD'S ACID PHOSPHATE for overworked professional men. Dr. Chas. T. Mitchell, Canandaigua, N. Y., says: "I think it a grand restorer of brain force or nervous energy."