DAILY RECORD-UNION

CITY OFFICIAL PAPER.

TUESDAY.....JULY 27, 1886.

The RECORD-UNION *is the only paper on the coast, outside of San Francisco, that receives the full Associated Press dispatches from all parts of the world. Outside of San Francisco it has no competitor, in point of numbers, in its home and general circulation throughout the coast.*

SAN FRANCISCO AGENCY.

L. P. FISHER is Sole Agent for this paper in San Francisco and vicinity. He is authorized to receive advertisements and subscriptions, and collect for the same. Rooms 21 and 22, Merchants' Exchange.

NEWS OF THE MORNING.

FOREIGN.—Lord Salisbury has been appointed Prime Minister.....Michael Davitt starts for New York next Thursday.....Sir Charles Dilke has left England for the continent.....John Ruskin's health is failing .....Salisbury met with an enthusiastic reception at different points on his way from Osborn.....Serious riot in Amsterdam, Holland.....Silver in London, 43¼d; consols, 101 7-16; 4s of 1907, 129½; 4½s, 114⅝.

EASTERN.—Hugh O. Thompson, leader of the New York County Democracy, was found dead in his bed yesterday.....Fatal accident in the White Mountains.....Denny Sweeny attempted to jump over the Brooklyn bridge .....A Japanese Prince has arrived at Washington.....General Rogers, of Buffalo, is to be appointed Public Printer—Destructive hail-storm in Dakota .....Two Postoffice officials have been arrested at Chicago for embezzlement.....The President refuses to pardon Watts, the brutal mate.....Cyrus W. Field has gained his libel suit against James Gordon Bennett .....The Knights of Labor have declared a boycott against the Singer Sewing Machine Company.....The Treasury Department will issue $1, $2 and $5 silver certificates.....Senator Blair has introduced a prohibition amendment to the Constitution of the United States.....Government bonds are quoted in New York at 126⅝ for 4s of 1907; 112 for 4½s;; 100½ for 3s; sterling, $4 86; silver bars, 95.

PACIFIC COAST.—Wm. Smith was run over by the yard-engine at Port Costa, and killed.....A Chinaman was murdered at Lovelock, Nev.....A large extent of agricultural land will be thrown open to settlement in the southern counties by the extension of the railroads.....Sir John Macdonald met with an enthusiastic reception at Victoria, B. C.....A mob drove several men from Washington, Nevada county..... E. B. Trainor committed suicide at Merced yesterday.....A large number of ranches changed hands in Sonoma county lately .....Another seizure of opium at San Francisco.

NEED FOR WISE ACTION.

There draws near in California an important political campaign. There will enter into it, besides the choice between party men, other and diverting elements. In selecting a new law-making body the people will, by indirection, choose a United States Senator to succeed the term of the late General Miller, and they will determine directly the political complexion that shall distinguish that Senator. There will be injected into the campaign the fine wisdom of choosing Railroad Commissioners, who constitute a body of phenomenal powers and extraordinary duties, and should therefore be chosen in the light of the broadest and soberest thought. There will enter into the campaign the question of irrigation, for we do not entertain now the belief that the present session of the Legislature will conclude the momentous subject—it cannot, indeed, be expected that it will more than make a beginning. There will be at least one constitutional amendment to be voted upon—regarding a method of taxation—and which involves only economic questions and has no political color whatever. It is possible that other and equally important amendments may be submitted.

A new State Administration is to be selected, in the choosing of which we may expect a good deal of campaign warmth and friction. Already the precincts are being agitated by the preparatory notes for the selection of delegates to the party Conventions. It is a truism that the most serious danger in the politics of a free people is that of being led away from the pursuit of practical beneficial courses by the rhetorical tricks of selfish demagogues. It is, therefore, especially necessary that voters should consider well what bearing their intended action is to have upon the future, and whether, above all, it will tend to remove any acknowledged evils, to facilitate their removal, or the taking of any advanced steps upon the better planes of self-government. Cool reflection upon the present political situation in California will convince the intelligent observer that only one course is available which fairly and fully meets this crucial test.

Beyond the choosing of wise administrators for the Railroad Commission, the railroad question cuts no figure in the coming campaign. On the Chinese question no issue can be joined, since we are all of one mind regarding that subject. The constitutional amendments can involve no party policies, and we are therefore brought to the simple question, "What shall be the political complexion of California for the next few years?" Putting aside campaign rhetoric and turning our backs upon all intemperate expression, we are confronted with the choice of continuing a Democratic Administration that has been distinguished by continuous contention, and the restoration to State position of the Republican party, the domestic issues of which have not at least dragged in the treasury of the State, or involved demoralizing litigation.

The affairs of the State have been sadly mismanaged by the Democracy—they could scarcely have been worse handled, nor the State have taken greater harm from political incapacity and party wrangling, at the hands of any political organization that has had existence. It is unnecessary to go into details on this head; the whole line of blundering, bungling and stupidity is open to the view of the people, and there can be no concealment of it. If ever they had righteous cause for changing political dominance they have it now. Party supremacy after January 1, 1887, means either projection into the next four years of State history of the old Democratic happy family, or the relegation of the warring factions and blundering leaders, and the brigade of demagogic bosses attaching, to political retiracy, or else the restoration of the Republican party. That party has never yet faced an emergency to which it has not been equal, nor will it on this occasion. In short, it is to be speedily determined whether California is to be henceforth a genuine Republican State, or whether it is to be the bone-yard for a hungry pack of unagreed Democrats, wrangling for the spoils of office.

The countersign of the day for Republicans, therefore, is unity. They are about to choose representatives to local and the State conventions. With the democratic record of blundering before them they ought to make no mistakes. They should have an eye single to party supremacy, because that means wise and economic State government, and the conservation of all human rights according to the best lights of the highest political intelligence.

To secure the best results in conventions those bodies must be made representative in the highest sense. All the Republican managers need to do this summer and fall to succeed, is to trust the people of the party, to recognize and properly weigh the value of the independent Republican voter, for whom the party lash has no terror. Let the men appointed to put the political machinery into operation bring all the methods and work of the party just as near to the people as can be done. They must see to it that the delegates are chosen by the file of the party directly, and that they are not appointed or named by pre-arrangement, in order that there shall not remain the slightest cause for complaining or discontent. The best party results always flow from implicit trust in the people within the party. Left to freedom of action they never make mistakes nor choose unwisely. They will send up delegates to the conventions who will make such bodies inspire public respect, and their work command public confidence. Party supremacy stands superior now to personal ambitions or the astuteness of political bosses. There is no need for manipulation or trimming. The ship is well manned and finely officered. Before her is an inviting sea, and in her sails a favoring breeze. She needs no theoretical tacking nor the secret calculation of her course by schemers. It is plain sailing and straightforward navigation, with the people of the party at the helm. Let them not be superseded in that trustworthy position.

THE Riverside *Press* says the RECORD-UNION is against the "irrigators." Go from home to hear the news. The RECORD-UNION has not in any way signified that it is against the "irrigators." It favored and discussed irrigation for California before Riverside had an existence. It is and always has been in favor of that great need. If it has refused to adopt out of hand the methods proposed by our Riverside friends, it does not justify the conclusion they draw. The RECORD-UNION is for the navigable streams and irrigation; as to methods of attaining the best irrigation system there are differing opinions, and the RECORD-UNION is in the service of the debate. We take it that the mass of the people have not clearly defined views as yet as to just what legislation is needed, is best and easiest, nor will they be able to determine until they have still more debated this involved and gravely important question. Our contemporary adds to its criticism, that nevertheless, it is backed in its views as to methods by a "solid south." Yet in the same mail that brings us the *Press* comes the Los Angeles *Express*, declaring that it is evident those not the friends of the irrigation ship have taken possession of it, and assailing hotly the measures proposed by the Irrigation Committee; and the Los Angeles *Times* is no less pronounced in the same vein. It is hasty to conclude that one is opposed because certain methods of action are not affirmatively supported off hand.

THE State Engineer, than whom no one has more exhaustively studied the irrigation question, in his recent monograph on the subject says California is pre-eminently an irrigation country, and that we have no irrigation laws worthy of the name. In countries where irrigation is highly developed, streams and their waters are generally the property of the public—or of the people in common—and are under control of and supervision by governmental authorities. The riparian law he holds inapplicable to an irrigation country. In a country like California, he contends, irrigation is a necessary common or public use of waters, which can only be efficiently founded upon public control of water supplies, and this, in turn, must rest on public ownership of streams. Hence he concludes our system should be based on public ownership, as against unguarded appropriation. He adds: "Once vest in the State the ownership of all watercourses and waters not rising and continuing on one piece of private property, and excepting, also, those the property of the United States, and we will have established the basis of safe and efficient watercourse laws and administration, on which alone can rest an operative system of legislation. The State has everything to fear from private ownership of natural watercourses. She has nothing to fear from owning and administering them herself."

SIR CHARLES DILKE has issued an address to the Chelsea electors, bidding them farewell and affirming still his innocence of the charges of gross immorality proven against him in Court. He has ordered the sale of his Chelsea estate, and will retire into France permanently. So ends the career of a distinguished Englishman. Insistence upon innocence in the face of the verdict of a jury of his country, based upon the testimony given in the Crawford trial, avails him nothing. His retiracy from England gives strength to the verdict, and will be received rather as a confession of guilt than of inability, as he asserts, to prove his innocence because of injustice done him in the Courts. There has been committed grossest perjury in the litigation of this Crawford-Dilke scandal, and as a leading English journal remarks, it behooves the law officers to bring some one to punishment for it. To let the rich escape from the consequences of such a crime is to confess that there is one law in England for the wealthy and another for the poor man. For it is certain that if the case had been that of a poor man, or poor woman, some one ere this would have been under lock and key for bearing false witness.

THE members of the Greely party are at it again, wrangling over the management of the commander, and in the calm of a temperate zone discussing with acrimony and hot contention, questions that had to be passed upon by Greely in the horrors of Arctic night and cold, when nearly famished, surrounded by a party of dying men and suffering companions and with little hope before him of ever reaching a haven of safety. The subordinates of the party ought to be "squelched." Greely did the best his judgment advised him could be done under the trying circumstances, and now is not the time to review the action. Let by-gones be by-gones.

WHEN President Hayes issued his celebrated general order No. 1 prohibiting the Federal brigade from running political machines, a great deal of fun was made of it by the Democratic press, and Hayes was called everything—from ass to idiot. Now that President Cleveland has issued a similar order, this same Democratic press is dumb as an oyster. Singular how a change in the goring works a revolution in opinion among politicians.

HARTINGTON refuses to unite with a coalition Ministry. He sees the wreck ahead.

CALIFORNIA LEGISLATURE.

EXTRA SESSION—FOURTH DAY.

SENATE.

MONDAY, July 26, 1886.

The Senate met at 2 P. M., President Daggett in the chair. Roll called and quorum present. Prayer by the Chaplain. Minutes of Thursday read and approved.

The Chair announced the appointment of William Craig as Porter.

The Chair announced the appointment of the following Committee on Constitutional Amendments: Kellogg, Chairman; McClure, Baldwin, Days, Dougherty, Whitney, Knight, Wallis, Drum, De Long, Johnson of Sonoma.

A communication was read from George F. Tuthill, tendering his resignation as Journal Clerk.

Lowe moved that the Senate proceed to fill the vacancy. Carried.

Lowe then nominated George W. Jackson, of Sacramento. There were no other nominations, and Jackson was elected.

Routier offered a resolution appointing James W. Coffroth Mailing Clerk. Referred.

MEMORIALS, PETITIONS, ETC.

Del Valle presented a protest from the Common Council of Los Angeles against the passage of the proposed amendment to Section 1, Article IV., of the Constitution. Referred.

Cox presented memorials from citizens of San Francisco, Santa Clara and Alameda on the subject of irrigation, asking that full justice be done to all interests. Referred.

BILLS INTRODUCED.

By Days—An Act to propose an amendment to Article IV. of the Constitution, by adding Sections 3, 4, 5, 6, 7 and 8, in relation to water rights. [Declares all waters in non-navigable streams to be the property of the public, to be granted or leased for not exceeding twenty years; provides for a Water Commission of three persons; the establishment of irrigable districts, each to use not exceeding the mean annual supply of water, and when a district is unable to pay the cost of works the Legislature to provide therefor.]

By Saxe—An Act to define riparian rights. [Provides that riparian rights as declared in Section 1422 of the Civil Code are declared to consist of the right to the use of so much water of any body of water flowing through or contiguous to the lands of any proprietor as is necessary for domestic use, and irrigation where practicable, etc., all surplus to be used by others for the same purpose.]

By Cross—To provide for the acquirement by the State of properties for the purpose of applying water for irrigation and other beneficial uses. [Prescribes the procedure for condemnation for such purposes.]

Lynch offered a resolution providing that all memorials, petitions, etc., be entered in full on the journal. Lost.

Adjourned till Tuesday at 11 A. M.

ASSEMBLY.

MONDAY, July 26, 1886.

The Assembly was called to order at 2 P. M., Speaker Parks in the chair. Roll called. Quorum present. Prayer by the Chaplain. Journal of Thursday read and approved.

McIlnkin introduced a bill respecting the condemnation of waters of innavigable rivers and the rights of those owning lands bordering thereon.

The Senate concurrent resolution, authorizing the Secretary of State to furnish each member of the Legislature with a copy of State Engineer Hall's work upon irrigation was concurred in.

Britt offered a re-olution that the Committee on Attaches immediately report to the House the names of all the attaches, their per diem and the duties they perform. Adopted.

Several members presented petitions from their constituents asking for immediate action upon the water question.

McJunkin offered the following, which was laid on the table, and ordered printed:

Resolved, By the Assembly, the Senate concurring, that the Governor be and he is hereby requested to declare the 3d and 4th days of August legal holidays.

Edwards offered a resolution, which was passed, authorizing the State Printer to print 245 copies of all measures introduced in the Senate and Assembly.

Firebaugh introduced a concurrent resolution requesting the Senators and Congressmen from California to urge Congress to amend the United States statutes so as to provide for the condemnation of the lands along the banks of navigable streams, to facilitate irrigation, under legislative control. Laid on the table, and ordered printed.

Mr. Jordan of Alameda introduced the following:

An Act to propose to the people of the State of California, an amendment to the Constitution of California, relative to water and water rights.

The Legislature of the State of California, at its session commencing on the 20th day of July, 1886, two-thirds of all the members elected to each of the two Houses of the said Legislature voting in favor thereof, hereby proposes that Article XIV. of the Constitution of the State of California be amended so as to read as follows:

Article XIV., Section 1. The waters of all natural non-navigable lakes, not situated upon private lands in one ownership, and all non-navigable rivers or brooks passing beyond lands in one ownership, and the surplus waters of all navigable lakes and rivers diverted therefrom, at such times only as shall not impair the navigation thereof, which waters are within the State of California, and can be utilized in supplying towns and cities, or the inhabitants thereof with water for domestic or municipal purposes, or in supplying water for the irrigation of agricultural lands, or for mining, or mechanical, or other useful purposes, shall be and they are hereby declared to be the property of the people of the State of California, and the use thereof for either or all of said purposes is hereby declared a public use.

No ownership in, or right to the use, appropriation, or diversion of said waters for any of the purposes herein named shall ever be granted to any person, company or corporation. But such waters shall be subject to distribution in the manner to be hereinafter provided by law, for the following purposes, viz.:

First—For the use of any town or city, as such, and for supplying the inhabitants thereof with pure, fresh water for domestic purposes, and the irrigation of lands.

Second—For the irrigation of agricultural lands.

Third—For use in mining.

Fourth—For mechanical or other useful purposes.

Provided, first, that where such water has heretofore been legally appropriated by any person, company, or corporation, for either private or public use, for either of the aforementioned purposes, in accordance with the laws of the State, provided for appropriating the waters of the State, and the same has been applied according to the recorded declaration of intended use, the right so acquired shall not be denied, nor abrogated during the term for which said corporation was organized as set forth in its articles of incorporation, nor in case of appropriation by an individual, or company wherein the time is not specified shall the duration of the appropriation continue longer than twenty years from the commencement of the use, unless upon condemnation of the right in either case now provided, or that may hereafter be provided for by law, or unless sooner forfeited by abandonment of the use for which the appropriation of such waters was made for the period of two years.

Provided, second, that the owners of land on the bank of a stream accustomed to use water therefrom for household or stock purposes, and not for artificial irrigation, shall not be deprived of such use without condemnation of the water, for public use, as now provided or that may hereafter be provided by law.

Sec. 2. When a town or city owns its own water works, and uses the same as a source of revenue beyond defraying current expenses, rates shall not be charged which will produce less than five nor more than seven per cent. per annum on the actual cost of the improvements, beside the current expenses. Nor shall any individual, company or corporation receive for water furnished a town or city or the inhabitants thereof beyond said rates.

Sec. 3. When water is supplied by an individual company or corporation to a town or city for the use of the town or city as such, or to the inhabitants thereof for domestic purposes and for lawn irrigation, the governing body in such town or city shall fix the rates to be charged for water, so as not to produce net less than five nor more than seven per cent. per annum on the actual cost of the works, besides its current expenses. The ordinances or resolutions fixing the rates shall be passed in the month of February of every third year, and take effect on the first day of July thereafter. Any Board or body failing to pass the necessary ordinances or resolutions fixing the water rates within such time shall be subject to peremtory process to compel action at the suit of any party interested, and shall be liable to such further process and penalties as the Legislature may prescribe. Any person, company or corporation collecting water rates in any town or city in the State otherwise than as so established, shall pay such fine, or suffer such penalty, as may hereafter be prescribed by law.

Sec. 4. Whenever the right heretofore acquired by any person, company or corporation under the laws of this State for the diversion or appropriation of water for irrigation or other beneficial use shall have terminated, as provided in this article, the right thereafter to distribute the public water shall forever remain in the State, and such water never become private property or subject to corporation or personal control. But the State may at any time before the expiration of such rights, a majority of all those voting at a general election having determined to do so, reserve to itself the exclusive right to convey its water and distribute the same for the purpose of irrigation and may (the people at said election having so determined) condemn all ditches and canals then owned or controlled by private individuals, companies or corporations, and thereafter such canals and ditches shall remain in the exclusive ownership and control of the State for such purpose.

Sec. 5. The English common law of riparian rights, so far as it conflicts with this article, shall not be recognized in any of the Courts of this State.

Sec. 6. The right to collect rates or compensation for the use of water supplied to any county, city and county, town, or the inhabitants thereof, is a franchise, and cannot be exercised except by authority of and in the manner prescribed by law.

At 2:45 P. M. adjourned.

JOINT COMMITTEE MEETING.

The Assembly Committee on Irrigation and Constitutional Amendments held a joint meeting in the Supreme Court room last evening, Walrath, Chairman of the Irrigation Committee, presiding. Heath, Chairman of the Committee on Constitutional Amendments, occupying a seat beside him. The Court-room was completely filled, nearly every member of the Legislature being present, and many irrigationists and riparianists.

After stating the object of the meeting, Chairman Walrath called out Dr. Caples, a prominent Sacramento county farmer.

Dr. Caples said we are in the midst of a profound excitement, and the foreign or Eastern visitor would think, and very naturally so, that there was the widest division of sentiment upon this question, but it is a mistake. The people of this State are almost a unit upon this question of irrigation, but there are other issues upon which they are divided. In these times we should act with wisdom; stop, and calmly and deliberately view this question, and see where we stand, what are the differences, what is right, what is wrong and what you, as members of the Legislature, should do in this crisis. In order to briefly outline the origin of this great controversy, he said the first Legislature, that of 1850, adopted the common law of England embracing the riparian laws. In a short time the mining interests led to the adoption of the so-called appropriation Acts. In decisions since rendered and comments by law writers, these Acts were treated as provisionary in character, and decided that they related to public lands. He said he did not appear before the committee to argue

THE QUESTION OF RIGHT OR WRONG

Of riparianism; he was not there to condemn or uphold the decisions of the Supreme Court, but solely and simply to state facts. The question of riparian rights had never been raised; the question of private ownership had never been raised; therefore such rights were treated as rights of public lands.

In 1872 the Legislature passed Section 1422 of the Civil Code, and you are now asked to repeal it, simply because it recognized riparian rights. If you repeal it, repeal the place where it was. The rights acquired under a law are not affected by the repeal of that law. Declaring that they do not exist, does not strike out that fact that they did exist. The call of this extraordinary session is an admission of the fact that the heart of your Governor, and your presence here is an admission that riparian rights did exist. It will be necessary, unless you

ESTABLISH A NEW PHASE OF LAW,

For you to blot out and deny that there ever was such a law. Are we to have established in California the principle that we hold our life-earnings by no stronger power than that of the popular will—the decision of the ballot-box? A decision has been rendered in favor of riparian rights by the highest tribunal in our State. Why not appeal it to a higher Court? They answer us that they have no power; they appeal to the people? Is that a tribunal known to the law? If this principle is to be established, where would be the value of property? If Haggin and Carr succeed here, how long would it be before the people discover that they had made a mistake, sold their birth-right for a mess of pottage? Can we, who believe in liberty regulated by law, afford to establish this hideous, communistic principle that judicial decisions may be set aside and left to a vote of the people? That is a long step toward communism.

We are all a unit for irrigation, wherever it is desired, but we are opposed to the theory established here by the ditch owners of California. If they succeed

THEY COULD NOT HOLD THE VANTAGE

Two years. They seem to have the faculty of representing the people. In olden times people in authority were wont to say, "Thus saith the Lord." The formula of the ditch-owners is, "Thus saith the people." Governor Stoneman says, "The water should be set apart for the people." Haggin & Carr arise and say, "Here we are, Governor, we are the people!" They assert that the waters of the State belong to the people. I concur; they do belong to the people, with certain legal reservations. Riparian law is the law of the people today, but it does not follow that the waters must run to the sea. They have described in glowing colors how the deserts are made to blossom as the rose by irrigation, and if they are deprived of the water they will again become arid, barren plains. It never seems to have occurred to those people that the water could be obtained without stealing it. He warned the people who want to appropriate the waters of the State that they cannot do it. Such an attempt would be in the line of communism,

THE ACT OF A MOBOCRACY.

There is a power above that of the State. The framers of the Constitution of our common country declared that "no man shall be deprived of life, liberty or property, without due process of law." Is legislative dictum due process of law? It is not within your power, or that of the people, to confiscate the people's property by changing or amending our State Constitution. No man nor class of men can be by any such act deprived of their property. Riparian owners are a class. You cannot confiscate the property of one and give it to another. No, sir; that is robbery, and something that cannot be done in a legislative capacity. The people of California are in favor of irrigation where it is desirable, and Section 1422 of the Civil Code is a complete provision for irrigation, for the taking of water and its distribution; everything is provided for in that section. You would repeal it, would you? You can, but it will not wipe out property acquired under it, and in endeavoring to do so you

ANOTHER PROPOSITION.

Assemblyman Davis submitted the following to the Committee on Constitutional Amendments last evening:

Proposition to amend Article VI, of the Constitution.

Resolved, by the Assembly, the Senate concurring, two-thirds of all the members elect to each House voting in favor thereof, that the following amendments to Article VI., of the Constitution, be and the same are hereby proposed to the qualified electors of the State for their approval and ratification.

Amend Section 2, of said article, so as to read:

Section 2. The Supreme Court shall consist of a Chief Justice and eight Associate Justices, and shall always be open for the transaction of business. Seven Justices shall constitute a quorum, and the concurrence of five shall be necessary to render judgment. All decisions of the Court shall be given in writing, and the grounds of the decision shall be stated. In case of the absence or inability of the Chief Justice to act, the Associate Justices shall select one of their own number to perform the duties and exercise the powers of the Chief Justice during such absence or inability to act.

Amend Section 3 of said article so as to read:

Section 3. The Chief Justice and the Associate Justices shall be elected by the qualified electors of the State at large, and the term of office shall be twelve years from and after the first Monday after the first day of January next succeeding their election. At the general election in the year 1886 there shall be elected three Justices, whose term of office shall be twelve years, and two Justices whose term of office shall be eight years. At the general election in the year 1890, and at the general election every four years thereafter, there shall be elected three Justices, whose term of office shall be twelve years. At the first meeting of the Court in the year 1891, and at its first meeting every fourth year thereafter, the Justices shall select one of their number who shall act as Chief Justice. Nothing herein contained shall be construed as affecting the tenure of the Justices in office at the time of the adoption of this section, but they shall continue to hold until the expiration of the term for which they were elected. If a vacancy occur in the office of a Justice, from any cause, including a failure to elect at the general election in 1886, by reason of this section not being submitted at a special election held previous thereto, the Governor shall appoint a person to hold the office until the election and qualification of a Justice to fill the vacancy, which election shall take place at the next succeeding general election, and the Justice so elected shall hold office for the remainder of the unexpired term.

Amend Section 4 of said article so as to read:

Section 4. The Supreme Court shall have appellate jurisdiction in all cases in equity, except such as arise in Justices' Courts; also in all cases at law when involve the title or possession of real estate, or the legality of any tax, impost, assessment, toll or municipal, or in which the demand, exclusive of interest, or the value of the property in controversy, amounts to three hundred dollars; also, in cases of forcible entry and detainer, and in proceedings in insolvency; and in actions to prevent or abate a nuisance, and in all such probate matters as may be provided by law; also, in all criminal cases prosecuted by indictment, or information, in a Court of record, or questions of law alone and shall have original jurisdiction in all cases where the constitutionality of any statute is the question involved; but no statute shall be deemed or held to be unconstitutional, either as a whole or in part, except by the concurrence of seven of the Justices. The Court shall also have power to issue writs of mandamus, certiorari, prohibition and habeas corpus, and all other writs necessary or proper to the complete exercise of its jurisdiction. Each of the Justices shall have power to issue writs of habeas corpus to any part of the State upon petition by or on behalf of any person held in actual custody, and may make such writs returnable before himself, or the Supreme Court, or before any Superior Court in the State, or before any Judge thereof.

Amend section 14 of said article so as to read:

Section 14. The Justices of the Supreme Court shall appoint the Clerk of the Court, who shall hold office during their pleasure. The duties of the Clerk of the Supreme Court shall be fixed by law, and he shall receive for his services a salary of three thousand dollars per annum. The County Clerks shall be ex-officio Clerks of the Courts of record in and for their respective counties or cities and counties. The Legislature may also provide for the appointment by the several Superior Courts of one or more Commissioners in their respective counties, or cities and counties, with authority to perform chamber business of the Judges of the superior Courts, to take depositions and perform such other business connected with the administration of justice as may be prescribed by law.

Amend Section 17 of said article so as to read:

Section 17. The Justices of the Supreme Court and Judges of the Superior Courts shall severally, at stated times during their continuance in office, receive for their services a compensation, to be paid by the State, which shall not be increased or diminished after their election nor during the term for which they shall have been elected. The annual salaries of the Justices of the Supreme Court shall be $9,000 each. Until otherwise changed by the Legislature, the Superior Court Judges shall receive an annual salary of $3,600 each, payable monthly, except the Judges of the city and county of San Francisco, and the counties of Alameda, San Joaquin, Los Angeles, Santa Clara, Yuba and Sutter combined, Sacramento, Butte, Nevada and Sonoma, who shall receive $6,000 each.

Add the following section to said article, to be numbered Section 25:

Section 25. All cases pending in department or in bank, in the Supreme Court, on Monday, January 3, 1887, shall be resubmitted to the supreme Court for determination.

WILL RUN AGAINST FEDERAL AUTHORITY.

These water grabbers would like to transform California into a mobocracy. They would establish the old and exploded theory of State rights. With them the State is supreme. They are making a strike at the very existence of all property; they seem to forget in their greed to gather in that which belongs to others that the Federal power expressly forbids the thing you, as legislators, are called upon to do. He said he was shocked at the very idea that members of the Legislature should attempt to bring about the reproach, the ignominy that would surely follow the passage of a constitutional provision that strikes at the integrity of all property. How in the future would you feel if they should be passed and indorsed at the polls? Don't inflict this disgrace, this

INFAMY UPON OUR FAIR STATE.

The bills that have been introduced in the Assembly ignore the people. Governor Stoneman seemed to have an idea there were some people in the State of California. He so expressed himself in the call, but the Acts introduced so far in the Legislature seem to catch on to the idea that the ditch-owners, Haggin & Carr, were the people of California. The speaker read two or three of the bills to prove this assertion. He said they were not introduced in the interest of the people, but solely in the interest of Haggin & Carr. The bills were a cheat, a fraud, a swindle upon their face. The water is all appropriated already. By the people? No, but by capital and syndicates of capital. If we have a right to rob the riparianist and hand his property over to a few ditch-owners—a few grasping, squeezing, grinding monopolists—posterity would curse us to the latest day. Thank God, you have not the power to commit the act which would disgrace us forever.

A VOICE FROM FRESNO.

A. T. Covall, of Fresno, next addressed the meeting. He had lived in Fresno for ten years. Knew the wants of that section, and understood the wishes and desires of the people of Fresno county. Was in favor of irrigation; in favor of putting the water to the best possible use. He thought there was sufficient water for all purposes without all this controversy, litigation or attempt at litigation. There should be a middle ground taken; one that would secure equal rights to all. The people who live on the banks of the streams, those who live back upon the plains, all have rights. The appropriator should not seek the ruination of the riparianist. One branch of the government should not endeavor to build itself up by tearing down another branch. Lengthy litigation is not desirable. It is generally presumed that the irrigator must pay the bill. A large majority of the irrigationists are not in favor of robbing the riparianists. Such a proposition does not take with his people, notwithstanding the lengthy petitions that have been forwarded from that section to the Legislature. Signatures to a petition are easily obtained to a petition where the subject matter of the petition is not thoroughly understood.

SAMUEL FOWLER, OF TULARE,

Delivered a lengthy address on the irrigation or appropriators side of the proposition. He described the ditches of the farmers in Fresno, Kern and Tulare, which he claimed were made and owned by the poor farmers, and not owned and controlled by Haggin & Carr or other capitalists. He said it was not true that the water was all appropriated. Henry Miller, he claimed, had sixty miles of ditch which he took out of a navigable stream. He is the man that is fighting the people, he is the individual who is furnishing the money and the artillery on this warfare. Every one knows the people are sovereign, and the people will and ought to be heard. He wanted the riparians to have all the rights they were entitled to. He was willing that every acre of their ground should be irrigated, but none of the water should be allowed to run to waste. Let the State take the water in its own hands, and then we need never fear monopolies. The result would be that every person would have enough and to spare, and the State would prosper.

JOHN BARKER,

Of Kern county, was opposed to allowing the water to be gobbled up by Haggin & Carr, or other monopolists. He wanted the State to have control, and then all would have a square deal. He related how the poor farmers in his section had been squeezed by ditch-owners. He closed by saying: "We have sacrificed our youth and manhood for what little we have, and we do not now in our old age wish to be rooted out. Give Haggin & Carr possession of the water, and how long will it be until they have the land? Mr. Fowler pictures a time to come that is as far off as the millenium itself—when the lion and the lamb shall lie down together. Give Haggin & Carr the water, and the the lamb will be devoured by the lion before the latter lies down."

B Marks, of Fresno, made quite a lengthy speech, and was followed by

S. C. LILLIS, OF FRESNO,

Who is an owner in the Heilbron-Polly tract, which extends along the north bank of the Kings river for thirty-six miles, and contains upwards of 60,000 acres. Some 10,000 or 15,000 acres are in grain and hops, the remaining land used as pasturage. Mr. Lillis had purchased of the ranch, which is a Mexican grant older than California itself, having been deeded by the Government of Mexico in 1846. He gave a splendid description of the land, the soil, source and quantity of the supply, the number of canals in that section, their capacity, etc. His remarks were listened to with marked attention. He was questioned by almost every member of the Legislature, and was ready to answer promptly and intelligently every question, legal or otherwise, that was put to him. From his statement no farmer has been refused water, but every one given every facility to take, except during the dry season of the year, and that is after the irrigating season is over.

EXTRA-SESSIONAL NOTES.

One of those who came here so full of enthusiasm on irrigation legislation that it was fairly boiling over, admitted yesterday that the outlook was rather blue. Many others seem to be similarly affected just now.

Had Senator Lynch's resolution, offered yesterday, providing that all memorials, petitions, etc., be entered in full upon the journal, been carried, the Journal Clerk would not have found his office anything like a sinecure. Both houses are likely to be flooded with petitions for and against legislation upon the subject of irrigation.

A meeting of the Senate Committee on Irrigation and Water Rights was held in the Senate chamber shortly after the adjournment yesterday. No action was taken on any of the bills, however, as the committee deemed it necessary to have before it all those relating to the same subject. It was determined to hold regular meetings on Mondays, Wednesdays and Fridays, immediately after the adjournment of the Senate, and at such other times as the Chairman might call the committee together.

It seemed to be the general feeling among members of the Senate Committee on Irrigation and Water Rights—judging from expressions dropped at yesterday's meeting—that no high-flown addresses about "orange groves," "shady bowers by purling brooks," nor of "the deserts being made to blossom like the rose," etc., are desired at this time by that body. As Senator Whitney expressed it, "What we want now is to get down to solid, substantial work, and consider this subject in a practical manner." Hence the committee has seen fit not to extend a general invitation to everybody to come in and exhaust its time by airing their own peculiar views. Otherwise the Eads ship canal project, and inexhaustible essays on kindred subjects, might be sprung on the committee.

Especially to Women.

"Sweet is revenge especially to women," said the gifted, but naughty Lord Byron. Surely he was in bad humor when he wrote such words. But there are complaints that only women suffer, that are carrying numbers of them down to early graves. There is hope for those who suffer, no matter how sorely or severely, in Dr. R. V. Pierce's "Favorite Prescription." Safe in its action it is a blessing, especially to women and to men, too, for when women suffer the household is askew.

ANGOSTURA BITTERS do not only distinguish themselves by their flavor and aromatic odor above all others generally used but they are also a sure preventive for all diseases originating from the digestive organs. Beware of counterfeits. Ask your grocer or druggist for the genuine article, manufactured by Dr. J. G. B. Siegert & Sons.

It is tasteless to seek admiration by adorning our house or person; let us adorn our characters by the charms of kindness and amiability.—*Exchange.*

A LADY writes: "I have used Ayer's Sarsaparilla in my family for many years, and could not keep house without it. For the relief of the pains consequent upon female weakness and irregularities, I consider it without an equal."

TUTT'S PILLS

25 YEARS IN USE.

The Greatest Medical Triumph of the Age!

SYMPTOMS OF A TORPID LIVER.

Loss of appetite, Bowels costive, Pain in the head, with a dull sensation in the back part, Pain under the shoulder-blade, Fullness after eating, with a disinclination to exertion of body or mind, Irritability of temper, Low spirits, with a feeling of having neglected some duty, Weariness, Dizziness, Fluttering at the Heart, Dots before the eyes, Headache over the right eye, Restlessness, with fitful dreams, Highly colored Urine, and

CONSTIPATION.

TUTT'S PILLS are especially adapted to such cases, one dose effects such a change of feeling as to astonish the sufferer.

They Increase the Appetite, and cause the body to Take on Flesh, thus the system is nourished, and by their Tonic Action on the Digestive Organs, Regular Stools are produced. Price 25c. 44 Murray St., N.Y.

TUTT'S HAIR DYE.

GRAY HAIR OR WHISKERS changed to a GLOSSY BLACK by a single application of this DYE. It imparts a natural color, acts instantaneously. Sold by Druggists, or sent by express on receipt of $1.

Office, 44 Murray St., New York.

BIG CUT IN PRICES!

SLASHING REDUCTIONS ON ALL LINES OF CLOTHING!

UNPARALLELED BARGAINS IN Clothing, Boots, Shoes, Hats and Furnishing Goods, AS WE ARE OVERSTOCKED.

NOTE THE FOLLOWING PRICES:

SUITS, from $2 50 upwards
Genuine Moleskin Parts.....50c
CALICO CAPS, 5c
Gents' Stiff Hats.....from $1 up
A Large Stock of Percale Shirts, slightly damaged by water (real value, $1 25).....50 cents
Gents' Brogans.....from $1 15 up
Gents' Sewed Shoes (Lace or Congress).....$1 90
Gents' Fine Sewed Shoes; Button, Lace or Congress (worth $4).$2 25
10-oz. Overalls.....reduced to 65 cents
9-oz. " ..... " " 55 cents
8-oz. " ..... " " 45 cents

All other goods sold at greatly reduced prices. Call and be convinced.

MECHANICAL STORE, 414 K STREET,
jy27-1ptf H. MARKS, Proprietor.

MISCELLANEOUS.

DR. JOHN BULL'S Smith's Tonic Syrup.

FOR THE CURE OF FEVER AND AGUE, Or CHILLS and FEVER, AND ALL MALARIAL DISEASES.

The proprietor of this celebrated medicine justly claims for it a superiority over all remedies ever offered to the public for the SAFE, CERTAIN, SPEEDY and PERMANENT cure of Ague and Fever, or Chills and Fever, whether of short or long standing. He refers to the entire Western and Southern country to bear him testimony to the truth of the assertion that in no case whatever will it fail to cure if the directions are strictly followed and carried out. In a great many cases a single dose has been sufficient for a cure, and whole families have been cured by a single bottle, with a perfect restoration of the general health. It is, however, prudent, and in every case more certain to cure, if its use is continued in smaller doses for a week or two after the disease has been checked, more especially in difficult and long-standing cases. Usually this medicine will not require any aid to keep the bowels in good order. Should the patient, however, require a cathartic medicine, after having taken three or four doses of the Tonic, a single dose of KENT'S VEGETABLE FAMILY PILLS will be sufficient. Use no other.

DR. JOHN BULL'S SMITH'S TONIC SYRUP, BULL'S SARSAPARILLA, BULL'S WORM DESTROYER, The Popular Remedies of the Day.

Principal Office, 831 Main st., LOUISVILLE, Ky.
my29-1yTuThS

NEW ADVERTISEMENTS.

Regular Meeting of the Olive Branch Ladies' Society, THIS (Tuesday) EVENING, July 27th. A full attendance is desired.
MRS. E. MOREHOUSE, President.
LUCY E. MEAD, Secretary. jy27-1t*

Regular Meeting of Occidental Encampment, No. 42, I. O. O. F., THIS (Tuesday) EVENING, at 8 o'clock. Installation of Officers, and other important business. GEORGE REMKE, C. P.
W. A. STEPHENSON, Scribe. [B. C.] jy27-1t*

WANTED—A SUITE OF NICE COOL rooms, well furnished, with bath-room attached; must be within four blocks of Seventh and K streets. Address P. O. Box 246. jy27-3t*