DAILY RECORD-UNION

FRIDAY.....AUGUST 17, 1888

The London "Times," having a letter from President Cleveland in its possession, after quoting passages from it, editorially says: "It would hardly be possible to put the free-trade case more clearly or more strongly. The arguments which Cleveland uses are those which Cobden used to employ forty-five years ago, and which any English free-trader would employ now. They are purely free-trade arguments, and as such we are glad to see Cleveland using them, though sorry for the popular infatuation which makes it dangerous to give them their right name."

"The demand for cheaper coats seems to me necessarily to involve a cheaper man and woman under the coat."—*Benjamin Harrison.*

"Grover Cleveland has done more to advance the cause of free trade than any Prime Minister of England has ever done."—*London Spectator.*

"The only benefit England ever receives from Irishmen is when they emigrate to America and vote for free trade."—*London Times.*

The State Teachers' Association is to meet in Sacramento in December next. It is a body worthy of some special attention and ought to be made the object of hospitable solicitude. In the late National Convention of Educators at San Francisco, Sacramento cut a very small figure, while other counties were especially prominent and made the occasion one of infinite credit to their sections. The entire matter of the reception and entertainment of the four thousand teachers from abroad was highly creditable to California. Her hospitality was never more discreetly or generously extended, and by no means the least important factors in the affair were the auxiliary or county boards of entertainment. The teachers and citizens generally of Sacramento can do themselves credit and the December guests honor, by taking time by a long forelock and arranging to make the three or four days' visit of the five hundred members of the State Association very pleasurable, and thus send the guests away with a good impression of the Capital City and the hospitality of its people. The occasion will be well worthy of the effort, and in more directions than one will conserve the best interests of this section. The Convention was invited to meet in this city by solicitation urgent and earnest, and the invitation was accepted, to the rejection of strong appeals of other cities to hold the session elsewhere. Two of our then teachers, prominent in position, labored industriously to secure for Sacramento the honor of the visit. Both these gentlemen have since been called to other fields of labor, and it is now incumbent upon others to come forward and set on foot preparations for the reception and entertainment of the Convention, which those gentlemen certainly would have done had they remained citizens of Sacramento.

If, as he says, there are clauses in the river and harbor bill that he could not conscientiously approve, but also wise and needed appropriations provided for counterbalancing what he conceived to be unwise, then President Cleveland did right in refusing to sign or to veto the bill. There is no cowardice in such action, and while opposing the President's re-election, we cannot find in this action upon the river and harbor bill ground for assault. The President must be permitted to be the judge of his own conscience in these things. It was a very different case with the pension matter. It was there a question of fact passed upon by the legislative body on evidence adduced, as to whether a party was entitled to consideration; a question as to whether the nation was not bound to care for those by war made its wards, and a question of patriotism in recognizing the services of its saviors. The President in those matters we hold should not have interposed his veto to the judgment of Congress, which had passed upon the facts. Then, as now, he might at least have refrained from interference. So far, however, as the river and harbor bill is concerned, since it is made up of so many items, and since in such bills there are often incorporated unworthy clauses, and so many trading "riders," because Congress cannot reject them without endangering the whole bill, we can understand how the President justifies himself in leaving the question to its natural result, since he cannot bring himself to cast the Executive vote affirmatively. Yet, it would have been more creditable to him to have approved with an expressed protest against the objectionable clauses. This would better have tallied with his veto of last year's bill, which did not call for the expenditure of more than half as much of the public treasure. He will find that this contrast between action in non-Presidential and in an election year will be used against him by hot partisans. We are, however, prepared to accept his explanation that it was a matter of good conscience, and that he could not affirmatively act, while willing, for the good that is in the bill, to refrain from vetoing it.

The story went about some days ago that Goldenson, the brutal murderer of a school-girl, whose only fault was friendship for her slayer, had become the object of insane infatuation on the part of a young woman of wealth and station. It is inexplicable why some women are moved to lavish sympathy upon the very creatures that ought to inspire loathing and horror. It is a chief riddle in the study of the character of woman that her natural tenderness and gentle sympathy, molded by her tendency toward the pure and the good in all things and to repulse the evil and brutal, is still every now and then abnormally manifest in expenditure upon those who ought to fill her with abhorrence. It was hoped that for once that a very long credit to the women could be given, and that the story about the young woman, who is said to lavish her affections upon Goldenson, to her a total stranger, was false. The jail Warden denied that any such woman has visited the murderer, or applied to do so. He added that there had been no showering of flowers and presents upon Goldenson, or any manifestations of sickly sentimentality towards him. This was exceedingly gratifying, and the hope that his case was an exception, most infamous murderers having been made the objects of a sentimentality, on the part of women, simply disgusting, was entertained. It appears, however, that after all the story is true, and that not even Goldenson can be hanged without being made the object of romantic infatuation by a woman of wealth and beauty.

A noted procuress, who ran a high-toned establishment in San Francisco and dealt in young girls for the lust of rich libertines, was caught last week in the toils of the law, and her stylish house closed by the police. This woman has long been the object of police espionage, but she was so wary that it was almost impossible to fasten guilt upon her. Finally, however, two of her victims were found in the house, lured to their ruin by delusive advertisements, and once within her toils were terrified into or by force driven to dishonor. But when this infamous dealer in human beings, this worse than slave buyer and seller, was brought into Court, she was admitted to bail in the sum of $1,500, whereupon she whips out a bag of coin, puts the money before her and walks out a free woman. Of course she will not appear for trial; the public treasury is $1,500 better off, but society is not one particle benefited. We quite agree with the prosecuting attorney, "the offense is bailable, but should not be." The wretch will ply her infamous vocation as before, but in some quarter beyond California jurisdiction. The thing to have done would have been to place her bail at such a figure as inspire some hope of her appearance for trial. The laws are not sufficiently severe for this class of people, who should be ranked with slave-traders and highwaymen.

A San Francisco Court has decided that "hokey-pokey" is gaming and within the statute prohibiting certain games. The decision, if it can but be taken to the Supreme Court, will be unquestionably be affirmed. In the meantime it is to be said that this same hokey-pokey is a game as vicious as any other that can be named, and is of the class that absorbs all the players have in the briefest possible time. Those who advocate the opening of gaming freely under license as a means of destroying the attractiveness of gambling, or operating to prevent men, because of publicity, from wasting their substance at gaming, are unhorsed by the history of hokey-pokey. It has been openly played throughout the State for some four years or more, and there is nothing to indicate that its freedom has rendered it less alluring, or that its publicity has tended to lessen the number of its victims. It is among the things good to kill.

The Halifax *Herald* is wiser than most of its English colleagues. While declaring that the Canadians have large sympathy with Mr. Cleveland's candidature, it adds with naive wisdom that does its cunning credit:

> It would be unfortunate if any expression of this sympathy on our part should serve to embarrass the Democratic party in those States where the real contest centers. The Southern States have very friendly feelings toward the Canadian provinces, but they are already strong in their adhesion to the Democratic party. The present contest will be close. The odds are heavily in favor of the Republicans; but, inasmuch as we desire to see President Cleveland successful, it is most certainly advisable that the Canadian press should guard against embarrassing his party and precluding his success by tendering his administration indiscriminate and fulsome compliments.

That is to say, "Be discreet in your utterances, and let the seeming not disclose our anxiety for the success of a party which means so much benefit to English interests."

While Mr. Blaine was off Fire Island in the fog, he might have looked overboard and found the wake of a yacht from whose deck blue fish were caught a few days earlier by the gentleman who dusted his political jacket in 1884.—*S. F. Alta.*

Oh, yes, to be sure, but whose jacket will in turn be dusted this year with a very much larger majority switch by a Hoosier out West. Yes, indeed, he might have seen the wake of a yatch from whose deck blue fish were caught by a gentlemen who just a few days before was "so pressed by official duties" that he could not attend the patriotic celebration on the battlefield of Gettysburg. Yet Congress was in session, and official duties were just as pressing when the blue fish nibbled at the Cleveland hook.

PRESS EXPRESSIONS.

Free trade in cheap labor is worse than free trade in every commodity on the list.—*New York Journal.*

First thing we know this pro-British administration will be keeping the Federal accounts in £ s d.—*Cleveland Leader.*

Governor Hill looks to the saloon in politics for his re-election. If he reads the newspapers he ought to know that this is a bad year for the saloon.—*Philadelphia Inquirer.*

It is in Mr. Blaine's policy of protection to American interests, both home and abroad, that lie the hidden sources of the popular enthusiasm for the man. It is not the man himself, nor his brilliant and chivalric career. Mr. Blaine is the personification of Americanism.—*Albany Express.*

While Harrison has a good chance of success without New York and New Jersey, the latest reports from these States are decidedly encouraging. There is good reason for the change in the betting in New York. If Harrison continues to gain as in the last ten days his success is certain.—*Chicago Tribune.*

Voorhees was sent to Indiana as the representative of the Cleveland administration to do their work and aid their cause; therefore his utterances become of special significance. When the Senate adjourns Ingalls should be sent to Indiana to once more take the hide off Voorhees and hang it on the fence.—*Milwaukee Wisconsin.*

Mr. Cleveland was nominated by the National Democratic Convention June 6th, more than two months ago, and he has not yet given his letter of acceptance to the public. An honest man, aiming only at expressing his honest opinions, in an honest way, might write a letter of acceptance in an hour. What is the matter?—*Rochester Post-Express.*

General Harrison grows steadily on public esteem as well as public liking. He is an American of the Americans, he has known what poverty and hard work are, his natural good sense has been ripened in the school of experience, he holds his convictions with the strong grip of a man who has thought it out for himself, and withal he has the knack of putting things in the plain English of the plain people.—*Hartford Courant.*

The tariff discussion furnishes an amusing point occasionally, which sharply points out the selfishness of mankind. Not long ago a Texan farmer wrote the Congressman from his section that he must vote for a high tariff on wool or he'd see to it that he was not returned to Congress. This puzzled the Democratic member mightily, as he did not see how he could consistently do it; but the next mail brought another letter saying: "Never mind my letter; vote as you please—*I've sold my sheep!*"—*Pacific Farmer.*

THE GLAD DAYS OF NOVEMBER.

(Air—"Yankee Doodle.")

Let England at our tariff rave,
Let Democrats berate us;
They can't, while we've the power to save,
A cheap-John nation make us.
For free men and for free soil, too,
Their love was ne'er distinguished.
Free trade, you know, is another thing;
Ah! that, yes that's quite English!
Then work away, ye gallant men,
And Democrats, remember,
Brave Ben will rout
Old Grover out,
In the glad days of November.

No rebel flag, bandana rag,
For us shall be the token;
Our ensign be the brave old flag
And this shall be the slogan:
A good priced coat, a good day's pay,
A good priced man to wear it;
A good square meal three times a day,
And a good protective tariff!
Then work away, ye gallant men,
And demmies, you remember,
Brave Ben will rout
Old Grover out,
In the glad days of November.

CHANCE VERDICTS.

A VERY IMPORTANT DECISION BY JUDGE ARMSTRONG.

Quotient Verdicts are the Result of Chance—Affidavits of Jurors Admissible.

Judge J. W. Armstrong rendered an important opinion on Monday in the case of Frank Estabrook vs. Edward Christy, which will be read with interest by all members of the bar. The subjects treated of are what have been called "chance verdicts," or "quotient verdicts," and the admissibility of the affidavit of a juror to impeach his verdict, and have given rise to many different decisions by different Judges, some of which are commented on by Judge Armstrong. His criticism of parts of the opinion in the case of Turner vs. Tuolumne County Water Company, 25 Cal., 397, will be read with interest. Following is the full text of the opinion:

In the Superior Court of the County of Sacramento, State of California—Frank Estabrook, plaintiff, vs. Edward Christy, defendant.

The defendant moves the Court for a new trial, and in his notice of intention to move he specifies as a ground of his motion, that the jury was guilty of misconduct in arriving at the amount of their verdict by the determination of chance. In support of this ground the defendant has filed the affidavits of two of the jurors who did not agree to the verdict, and the affidavit of one of the jurors who did agree to it. The plaintiff filed, in support of the verdict, the affidavits of two of the jurors who did agree to the verdict. It appears from the affidavits on file that after some discussion as to the amount of the verdict, the jurors, who had agreed to render a verdict for the plaintiff, agreed that each should write on a piece of paper a certain sum and that the several sums thus written down should be added together and divided by eleven, that being the number of jurors in the panel, and that the quotient should be the verdict; and it does not appear from any of the affidavits that any of the jurors reserved their right to dissent from the result; but it does appear from the affidavit of A. B. Burns that he was not satisfied with the verdict and would not have agreed to it had he not felt bound by the agreement which had been entered into, as before stated. The quotient was $771, and that sum was returned in pursuance of the agreement as the verdict. It is conceded by all the authorities that such a verdict is vicious and should be set aside; but the authorities at the common law are conflicting as to whether the affidavits of the jurors are competent to impeach the verdict, and the numerical weight of the decisions is that a juror shall not be heard to impeach his own verdict. The reason on which this line of authorities rests is, if the juror is guilty of misconduct he has violated his oath and is liable to punishment. But the Court no longer has the power to punish a juror for such a violation of his oath and the reason on which those authorities rests having failed, they should no longer be regarded as authority, upon the principle that when the reason of a rule ceases the rule itself should cease—C. C., 3,510. But there is another class of cases less numerous, which hold that the voluntary testimony of the jurors may be received to prove misconduct of the jury; but some of this class of cases limit the rule to receiving the testimony of such of the jurors as were not in fault. (Deacon vs. Shreve, 22 N. J. L., 176; Warner vs. Robinson, 1 Root, 195; Smith vs. Cheetham, 3 Caines, 57; Pratt vs. Coffman, 33 Mo., 71-78; Thompson vs. Parkins, 26 Iowa, 486; Crawford vs. The State, 2 Yerger, 60; Wright vs. Illinois and Mississippi Telegraph Company, 20 Iowa, 195.)

In these cases the affidavits were received, and particularly in the last case cited, where the Court reviewed all the leading authorities and deduced therefrom the rule founded in reason and sound policy to be this: "That affidavits of jurors may be received for the purpose of avoiding a verdict, to show any matter occurring during the trial or in the jury-room which does not essentially inhere in the verdict itself, as that a juror was improperly approached by a party, his agent, or attorney; that witnesses or others conversed as to the facts or merits of the case, out of Court and in the presence of jurors; that the verdict was determined by aggregation and average or by lot, or game of chance or other artifice or improper manner; but that such affidavit to avoid the verdict may not be received to show any matter which does not essentially inhere in the verdict itself, as that the juror did not assent to the verdict; that he misunderstood the instructions of the Court, the statements of the witnesses or the pleadings in the case; that he was unduly influenced by the statements or otherwise of his fellow jurors, or mistaken in his calculations or judgment, or other matters resting alone in the juror's breast." The affidavits of the jury were received in the case and the verdict set aside. And in Deacon vs. Shreve the Court decided that while the testimony of a juror was incompetent to prove his own misconduct, yet, such misconduct may be shown by the oath of a fellow juror who is not inculpated in the misconduct, and within the principle of this authority, the affidavits of the two jurors who did not agree to the verdict are competent evidence to prove the misconduct of the other jurors. Constables and Sheriffs are permitted to give evidence as to misconduct of jurors in the jury-room in arriving at their verdict. (Wilson vs. Berryman, Cal. 45.) And if the testimony of a Constable or Sheriff, having the jury in charge, who receives his information by looking or listening at the key-hole of a window of a jury-room may be received to prove misconduct of the jurors, what reason requires the rejection of the affidavits of those jurors who did not agree or assent to the verdict? They are guilty of no misconduct; they no more violate a duty by disclosing the misconduct of their fellow jurors than does the Sheriff, Constable or other person who obtains his knowledge of the misconduct of the jury by eaves-dropping or peeping or listening at the key-hole or window of the room—and there is no more reason for excluding the testimony of such non-assenting jurors in such cases than there would be in excluding the testimony of the Sheriff, Constable or other persons who know the facts. There is nothing in the jury-room of such sacred nature as to prevent a disclosure as to what was done there; if there were, the mouth of the Sheriff, the Constable and every eaves-dropper would be closed, but they may testify. It seems clear that the affidavits of the non-assenting jurors may be received and considered on a motion for a new trial.

In this State the Code of Civil Procedure, 657, provides that a new trial may be granted for misconduct of the jury, and that when any of the jurors have been induced to assent to a verdict by a resort to the determination of chance, such misconduct may be proved by the affidavit of any of the jurors. The question is, What is a "determination of chance?" Under a similar provision of the old Practice Act the affidavits of jurors were received to show misconduct of the jury in arriving at their verdict in the cases of Donner vs. Palmer, 23 Cal. 47, and Levy vs. Brannan, 39 Cal. 489, and there is no difference in principle between this and those cases. But in the case of Turner vs. The Tuolumne County Water Company, 25 Cal. 397, the Court said: "We assume that the verdict, so far as the amount of damages is concerned, was rendered in pursuance of an agreement between the jurors to the effect that each should put down on a separate piece of paper the amount which he thought the plaintiff was justly entitled to recover; that the several sums thus marked down should be added together and the total amount divided by twelve, and that the quotient, whatever it might be, should be their verdict, without further consultation or discussion." In the course of the opinion, the Court said: "Under the facts of this case, as we have assumed them to be, the verdict is undoubtedly vicious, and ought to be set aside. The only question for us to determine is whether the affidavits of the jurors can be received for the purpose of establishing those facts. Though there is some conflict of authority upon this question, the better opinion seems to be that by the common law the affidavits of jurors cannot be received for the purpose of impeaching their verdict, but may be admitted in support thereof. But this rule of the common law has been changed in this State to a certain extent by statute." The Court referred to Section 193 of the old Practice Act, which was substantially like Section 657 of the Code of Civil Procedure, and continued: "Being in derogation of the common law this statute must be strictly construed, and cannot be held to include such kinds of misconduct as do not come clearly within the descriptive terms of the Act." But this rule of construction was abolished by the Code of Civil Procedure. Section 4 provides that "the rule of the common law, that statutes in derogation thereof are to be strictly construed, has no application to this Code. The Code establishes the law of this State respecting the subjects to which it relates, and its provisions and all proceedings under it are to be liberally construed with a view to effect its objects and to promote justice." It is then by this rule that Section 657 of the Code of Civil Procedure is to be construed; but in that case the Court applying, the common law rule for the construction of statutes, says: "If the method adopted by the jury for the purpose of arriving at a verdict may be properly characterized as 'a resort to the determination of chance' the affidavits in question are admissible; otherwise not." The Court then proceeds to decide that such a method as was resorted to in that and in this case was not "a determination by chance," but to reach that conclusion the reasoning is hypertechnical and fallacious. The Court said: "In Wilson vs. Berryman, 5 Cal., 56, Mr. Chief Justice Murray said such verdicts are regarded in the same light by the Courts as gambling verdicts and will be invariably set aside just as if the jury had thrown dice or resorted to any species of gambling to determine the amount." The Court adds: "Thus he admits that such verdict is not a chance verdict, while he holds it to be equally vicious." He admits no such thing; he said "such verdicts are regarded in the same light by the Courts as gambling verdicts." What idea does the word gambling impart to the mind? Chance. He further said such verdicts would be set aside "just as if the jury had thrown dice or resorted to any species of gambling to determine the amount." This clearly brings such verdicts within the object of Section 657 of the Code of Civil Procedure, which authorizes the receiving the affidavits of the jurors to prove misconduct and justice would be promoted by receiving them.

The Court admits in Turner vs. Tuolumne C. W. Company that there is no reason for the distinction which they make, and it appears that the Court had great difficulty in construing that case to be beyond the scope of the old Practice Act, and evidently the Court would not have been able to have accomplished it under the rules of construction adopted by the Code. Thompson & Merriam, in their work on the Law of Juries, Section 415, quote from the decision in that case as follows:

"Independent of authorities, said Sanderson, C. J., it is manifest that there is no element of chance in such a verdict. Each juror marks a sum which, in his judgment, represents the true amount of damages. Neither of these sums is the result of chance; on the contrary, each is the result of the judgment or will of the juror by whom it was marked. Neither is the aggregate of these sums, nor the quotient resulting from a division of the aggregate by twelve, the result of chance, but on the contrary, the result of the most accurate of the sciences. Thus, from the commencement to the end of the process, no quantity which enters into the final result is determined by a resort to chance." And they made this comment thereon: "This reasoning seems hardly conclusive. It proceeds upon the hypothesis that, at the time the jurors consent to be bound by the result of the addition and division, it is *certain* what each juror will mark down as his estimate of the damages; hence this process of finding a verdict is as exact as the science of mathematics. But the contrary is the fact. The jurors consent that their verdict shall vary from the abstract rule of justice in that degree that each juror deviates from sound judgment. All the prejudices, whims and caprices which sway a juror in his deliberations are given full play, and they reasonably affect the final result. Nothing could well be more the *sport* of chance than a conclusion reached in this manner." And in a note the author says: "Quotient verdicts are frequently spoken of as chance verdicts." But if the result of the method adopted by the jury in that case was according to "the most accurate of sciences," and no quantity which entered into the final result was determined by a result to chance, why did the Court say: "Under the facts as we have assumed them to be, the verdict is undoubtedly vicious and ought to be set aside." It was a matter resting in uncertainty, in chance, as to whether the quotient of the unknown sums, when added, would be $200, $500, $771 or $1,000.

If the several sums were known before the agreement to be bound by the quotient the case would be different.

It seems clear that the verdict in this case was a chance verdict within the meaning of Section 657 of the Code of Civil Procedure; that the affidavits of the jurors should be received to prove the misconduct of the jury; and that the verdict in the case should be set aside and a new trial granted.

But there is another ground upon which a new trial should be granted; the plaintiff must show affirmatively a want of probable cause for the malicious prosecution. The defendant testified at the trial that the plaintiff knocked him down with his pistol; but the plaintiff admits that he knocked the old man—the defendant—down, but says he did it with his fist and not his pistol. The pistol was found after the difficulty at the place where the defendant fell and was picked up.

This is a circumstance which corroborates the defendant. The plaintiff does not in his testimony pretend that he knocked the defendant down in self-defense; but he admitted that he did wrong. The evidence shows that the plaintiff was guilty of a gross assault and battery in knocking the defendant down. It would be a strange rule of law which would permit one person to recover damages for a prosecution by another for an assault with a deadly weapon, because the prosecutor reduced the charge to the lower offense of assault and battery and dismissed as to the greater offense.

It appears to me from the evidence in this case that the plaintiff, instead of bringing a suit for damages, should have been satisfied that he escaped a fine or imprisonment for the crime of which the evidence shows him guilty—an assault and battery—the evidence does not only fail to show want of probable cause, but it shows that there was probable cause for the prosecution, and for this reason a new trial should be granted. Let an order be entered granting a new trial.

J. W. Armstrong, Judge.

WORKINGMEN FOR HARRISON.

An Organization That States Unanswerable Reasons for Supporting Him.

The New York *Mail and Express*, referring to the campaign in Brooklyn, says:

The workingmen of Brooklyn have organized for the furtherance of protection, and their club is called "Home and Country Protection for Workingmen." The platform of principles shows that the workingmen understand what they are about, and what the protective tariff law means to them. They declare that "the stability and prosperity of the industrial institutions of the United States are seriously threatened by the declaration of President Cleveland's message to Congress, the Democratic party platform and the passage by the Democratic majority of the House of Representatives of the Mills tariff bill." This is the manner in which the Republican party expects to hear the workingmen talk, for it has confidence that their long experience with the beauties of protection has taught them that high wages and general prosperity depend upon the system which recognizes home institutions and American citizens as deserving of the first care of the Government. Some of the argument in the constitution of the club is admirable. For example, this strikes us as very fine:

"The labor field of a country includes the whole of every country where the nation's laws fall alike on all sections thereof. Each nation requires freedom within its borders where the people make the laws; and protection from without—from all foreign countries—where its people have no voice in making the laws. For instance, the people of the United States want free trade between all the States and Territories of the Union, because they make the laws that rule them, yet they want protection from England and all other countries because the people of the United States have no voice in making the laws of England, or any other country outside their own."

And this is better still:

"Fourth—There is no free trade existing between the people of one country and another in all the world. Only between the inhabitants of a country does it exist. As the world is constituted there would be no justice or equity in free trade between the people of one country and another. The laws, obligations, conditions and opportunities of one country may be entirely different from the other, and are generally so. For instance, it would be a glaring injustice for our country to let the productions of China and Japan, where the wage is from 5 to 7 cents per day; of Russia, Germany and Italy, where it is from 20 to 45 cents per day, and France and England, where the wage is from 45 to 70 cents per day, to enter our markets here free from duty. This would place the foreigner far above our own citizens, as it would let him untaxed on our markets to compete with our own people who have to pay high rates and taxes, maintain and educate their children, serve on juries, and are liable to be drafted into our army or navy, and, if need be, offer up their lives to protect their Government."

It is apparent that the workingmen understand their part of the tariff problem.

A REFORMED DRUNKARD.

How He Was Cured of a Liking for Strong Drink.

A strange story was told yesterday to an *Examiner* reporter by a victim, now cured, of dipsomania, by a means which has hitherto not been dreamed of.

Enjoining secrecy as regards names, but giving indisputable references, the reformed drunkard told his story. "Some ten or twelve years ago I was well known in Oakland. I had a family, good business, and everything seemed to favor me. Having accumulated sufficient funds I departed for New York, and from then I was tempted to indulge my gambling propensities, then started to visit my native home, a small town in Russia, near Moscow.

"Before leaving New York I treated all my friends to an elegant repast, wine flowed like water, and the result was I was carried off to my steamer in a drunken stupor. This was the beginning of my downfall. I continued my debauch even to St. Petersburg, and here commenced my more serious troubles. By an indiscretion of speech, while in a maudlin state, I was thrown in jail as a nihilist suspect, and after an incarceration of nearly two years was released.

"My money had dwindled down, but the old love of whisky remained. I continued my debauches for some time, my reason in the meanwhile becoming impaired.

"It was at this stage that a celebrated Russian physician, Dr. Otto Bernard Petrowlofsky, took me in hand."

Baring his arm the reformed one showed innumerable scars and said: "These are the marks of hyperdermic injections. The doctor's treatment was as follows: Placing a grain of sulphate of strychnia in 200 drops of water he would inject five drops of the liquid in my arm. The effect would be almost instantaneous. A dizzy, giddy feeling would prevade my whole system. My head would seem to be in a whirl, and as the effects of the strychnia passed off my thoughts and ideas would gradually concentrate on a rational focus.

"This practice, repeated for almost ten days, so affected me that I took a perfect loathing for liquor, and a month after the first course of treatment had been undergone I could not taste a drop of liquor, my stomach even rebelling against it.

"That was four years ago, and since that time I have been a changed man. I am about to establish myself among my early associations once more, and live down the terrible experience of my thralldom to the liquor habit."—*San Francisco Examiner.*

A Horse Who Can Talk!

Everybody has heard of a "horse laugh," but who has ever seen an equine gifted with the power of speech? Such an animal would be pronounced a miracle; but so would the telegraph and the telephone have been a hundred years ago. Why, even very recently a cure for consumption would have been looked upon as miraculous, but now people are beginning to realize that the disease is not incurable. Dr. Pierce's Golden Medical Discovery will cure it, if taken in time. This world-renowned remedy will not make new lungs, but it will restore diseased ones to a healthy state when all other means have failed. Thousands can gratefully testify to this. All druggists.

Many cooks ne'er made good kale.

MR. CROCKER'S FUNERAL.

Arrangements Not Yet Definitely Made—Resolutions.

The final arrangements for the funeral services of Mr. Crocker are awaiting the arrival of Mrs. Crocker, who will reach Ogden to-day and Sacramento and San Francisco sometime to-morrow. Flags are at half-mast on most of the public and business houses of this city, and quite generally in San Francisco. In the latter city, the main entrance of the Southern Pacific building is draped with black cloth and bows of crape are hung on the doors of the Directors' room and of Mr. Crocker's private office.

The Academy of Science of San Francisco has appointed Dr. George Hewston, S. W. Holladay, George C. Perkins, Dr. H. W. Harkness and Dr. Henry Ferrer a committee to draft resolutions of respect and condolence on Mr. Crocker's death.

The following resolutions of condolence were adopted by the Merced Board of Trade yesterday:

Whereas, Hon. Charles Crocker, of the Southern Pacific Company, after a brief and painless illness, departed this life Tuesday, August 14, 1888; and whereas, we deem it just and proper that we should express our sentiments in relation to the untimely decease of this distinguished citizen of the State of California; now, therefore,

We, the members of the Board of Trade of Merced county, hereby unanimously resolve that Hon. Charles Crocker was a man of great ability, especially of great executive capacities, and that his mind was admirably disposed to the conception of great and beneficial enterprises.

Resolved, That in the great Crocker & Huffman Canal, and the Yosemite Lake Reservoir, in our county, and the beautiful park and marble fountain in our town, stand lasting and imperishable monuments in our midst, both of his enterprise and his generosity.

Resolved, That the immediate future of Merced county in material prosperity and development has sustained a great and recognized loss in his death; that we deeply regret his decease, and offer these resolutions in honest expression thereof.

Resolved, That we extend to his family our respectful sympathy in their great affliction, and that a copy hereof be engrossed and transmitted to them in earnest attestation thereof.

All the flags in the town are still at half-mast in mourning for Merced's benefactor.

SHERIDAN'S ESCAPE.

How a San Francisco Musician Once Saved Little Phil's Life.

Archie Wason tells an interesting anecdote about the late General Sheridan. Years ago, when the California Theater was in its most prosperous days, under the management of Barrett and McCullough, and when Mr. Wason was Colonel of the Third Regiment, the regiment gave General Sheridan a reception at the theater.

"Little Phil" was standing behind the wings taking a quiet peep at the audience. Suddenly he pointed at Musician Blyth and asked the Colonel:

"Isn't that Blyth?"

On being answered that that was the man, General Sheridan said:

"Ask him to come up here on the stage."

"Hello, Blyth!" exclaimed the General, almost wringing the musician's hand off his wrist. "This man saved my life, gentlemen."

He then told the story of their old-time friendship. When Sheridan was a young cavalry officer on the border Blyth was a private in his troop. One day the troop had a spirited hand-to-hand fight with the Indians. Sheridan, as usual, was in the thickest, and just as he was swishing his saber over the head of a red devil, who had shot at him with a revolver, another Indian lassoed the General around the neck. In another moment he would have been pulled off his horse and trampled to death under the horses had not Blyth promptly cut the lasso with his saber.

Sheridan, who by this time had his ire thoroughly aroused, pursued the Indian who had thrown the lariat and almost decapitated him with a stroke of his saber.—*S. F. Examiner.*

For Mental Depression Use Horsford's Acid Phosphate.

Dr. L. C. S. Turner, Colfax, Iowa, says: "I am very much pleased with it in mental depression from gastric troubles."

GENERAL NOTICES.

Advice to Mothers.—Mrs. Winslow's SOOTHING SYRUP should always be used when children are cutting teeth. It relieves the little sufferer at once; it produces natural, quiet sleep by relieving the child from pain, and the little cherub awakes as "bright as a button." It is very pleasant to taste. It soothes the child, softens the gums, allays all pain, relieves wind, regulates the bowels, and is the best-known remedy for diarrhea, whether arising from teething or other causes. Twenty-five cents a bottle. MWFly

Fresh sweet Buttermilk at Smith's "Milk shake," 1120 J st. The genuine article. j12-1m

F. Baumle, 723 J street.—Lunches a specialty. Canned goods, ham, cheese, butter. Also, large variety of choice Sausage. my15-

John Eitel, Assayer and Chemist, corner Seventeenth and J streets. Also buys gold. tf

The best place in California to have your printing done: A. J. Johnston & Co's, 410 J St., Sacramento, Cal.

S. & E. L. Southworth, Dentists, Sac.

NEW ADVERTISEMENTS.

Donations.—The Managers of the Sacramento Protestant Orphan Asylum return thanks for the following: H. Shulmeyer, $3; Hays & Jackson, $1 50; M. Fay, 25 cents; A. J. Pommer, half of bill, $32 50; Capital Gas Company, discount on bill, $1 65; C. McCreary & Co., discount on bill, $2 65; Mrs. H. B. Neilsen, shoes; from Grammar School party, by Miss Mattie Beaumont, a quantity of cake; Harry C. Catlin, 819 O street, books and papers; American Biscuit Company, biscuit; Mrs. Nancy Waterhouse, Mrs. J. B. Hoitt and a lady friend, half-worn clothing; Mrs. Wilkinson, G street, between Eighteenth and Nineteenth, a box of pears; Mr. Ryan, for services of chain-gang; a lady friend, fruit; a lady friend, six boxes grapes; Mr. Gilman, use of hack; Gregory & Co., Lyon & Co., Curtis Bros. & Co. and Weber & Co., fruit; Mrs. F. W. Fratt, entertaining the children Fourth of July.

MRS. W. H. HOBBY, Secretary P. O. A.
Sacramento, August 14, 1888. [B. C.] 1t

WANTED—$5 A DAY EASILY MADE BY anyone willing to work; an article sold on sight to every horse owner. Send 50 cents for sample and particulars. WILSON & HOFSCHULTS, 1006 Market st., San Francisco. a17-6*

LOST—A KNIGHTS OF PYTHIAS PIN, WITH name engraved on the back of same. Leave at this office and be rewarded. 1t*

FOR SALE—A WELL BROKE, GENTLE four-year-old mare. Corner Eighteenth and E streets. 1t*

FOR SALE—A $70 ORDER FOR HORSE hire or keeping on livery stable of this city, for $57 50. Apply W. B. SHERMAN, No. 123 J street. au17-3t

REV. A. T. NEEDHAM

WILL ADDRESS THE SACRAMENTO PROHIBITION Club on the political issues of the day at Pioneer Hall, on Seventh street, FRIDAY EVENING, the 17th inst. Everyone invited. 1t*

REAL ESTATE.

IF YOU WISH TO BUY OR SELL REAL estate go to W. P. HARLOW, 1002 J st. 2p1m

Auction Sale

BELL & CO. ....AUCTIONEERS,

—WILL SELL ON—

SATURDAY, AUGUST 18th,

At 10 o'clock A. M.,

AT SALESROOM, 927 K STREET,

ONE TWO-SEATED MEISTER CARRIAGE, costing $500, in perfect order; one Business Buggy, Meister, maker; one Open Buggy and one Top Buggy; Horses; one set Double Concord Carriage Harness; two sets Single Harness, all new. Also, Parlor Furniture, Walnut Bedroom Sets, one large lot Body Brussels Carpets, Hall Carpets, Matting for Halls, and Household Goods of all kinds.

Sale positive. Terms cash.

au17-2t BELL & CO., Auctioneers.

The STATE FAIR of CALIFORNIA at SACRAMENTO SEPT. 3RD to 15TH INCLUDES A COMPLETE EXHIBITION OF THE PROGRESS MADE IN ART, SCIENCE & INDUSTRIAL PURSUITS. A SUPERB DISPLAY OF FARM PRODUCTS MADE BY SEPARATE COUNTIES. GRAND PARADES OF SHOWY LIVE STOCK. NINE DAYS OF RACING & OTHER ATTRACTIONS TO INSTRUCT AND AMUSE.

Edwin F. Smith, Sec. L. U. Shippee, President.

CHANGED DAILY FOR HALE BROS. & CO.—AUGUST 17, 1888.

To be closed out at $1 10 per pair: Ladies' fine Kid Sandal Slippers, with one-strap and steel buckle. Shoe Department.

HALE'S CLEARANCE SALE. | A POINT OR TWO ON **Dress Goods** | HALE'S CLEARANCE SALE.

Lively times can be witnessed daily in our Dress Goods Department. The variety of goods that have been reduced and the extent of the reductions constitute the loadstone of trade. When a thought is given to the fact that these fabrics are serviceable for some time to come, it will be seen that there dwells an opportunity here that should be visited. One point worthy of your attention is this: You are not bound down to one line of goods. You take your pick from a score or more of fabrics. It's an advantage not to be met with at a special sale.

Camel's-Hair Plaids, reduced from $1 to....
Empress Plaids, reduced from $1 25 to....
All-Wool Diana Stripes, reduced from $1 to....
All-Wool Saxon Checks, reduced from $1 to....
All-Wool Heronime Stripes, reduced from $1 to....
Line Stripes and Line Checks in Silk and Wool, reduced from $1 to....
50 Cents.

All-Wool French Plaids (imported goods), reduced from $1 25 to....
Armure Plaids (a combination of Silk and Wool), reduced from $1 25 to....
Variety Checks in London smoke, brown, green, garnet, wine and blue, reduced from $1 25 to....
All-Wool Egyptian Cloth, a leading popular fabric, in tan, gobelin blue, brown, navy blue and pussy willow green, reduced from $1 to....
75 Cents.

HALE BROS. & CO.

THERMALITO!

The Home of the Orange, Olive and Vine.

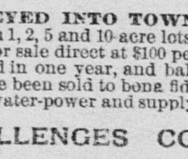
$20,000 Hotel Only $360!

THE BEAUTIFUL PIONEER COLONY OF BUTTE CO., CAL.

THERMALITO WAS SURVEYED INTO TOWN LOTS, 50X150, AND 90X160 feet, and in 1, 2, 5 and 10-acre lots, in June, 1887. Of these lots, 940 were offered for sale direct at $100 per acre. Terms of sale, one-third cash, one-third in one year, and balance in two years at 8 per cent. per annum. Over one-half of these lots have been sold to bona fide purchasers, who have personally examined the land, soil, location, and water-power and supply, on all of which

THERMALITO CHALLENGES COMPARISON.

WITH THIS MONEY A

$20,000  HOTEL!

Is now being erected, and will be the LARGEST HOTEL in the State north of Sacramento. It is 104 feet wide, 1?8 feet long, and has an extreme elevation of 80 feet. Standing on a bluff 80 feet above Feather river, with Marysville Buttes in plain view, its situation is at once grand and impressive. Next, a $5,000 BRICK STORE AND HALL is being built. Also,

One $2,500 Cottage, one $2,000 Cottage, two $1,500 Cottages, two $1,000 Cottages, four $875 Cottages, and $1,000 worth of Ornamental Trees Planted.

Also, the streets adjoining the lots are being graded, and water is now piped, and being brought in pipes to each lot under a PRESSURE of from 100 to 150 FEET, to be used FREE FOR THREE YEARS, and at a low rate of Ten Cents per miner's inch for twenty-four hours' flow.

THERMALITO

ADVERTISES NOTHING that is not to be seen on the tract. It has now 250 acres of Orange Trees from two to ten years old. The healthy location, magnificent view, fine water supply are vouched for. Soil from ten to twenty feet deep, covered with large oaks or cleared to suit purchasers.

Sacramento Agent..........NEWTON SEWELL,
815 Second street, near Passenger Depot. MWF

Life Renewer

Patented October 11, 1887.

A NEW INVENTION! LATEST AND BEST! IT CURES WITHOUT MEDICINE!

Dr. Pierce's Galvanic Chain Belt is one of the Greatest Electro-Medical Appliances of the Age and contains vast improvements over all of the old style belts now in use. Electricity from this Belt can be **instantly felt.** It is a complete Body battery and will cure the following diseases when all other remedies fail: **Nervous Debility, Kidney Complaint, Rheumatism, Neuralgia, Constipation, Disease of the Liver, Dyspepsia, Female Weakness, Spinal Diseases, Impotency, Weakness of Sexual Organs, etc.** Double Strength Electric Suspensory for men free with every Belt. For Price List and full information, call or send stamp for Pamphlet No. 2. Address: **Magnetic Elastic Truss Co.** 704 Sacramento Street, San Francisco, Cal., or 304 North Sixth Street, St. Louis, Mo. Also for sale by J. H. WIDBER, (Druggist,) corner Third and Market Streets, San Francisco.

RUPTURE Positively Cured by "Dr. Pierce's Patent Magnetic Elastic Truss." The only Genuine Electric Truss in the world! For particulars, send stamp to above address for Illustrated Pamphlet No. 1.

RICHARDS & KNOX,

—DEALERS IN—

Lumber, Doors, Windows and Blinds.

Main Office and Yard, Northwest Corner Second and M Sts. 4p

PROPOSALS

Invited for the Construction of the Text-Book Warehouse at Sacramento.

SEALED PROPOSALS WILL BE RECEIVED at the office of the Superintendent of State Printing, in the State Capitol, on the 11th day of SEPTEMBER, 1888, and be opened at 10 o'clock A. M. of that day, for the construction of a fire-proof Warehouse for the storage of School Text-Books at the city of Sacramento, in accordance with the provisions of an Act of the Legislature, approved March 15, 1887.

Each proposal must be in writing, and addressed to the undersigned, and be accompanied by a bond of the proposer equal to ten per cent. of the proposal, with two sureties, conditioned that if the proposal be accepted the party proposing will enter into a contract to faithfully perform his contract, and also execute a bond in double the amount of the contract price, payable to the State of California, with two sureties, conditioned for the faithful performance of his contract, according to the provisions of an Act of the Legislature, Statute Cals, 1875-6, p. 427.

In lieu of the bond accompanying the proposal there will be received a certified check of the same amount, drawn in favor of the Governor, to be forfeited in case the proposal is accepted and the proposer fails to enter into a contract and execute the bonds required for the performance of the contract.

The right is reserved to reject any and all bids.

Specifications and plans will be found at the office of N. D. GOODELL, Architect, Sacramento, and can be seen upon application.

J. D. YOUNG,
Superintendent of State Printing.
au9-4w2p&w4t

Sacramento County Democratic Club.

THE REGULAR WEEKLY MEETING OF THE Club will be held at headquarters on Seventh street, between J and K, FRIDAY EVENING, August 17, 1888. Addresses will be made by W. A. GETT, JR., and GEORGE JEFFERY, Esq. All are invited to attend.

MATT. F. JOHNSON, President.
J. W. HUGHES, Secretary. [B. C.] au16-2t

REAL ESTATE AGENTS.

FOR INFORMATION IN REGARD TO LANDS IN NORTHERN AND CENTRAL CALIFORNIA, THE "RECORD-UNION" RECOMMENDS THE FOLLOWING AS BEING RESPONSIBLE AND RELIABLE REAL ESTATE FIRMS IN THEIR RESPECTIVE LOCALITIES.

A. NIVENS, JR.,
REAL ESTATE AGENT.
FOOTHILL FARMING & FRUIT LANDS.
GRASS VALLEY..........CAL.

ED. H. FLEMMING. A. J. MEANY.
MEANY & FLEMMING,
Real Estate Brokers and Investment Bankers..........MERCED, CAL.

FOR FOOTHILL FRUIT LANDS ADDRESS THE
NEVADA COUNTY
LAND & IMPROVEMENT ASSOCIATION
NEVADA CITY..........CAL.

LAND FOR SALE IN THE
FAMOUS LODI COUNTRY.
BURR & PARSONS,
LODI..........CAL.

W. W. CAMRON,
CITY AND COUNTRY PROPERTY
BOUGHT AND SOLD.
465 NINTH STREET, OAKLAND, CAL.

HALL & AUSTIN,
Real Estate. Correspondence Solicited.
DINUBA..........TULARE COUNTY, CAL.

GEO. T. CONNER,
TULARE..........TULARE COUNTY, CAL.
Homesteads, Pre-emptions and Timber Claims, in Tulare and Kern counties, from $200 to $1,000.

J. W. SMITH. F. D. ADAMS.
ADAMS & SMITH,
Searchers of Records and Real Estate
AGENTS, AUBURN,
PLACER COUNTY..........CAL.

J. E. WHITSON,
(Proprietor of the Original Townsite),
SELMA, FRESNO COUNTY..........CAL.
My new $50,000 Brick Hotel nearly completed and ready for rent. City Property; outside Lands. Investments made and improvements managed.

J. P. AGLER. F. D. ADAMS. JOHN SWEENEY.
SWEENEY, ADAMS & CO.,
Farming, Fruit and Vine Lands,
Office, near Railroad Depot, ROCKLIN,
PLACER COUNTY..........CAL.

J. M. MARTIN, President. J. W. CONGER, Secretary. G. N. FREMAN, Treasurer.
FRESNO INVESTMENT CO.
(INCORPORATED). Full line of City and Country Property.
FRESNO CITY, FRESNO COUNTY, CAL.

ROBERT JONES. B. M. BERRY.
JONES & BERRY,
Real Estate Agents..........Newcastle,
PLACER COUNTY..........CAL.

FOR STOCK FARMS, GRAIN, VINE, FRUIT AND COLONY LANDS, ADDRESS THE
HONN LAND COMPANY
REDDING, SHASTA COUNTY, CAL.

A. F. ABBOTT. J. V. W. MONTAGUE.
ABBOTT & MONTAGUE,
Real Estate, Fruit, Vine & Grain Land.
MARYSVILLE..........CAL.

M. R. HOOK.
FARMING, CITRUS AND DECIDUOUS FRUIT Lands in Any Sized Tracts.
RED BLUFF..........TEHAMA CO., CAL.

T. B. LUDLUM & CO.,
Citrus Fruit Lands, Orchards & Vineyards a Specialty. Agents for the Palermo Colony.
OROVILLE..........BUTTE COUNTY, CAL.

GEO. D. FISKE & CO.,
Dealers in Yolo County Real Estate.
Fruit, Vine and Colony Lands a Specialty.
WOODLAND..........CAL.

AUCTIONS.

W. H. SHERBURN,
Auctioneer.
SALESROOM, 323 K STREET.

REGULAR SALESDAYS,
TUESDAYS AND FRIDAYS

Owing to the great increase in my Auction business, I have determined to close out at private sale all of my large stock of CROCKERY-WARE, GLASSWARE, CUTLERY, etc., etc.

Bedrock prices on Plates, Cups and Saucers, Goblets, Fruit Dishes, Hotel Ware, in fact everything in the above line. Call and get bargains.

No. 323 K Street.

BELL & CO., AUCTIONEERS,
No. 927 K Street.
Salesdays, Wednesdays & Saturdays.

HIGHEST CASH PRICE PAID FOR HOUSEHOLD Goods of all kinds. Strict attention given to all Ranch, Stock and House Sales. Terms moderate. tf

PROPOSALS

—FOR—

FURNISHING PAPER

—FOR THE—

State Printing Office.

Office Superintendent State Printing,
Sacramento, August 9, 1888.

SEALED PROPOSALS WILL BE RECEIVED at this office until

Thursday, September 20, 1888,

At 1:30 P. M., for furnishing Paper and other Material for the State Printing Office for the year beginning on the first Monday in October, 1888, and ending on the first Monday in October, 1889, in qualities and quantities as per schedule, to be furnished on application to the Superintendent of State Printing.

Bidders will furnish samples, with price per pound or per ream, for the different weights, and also names of makers whose stock they propose to supply.

Payments to be made in warrants upon the State Treasury.

Section 532 of the Political Code provides that "No bids shall be considered unless accompanied by a certified check in the sum of two thousand dollars gold coin, payable to the Governor, for the use of the people of the State of California, conditioned that if the bidder receives the award of the contract he will, within thirty days, enter into bonds in the sum of ten thousand dollars, with two or more sureties, to be approved by the Governor of the State, that he will faithfully perform the condition of his contract. All bids must be for the furnishing and delivery of the paper and materials at the State Printing Office, in the City of Sacramento, so that the State shall not be charged with any cost of transportation or delivery.

Section 3235, Political Code: No supplies of any kind or character, for the benefit of the State, or to be paid for by any moneys appropriated or to be appropriated by the State, manufactured or grown in this State, which are in whole, or in part, the product of Mongolian labor, shall be purchased by the officials for the State having the control of any public institution under the control of the State, or of any county, city and county, city or town thereof.

Bidders will understand that all of the paper of the dimensions of 30x41, 80lb Book Paper must be put in cases of about 6 reams each.

The Board reserves the right to reject any and all bids, and to accept all or any portion of any bid.

Proposals to be indorsed: "Proposals for Paper and Material for the State Printing Office."

J. D. YOUNG,
au10-2p20t Superintendent State Printing.