DAILY RECORD-UNION

WEDNESDAY.....SEPTEMBER 4, 1889

ISSUED BY THE

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THE DAILY RECORD-UNION,
Published six days in each week, with Double Sheet on Saturdays, and

THE SUNDAY UNION,
Published every Sunday morning, making a splendid SEVEN-DAY paper.

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For six months.....3 00
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The RECORD-UNION, SUNDAY UNION *and* WEEKLY UNION *are the only papers on the Coast, outside of San Francisco, that receive the full Associated Press dispatches from all parts of the world. Outside of San Francisco, they have no competitors either in influence o home and general circulation throughout the State.*

SAN FRANCISCO AGENCIES.

This paper is for sale at the following places: L. P. Fisher's, room 21, Merchants' Exchange, California street, who is also sole Advertising Agent for San Francisco; the principal News Stands and Hotels, and at the Market-street Ferry.

☞ Also, for sale on all Trains leaving and coming into Sacramento.

Weather Forecasts For To-day.

California—Fair; southerly winds; cooler along the northern coast; nearly stationary temperature elsewhere.

Oregon and Washington—Warmer; fair; northerly winds.

THE FRICTION AT THE SOUTH.

The conflicts in the South between the whites and the blacks in certain sections have led several of our contemporaries into the expression of fears that there is about to be inaugurated a war of races. The *Alta* believes that the negro has been led by the stories of war in Hayti and the feats of colored soldiers there, into the delusion that he can here safely rise and put down the whites. We do not see any reason for such a conclusion. There may be a few men in the South who may have thus played upon the ignorance of certain of the colored people. But the masses of that race have neither the desire to rise in insurrection nor to be at enmity with the white people. The mass of them have interests, industrial and otherwise, with the whites that render such a thing as a race war suicidal. The pocket nerve is the most sensitive, and the negro of the South is as fully alive to industrial possibilities that are opening up to him as are any others. He is not likely to wreck everything by attempting to inaugurate a reign of terror, in which he finds himself opposed by the bayonets of the Government that above all things else he profoundly respects and fears. That there is unrest and more or less ill-feeling among the blacks at the South is undeniable, and at the risk of being deemed a political sensationalist, we venture the assertion that it can be shown that the whites are most blameworthy for these undesirable conditions. They have drawn the color line in all affairs with a strictness that has left the colored man outside of rights and remedies that it his sovereign privilege to enjoy. The fact that the white man in the South has constantly engaged in denial of the right of the negro to better his condition except under the domination of the white man, goes a long way in accounting for the present difficulties. That there should be sporadic outbursts here and there indicates that at remote points as well as in centers of population, some unusual or more than usually flagrant invasion of the rights of the colored man has been attempted, or, at least, that he so believes. Certainly there is lacking all the elements of preparation, contemplation and malice that would mark the opening of a rebellion or of a race war. If the Southern people will cease the iteration of their fears, and the constant overhauling of their phrases about black domination, we believe that there will be manifest but little unrest on the part of the blacks. The South has been shouting "wolf" at every turn, until, possibly, some blacks have come to believe that they are bound to make an effort to terrorize. It would be an excellent plan for our Southern brethren to adopt, to leave the negro severely alone and note the result of such a policy.

THE LABOR PARADE.

The labor parade in San Francisco on Monday was an orderly and well conducted affair. There was not an intoxicated man in the line, and the workingmen of the metropolis thus demonstrated their capacity to control the membership in the organized bodies, and to direct it in an orderly manner. The parade was a protest, or a petition, as it may be taken, against long hours of labor—that is, a demonstration for such division of the hours of the day as will afford the working forces of the land opportunity for reasonable recreation and rest. We apprehend that there is really no opposition to such adjustment wherever it can be effected by mutual agreement. There is no antagonism to the use of moral suasion for the shortening of the hours of labor somewhat, from the maximum that has obtained for most part in the past. But what the sentiment and justice of the country has opposed, and will continue to resist, is the attempt to coerce men into any policy in the matter. The strike and the boycott, as means to the end, cannot have favor, and are the weapons that most generally turn against those who invoke their use. The artisans and workers for wages have the power, as they have themselves demonstrated, to accomplish more by orderly non-coercive and inoffensive methods, than by employment of any others. The sympathy of the American people is more easily won than it is driven—indeed, it cannot be driven. The American worker has come to this conclusion, if we read him aright, and is now moving in his effort to effect reform in that way. Thus far he has met with sufficient encouragement to warrant him in still continuing in the same line.

VASSAR opens a thoroughly equipped gymnasium this fall, and it is intended that the sweet girl graduate shall hereafter be a well-developed specimen of anatomy. And why not? If we could get rid of the false modesty that bars the way to reform in the training of women, the physical condition of our wives and daughters could be immensely improved. We assert it "without fear of successful contradiction," as the old challenge runs, that if young women were no more "skittish" about appearance in gymnasium costume, than they are free about exposure in close-fitting garbs at the seaside in bathing season, they could receive instruction in the former that would contribute greatly to their general good health and their happiness. But in fact the gymnasium costume is not at all immodest, and does not indecently expose the female form divine. It is simply neat, roomy, free from whalebone, springs, corded lines, heavy skirts and confining corsets. There should be well stocked and managed gymnasiums for women in every town in the land. Every woman ought to be encouraged to take exercise in them—the exercise that experience proves is best fitted to her case, and to the bringing into healthy play of all the muscles of her body.

SECRETARY WINDOM has resolved to enforce the order long since provided in the regulations but never obeyed, requiring the Stars and Stripes to be floated from every United States building. Why the regulation ever fell into disuse is not explained. It is a wise order. There is not the slightest danger that our people will become too familiar with the American flag, or too deeply impressed with its symbolic character. The same order ought to be made by every State concerning all public buildings, and the flag of unity and freedom be seen floating in sunshine and in storm from every structure in which there is a State institution. The sum we would expend for bunting for this purpose would be considerable, but it would be well devoted.

IF New York can find no other place for the World's Fair than Central Park it should yield to Chicago. To destroy Central Park for a few weeks of an international exhibition would be paying dearly for the whistle.

THE Democratic platform in the State of Ohio for the approaching campaign declares that the trusts of this country are directly chargeable to the false tariff system of the country. Ah! Well, what breeds them in old England?

BRIEF NOTES.

The river marked seven feet four inches yesterday.

Roberts and Burke, of the League ball team, on Monday saved a colored boy from drowning in the river.

H. G. May yesterday caused the arrest of one William Evans, a tough, who entered his place and tried to raise a row.

There were five sleeping-coaches on the 10:30 outgoing overland express train last night, and four on the Oregon express.

Sophia Brown (colored), 13 years of age, left her home at Twenty-fourth and M streets several days ago, and is still at large.

Georgie Dart, aged 2 years, was reported at the police station last night as missing from his home at the Brown House, Fourth and K streets.

The question as to whether or not the Mechanics' Building and Loan Association shall discontinue business will be determined at the next regular meeting.

State Superintendent Hoitt yesterday paid into the State Treasury the sum of $13,505 77, being the amount of sales of State text-books for the month of August.

In Judge Armstrong's Court yesterday Ida Stafford was divorced from John T. Stafford on the ground of desertion. On similar grounds Andrea McKee was granted a divorce from Thomas H. McKee.

A gentleman who says he knew Manuel Freitas, the victim of the fatal explosion at the Eagle Winery, says he was not a German, but a Portuguese, and a native of the Azores Islands. His age, also, was not 32 years, but 40.

It was reported yesterday that District Attorney Bruner would make a reply in open Court to the remarks made by Grand-Juryman Elijah Comstock before the Trustees on Monday, but the officer finally concluded to let the matter pass unnoticed.

The managers of the Protestant Orphan Asylum have not as yet been officially notified of the action of the Supreme Court in the matter of the custody of Clara Chambers, and cannot, of course, officially determine at present what course they will pursue therein.

FREE LIBRARY MEETING.

Meeting of the Board of Trustees—A New Roof Ordered.

The Board of Trustees of the Public Library met last evening at their office in the library building. Present: W. C. Fitch, President; S. H. Gerrish, Secretary, and L. E. Smith.

The report of the Librarian for the month of August was read, as follows: Number of books issued during the month, 2,245. Classified thus: Fiction, 1,806; history, 171; literature, 70; fine art, 38; useful art, 19; science, 29; philology, 3; sociology, 3; religion, 13; philosophy, 22; general works, 71. Percentage of fiction, 80. Average number issued per day, 140. Number of patrons registered, 8,791. Amount of the fines collected, $8 90.

A communication from the Street Commissioner was read ordering a new stone or cement sidewalk in front of the library building, to be commenced within ten days. The Board ordered plans and specifications procured for a new concrete sidewalk and brick bulkheads, to be submitted to the Board at a special meeting.

The Board ordered that a new tin roof be placed on the library building immediately.

The following bills were allowed: Capital Gas Company, $8 40; Ingram & Bird, $101 10; R. S. Jones, $15 39; Crouch & Lyman, $1 50; Whittier, Fuller & Co., $14 89; L. W. Ripley, $87 50; C. G. Hancock, $3 78; J. C. Lane, $4; Wm. Cushing, $10; Eli Rath, $24 70; C. S. Houghton, $170 13; W. E. Benjamin, $69 05; Graham & Klink, $25; B. Ruhl, $195 90; Day & Joy, $8.

After ordering 193 books purchased, part of which will be on the shelves Saturday morning, the Board adjourned.

BOARD OF SUPERVISORS.

A Portion of the Andrus Island Road Accepted—Other Matters.

The Board of Supervisors met again yesterday. After the reading of the minutes, Mr. Bates asked that they be altered so as to put him on record as voting against allowing Justice Smith, of Isleton, a set of Codes. He said that the Board could provide Smith with the Codes of 1872, and that ought to be good enough.

President Tebbets put the Board in a good humor by reading to the members an invitation from the Central Street Railroad Company for them to ride over the company's road to-morrow with their lady friends.

Minority and majority reports from the inspectors of the new road on Andrus Island were read. After some discussion the Board decided to accept a portion of the road, but deferred action on the extension until the Board itself inspects it; this will be done on the third of October.

Deputy Assessor Coons reported to the Board that an error had been made in footing up the assessment lists, by which a Mr. Middleburg has been made to pay taxes on $2,725 instead of $725 worth of property. The Board decided that it would refund the money, provided the District Attorney said such action would be lawful.

Road Overseer McDermott reported that a bridge near Brighton was greatly in need of repairs. The matter was referred to the Committee on Roads and Bridges.

COUGHS and colds kept off by taking Simmons Liver Regulator to regulate the system.

PEARS' Soap secures a beautiful complexion.

DIFFICULTIES with the liver and kidneys, causing pains in the back, lassitude and general weakness are readily cured by Hood's Sarsaparilla, the great regulating medicine. Sold by all druggists.

JUSTICE HENRY ALL RIGHT.

JUDGE ARMSTRONG DECIDES THAT HE HOLDS OFFICE LEGALLY.

An Interesting and Comprehensive Decision Determining an Important Question.

In the case of the people vs. George Nelson, recently convicted in the Superior Court of robbing Thomas Davis, near the American river bridge, a motion was made by the defendant's attorneys, J. C. Tubbs and W. A. Anderson, for arrest of judgment on the ground that there had been no legal holding of the defendant, he having had his preliminary examination before W. A. Henry, Township Justice of the Peace. The points of the motion were fully stated in the RECORD-UNION at the time of its hearing. The question involved is important, inasmuch as its determination affects the validity of the acts of one of the municipal tribunals. After argument by the defendant's counsel, and by District Attorney Bruner for the people, Judge Armstrong took the matter under advisement. Yesterday he rendered the following opinion:

Section 2 of Article VI. of the Constitution of California provides that "the Legislature shall determine the number of Justices of the Peace to be elected in townships, incorporated cities and towns, or cities and counties, and shall fix by law the powers, duties and responsibilities of Justices of the Peace." Pursuant to that provision of the Constitution, the Legislature, by an amendment to Section 103 of the Code of Civil Procedure, provided that there should be in each township of the various counties one Justice of the Peace, to be elected by the qualified electors of the township; and that in cities having 10,000 and not more than 20,000 inhabitants there should be one Justice of the Peace, and in cities having 20,000 and not more than 100,000 inhabitants two Justices of the Peace, to be elected in like manner by the electors of such cities, respectively.

The objection to the validity of the examination of the defendant in this case was that Justice Henry, before whom examination was had, had been appointed by the Board of Supervisors as the successor to Justice Brown, deceased. Brown had been elected by the people as Township Justice of the township of Sacramento. It is claimed that inasmuch as there is no township organization in the city of Sacramento, there could be no Township Justice of the Peace. The power of the Legislature, however, to provide for Justices of the Peace does not depend upon the organization of township governments. The Legislature has the power to authorize the eletion or appointment of Justices of the Peace within a district of a county called a township, whether it has any other internal organization or not. It will be observed that the Constitution does not make it a condition precedent that there shall be an organized township government to this exercise of the legislative function to create the office of Justices of the Peace. The Court cannot affect to be ignorant of the fact that though this State has been in existence for more than a quarter of a century, there never has been any systematic organization of township governments; yet the power of the Legislature to appoint Justices of the Peace or to provide for their election within a particular district has never been questioned. It is now too late to question that power.

I am of the opinion that Justice Henry is a Justice *de jure;* but if not, he is a Justice *de facto*, and, so far as these proceedings are concerned, his acts are as valid as if he were a Justice *de jure*. Our Supreme Court has broken down the barrier which seemed to mark the partition between acts of a judicial officer *de facto* and those of a ministerial officer. It will be conceded that in England, from whence we derive our system of jurisprudence, Judges and other judicial officers received a commission for a particular term and for none other. Therefore it was that in that country, under those laws, there could be no such a thing as a Judge *de facto*, because, when the time had expired for which he had his commission to hold a term of Court, upon the face of his commission he had no other functions to perform. But in this country, where judicial officers are elected for prescribed terms of office, the same as ministerial officers, the reason for the distinction ceases. The old maxim is that where the reason ceases, the law also ceases. In the case of the People against Wyman (15 Cal., 73), the question arose whether a County Judge acting *de facto* with the Associated Justices who were elected constituted a Court of Sessions. That case arose on an appeal from a conviction for manslaughter. The Court there said: "There is nothing in the point that the Court of Sessions in which the indictment was found was not legally organized. The Convention at which the Associate Justices were elected was presided over by a person who was then acting as County Judge, and the fact that it was afterward determined that another person had been legally elected to that office did not render his official acts illegal and invalid."

Under the then existing statute which created the Court of Sessions that Court was constituted of the County Judge and two Associate Justices. The Associates were elected by the Justices of the Peace of the county, and the Convention was assembled by the County Judge. It was there held that the act of the County Judge in presiding at the Convention of Justices was *de facto* valid.

But the question was more directly presented in another case, where the conviction was of murder in the first degree, and the defendant, as in the case at bar, moved in arrest of judgment. The second point in that case is the only one that is material here to be considered. It was "that, admitting the act in question to be constitutional, so far as the creation of the Fifteenth Judicial District is concerned, the Governor had no power, under the Constitution, to appoint and commission a Judge of the Court thereby created, as required and directed by the sixth section of said Act."

It was decided in the first volume of the California Reports that the Governor had no authority to appoint a Judge to an office created by the Legislature—that is, to make an appointment for the first term; but that he could only appoint to fill vacancies which might occur after the office had been filled by election. That doctrine was affirmed in several cases, lastly in the eighth California.

Mr. Anderson—"Is that the rule now?"

The Court—"That is the rule now."

Mr. Anderson—"How was it in the instances where the Governor appointed Judges of the Superior Court in the lower counties of this State where new Courts were created by the Legislature?"

The Court—"The Governor had no authority to make these appointments. I decided that principle in the Freeman case."

Mr. Anderson—"Then the act of the Governor in making those appointments was void?"

The Court—"I have no doubt about it. But the acts of those Judges *de facto* are valid, and that principle has been decided. In the case to which I now refer the Court said: 'That the second point cannot be sustained in this action does not admit of debate. The person who filled the office of Judge at the time this was tried was appointed and commissioned by the Governor under and in pursuance of the provisions of the Act in question. He entered, therefore, under color of right and title to the office, and become Judge *de facto* if not *de jure*, and his title to the office cannot be questioned in this collateral mode. (The People vs. White, 24 Wend. 539; McInstry vs. Tanner, 9 John. 133; Hildreth's heirs vs. McIntire's devisee, 1 J. J. Marshall, 206.) His title can only be questioned in an action brought directly for that purpose, as provided in the fifth chapter of the Practice Act. The acts of *de facto* officers must be held valid as respects the public and the rights of third persons. A contrary doctrine, for obvious reasons, would lead to most pernicious results.'"

The case of the People against Carroll (9 American Reports, 409) is exhaustive in the consideration of this question. Without reading from this decision, it is sufficient to state that there the acts of a Justice of the Peace, whose judgment had been attacked collaterally—he having rendered a judgment of conviction of a defendant upon a charge of libel and slander—were questioned upon the ground that the law under which he had been elected Justice was unconstitutional. The Court decided that the law was unconstitutional, and that the Legislature had no authority under the Constitution of Connecticut to enact the law under which he was acting; but, notwithstanding that, the Court held that the acts of the officer, until the law was declared to be unconstitutional, were valid as the acts of a *de facto* officer. That case covers the questions which have arisen in the case now under consideration.

It therefore appears to the Court that the motion should be overruled. The Court holds that the County Government Act authorized the appointment of Justices of the Peace in cases of vacancies; that the Legislature provided for a Township Justice, and that, therefore, Judge Henry is *de jure* a Justice of the Peace; but if not that, his act as an examining officer is valid *de facto*.

SOCIAL AND PERSONAL.

N. D. Rideout went to Marysville last night.

H. S. Wright of Visalia is at the Golden Eagle.

Ed. Christy was down from Folsom yesterday.

John Breuner, Jr., returned last night from the Bay.

R. J. Merkeley came up from San Francisco last night.

Mrs. M. E. Southworth left for San Francisco yesterday.

Senator Sprague of Yolo is registered at the Capital Hotel.

S. Thall and wife, of San Francisco, were in town yesterday.

Mrs. Robert Dunn and son, of Chico, are visiting friends here.

Al. Sutherland of Ione is in town and stopping at the Capital Hotel.

Mrs. H. Marks and son have returned from their visit to Portland, Or.

W. E. Dargie, the Oakland journalistic Senator, was in the city yesterday.

Theatrical Manager Love, of San Francisco, has come to stay a couple of weeks.

Professor Hand and family have returned from their summer visit to Oakland and Santa Cruz.

Misses Lottie and Laura Steffens returned last evening from a visit to San Francisco and Oakland.

Mrs. W. A. Butterfield leaves on Friday morning for Portland, Or. She is at present stopping at the Lull House.

James H. Miller, wife and daughter returned from Humboldt county yesterday. They had been gone five weeks.

Mrs. H. D. Gamble, who has never been out of this State, departs to-night for Rochester, New York, on a six months' visit to Mr. Gamble's parents.

Mrs. Dr. O. Harvey, son and daughter left for the East last evening, the son returning to the Massachusetts Institute of Technology and the daughter going to Ogant's Young Ladies' Institute, near Philadelphia.

Arrivals at the Capital Hotel yesterday: J. Myers, New York; John Prewett and wife, S. D. Goff, Kentucky; A. Schwartz, San Francisco; Ed. Christy, Folsom; W. Barnes and wife, Yolo; C. P. Sprague, Woodland; A. Brewster, San Francisco; Al. Sutheland, Ione; C. E. Jarvis, Ione; A. Martin, Rocklin; Al. Brown, Colfax.

Miss Sibyl Sanderson, the California prima donna, is becoming very stout, and it is reported that her rapidly increasing embonpoint will have an unfavorable effect upon her beauty. Few singers with any tendency to stoutness can stand the regime imposed upon them, which comprises a light early dinner and a heavy supper, the chief meal of the day, taken after the performance.

Arrivals at the Golden Eagle Hotel yesterday: D. P. Pierce, D. W. Brown, Carson; W. L. Heise, Cincinnati; S. W. Scott, New York; Mrs. C. Silent, Los Angeles; S. Caro, New York; W. E. Dargie, Oakland; Hiram Bailey, Thomas Molloy, S. Bordman, D. C. Brown, D. W. Martin, W. S. Pelonge, Bart Morgan, Supervisors of Alameda county; F. R. Porter, Oakland; H. N. Munn, Colfax; M. J. Connolly, L. Abrahams, Dubuque; H. S. Wright, Visalia; George J. Lamby, Sam Thall and wife, E. Fagan and wife, N. P. Vallejo, A. Bunster, L. Abraham, San Francisco.

EXPERT FORGERY.

A Smooth Individual Works Stockton, and Then Disappears.

The City of Stockton was visited by an accomplished forger during the latter part of last week, who succeeded in passing forged checks on at least eight prominent business houses of that city, and then departed.

As it is believed that he headed for this city when leaving Stockton, a description of his appearance and *modus operandi* might be of interest. He is about 5 feet 4 inches in hight, of medium build, has blonde hair and mustache, and a pale face. He is described as being a good dresser and an excellent conversationalist. To give an idea of the manner in which he works, the following is taken from the Stockton *Mail's* account of his operations:

"At noon on Saturday the sleek operator went to Logan & Doan's furniture store, on Main street, near California, and purchased from Theodore Franks, the salesman, bedroom furniture worth $48 25. He gave a check for $68, which the salesman accepted, the members of the firm being absent. The young man received $19 75 change, and ordered the goods to be delivered this morning at a certain number on Rose street. After he had gone Franks stepped across to John Hermann, at the Chicago saloon, and the latter cashed the check as an accommodation. This morning he presented it at the Farmers' and Merchants' Bank, on which all the checks were drawn, and found it to be a forgery. He went back to the furniture store with it, and just as he arrived saw the driver of the wagon returning with the furniture, no such number as had been given existing on Rose street."

Other houses were swindled for amounts varying from $10 to $30, there being no doubt as to the work being all done by the same individual. It is thought that he obtained several hundred dollars altogether, and also several trunkfuls of clothing.

YOLO IS NOT DEAD.

The Woodland "Mail" Puts Life Into the Drowsy People.

The Woodland *Mail* of yesterday has an article which proves that all the people of our neighboring county are not dead nor sleeping. With commendable enterprise the *Mail* has determined that Yolo shall be represented at the State Fair, and since the Business Men's Association has given it up that paper proposes to get up the exhibit. The article has the right ring, and we print it in full:

"Monday afternoon the committee appointed by the Woodland Business Men's Association held a meeting in Lawson & Walker's office and decided to abandon further efforts to get up a Yolo county exhibit for the State Fair. This action was due, the committee alleges, to the lack of encouragement given them by the public.

"The *Mail* said some weeks ago that Yolo county *must* have an exhibit at the State Fair, and it meant it. We have determined to take hold of the exhibit and push it through, with the assistance of citizens. It shall be an exhibit which will be creditable to Yolo county—a better one than she ever before put up for the State Fair.

"Men will be put in the field at once to gather together its elements. Every man's exhibit will be described and identified by tastily printed labels. The fair opens next Monday. Part of the exhibit will go forward Saturday of this week, and large additions on Monday, Tuesday, Wednesday and Thursday of fair week. The perishable fruit display will be replenished from day to day. The *Mail* calls upon all to cooperate with it in this matter."

SUPERIOR COURT.

Department One—Armstrong, Judge.

TUESDAY, September 3, 1889.

Ferguson vs. Gates—Continued by consent for the term.

In the matter of the assignment of Godfrey Politz—Hearing of account of assignee; continued until September 5th.

Ida Stafford vs. John T. Stafford—Divorce granted to plaintiff.

Andrea McKee vs. Thomas H. McKee—Divorce granted to plaintiff.

People vs. George Nelson—Motion to arrest judgment overruled.

People vs. Ah Sam—Defendant arraigned and pleaded not guilty to charge of assault to commit murder.

Department Two—Van Fleet, Judge.

TUESDAY, September 3, 1889.

In the matter of the estate of D. Furman—Ordered that a commission issue to take certain testimony.

NO LONGER A TERROR.

Modern Treatment that Cures Constipation.

According to the San Francisco dailies a remedy has been discovered that with almost unerring certainty overcomes constipation. It is the new laxative principle in Joy's Vegetable Sarsaparilla. The papers are full of recent occurrences confirming its efficacy, and we give place to their last sensation, a card from San Francisco's well known lady manicure. She says: "I am willing to relate the following experience. I have for years had a weak stomach attended with constipation, and never found but one preparation that helped me and that soon wore out and lost its effect, and I was again a sufferer till I tried Joy's Vegetable Sarsaparilla. It has thoroughly reorganized me. I had one of the most sensitive of stomachs and was in continual distress, but can with the aid of Joy's Vegetable Sarsaparilla now eat any and everything with my old accustomed freedom. I am both surprised and delighted, and gladly recommend it."

CLARA MELVIN, Manicure,
126 Kearney street, S. F.

IF health and life are worth anything, and you are feeling out of sorts, and tired out, tone up your system by taking Dr. J. H. McLean's Sarsaparilla.

WHY suffer with dyspepsia, biliousness or any disease of the liver, when you can be cured by Simmons Liver Regulator.

NEW ADVERTISEMENTS.

METROPOLITAN THEATER.
CHAS. P. HALL.....Proprietor and Manager
L. HENRY.....Business Manager
SEPTEMBER 6th AND 7th.
ENGAGEMENT OF THE DISTINGUISHED ACTRESS,
ROSE COGHLAN!
Under the management of AUGUSTUS PITOU.
Friday Evening in Her Romantic Drama,
JOCELYN!
☞ Special Saturday Matinee ☜
FORGET-ME-NOT!
Miss Coghlan in her great character Stephanie.
Saturday Evening,
Chas. Reade's Charming Comedy,
Masks and Faces!
MISS COGHLAN as Peg Woffington.
PRICES—50 cents and $1. No higher. Seats on sale Thursday. s4-

SPECIAL SALE!

ANOTHER CONSIGNMENT OF ELEGANT Furniture to BELL & CO., Auctioneers, and that must be sold on FRIDAY, SEPTEMBER 6, 1889, at 10 A. M., sharp, at Salesroom, No. 927 K street. This consignment consists of about twelve Silk Bed Lounges; one magnificent Shell-back Parlor Suite known as the Duke Alexander suite; three Silk, Plush, and Satin Parlor Suites, very handsome; three Cherry Large Arm Parlor Chairs, very elegant; six Harp Chairs, cherry and antique oak; three "Grandmother's" Rockers; four 18x40 Ropey, White, Gilt, and Bronze Easel Parlor Mirrors; two Brass Tables, plush tops; six California Oil Paintings; two 18x40 Plush-lined Mirrors, gilt frames; and a large variety of other goods.
☞ The above goods will be on exhibition Wednesday afternoon and evening, and until time of sale, when they will positively be sold. Terms cash. s4-3t

SPECIAL NOTICE.

New Departure

OWING TO THE MARKED INCREASED attendance this year at the Circuit Fairs, and the immense throng of visitors that will be at the coming State Fair, we have come to the conclusion to accommodate all the horsemen and patrons of the pool box, and the public in general. We have constructed a mammoth out-door pavilion on the corner of **Seventh and K streets**, Sacramento, lit with electric lights and seating accommodations for all, besides being cool and comfortable, and will not in the least be crowded.
☞ N. B.—Sealed bids for the bar, refreshment stands, and other privileges, will be received up to **Friday, September 6, 1889**, at our office, 20 Leidesdorff street, San Francisco. All bids to be accompanied by the cash or certified check. We reserve the right to locate our stands, offices, chair room, etc. We also reserve the right to reject any or all bids. The entire privileges to be let in one bid; or, in other words, a lump bid for all privileges.
S. B Whitehead & CO.,
s4 3t 20 Leidesdorff St., San Francisco.

JAMES I. FELTER. W. B. FELTER.
FELTER, SON & CO.,
IMPORTERS OF AND WHOLESALE DEALERS IN FINE
Wines & Liquors,
Key West, Eastern and California
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California Wines and Brandies.
ARCADE BUILDING,
1008 and 1010 Second st.
P. O. BOX 33. TELEPHONE 87.
Agents for TOLENAS and ETNA Waters.
Goods delivered to any part of the City. 3ptf

AUCTIONS.

Auction Sale
BELL & CO., AUCTIONEERS,
—WILL SELL—
WEDNESDAY, September 4,
AT 10 O'CLOCK A. M. SHARP, AND WITHout reserve, the elegant and well-kept Furniture of residence **No. 1214 H street**, in part as follows: Parlor Furniture, Ornaments and Lace Curtains, four Cherry and Antique Oak Bedroom Sets, Spring and Top Mattresses, fine Feather Pillows, Bed Clothing, elegant Sideboard and Extension Table, Dining Chairs (antique oak). Also, Brussels and Ingrain Carpets throughout the house, fine Range and fixtures, Stair and Hall Carpet, Hat Rack, Crockery, Glass and Wooden Ware, Garden Hose and Tools, etc.
☞ Sale positive. ☜
s2-td [B. C.] BELL & CO., Auctioneers.

W. H. SHERBURN,
—DEALER IN ALL KINDS OF—
Furniture, Stoves, Bedding, Upholstered Goods, Crockery, Pictures, Carpets, Etc, Etc.
I carry the LARGEST ASSORTMENT of
SECOND-HAND HOUSEHOLD GOODS
IN SACRAMENTO.
A List of Some of My Prices:
Second-hand Bedroom Sets (7 pieces), with mattress, from.....$15 upwards
Stoves, from.....$8 upwards
Toilet Sets, colored (7 pieces).....$1 50
Toilet Sets, China (6 pieces).....$2 00
Higgins Carpet.....75c per yard, sewed and laid
Pictures, from.....$1 per pair upward
Harness, from.....$6 a set upwards
Wood Seat Chairs, Rockers, Diningroom Chairs, Etc., Etc.
W. H. SHERBURN.

Gained 15 Pounds.
"I have been a great sufferer from Torpid Liver and Dyspepsia. Every thing I ate disagreed with me until I began taking
Tutt's Pills
I can now digest any kind of food, never have a headache, and have gained fifteen pounds in weight."
W. C. SCHULTZE, Columbia, S. C.
SOLD EVERYWHERE.
Office, 44 Murray St., New York.

Notice to Contractors.

NOTICE IS HEREBY GIVEN THAT SEALED proposals for building two Infirmaries at the Napa State Asylum for the Insane will be received at the office of the Secretary of the Board of Trustees of the Napa State Asylum, up to 11 A. M. of
Thursday, September 5th, 1889,
And at the Asylum until 12 o'clock noon of said day, at which time and place said proposals or bids will be opened. No bid will be received or considered unless accompanied with a good and sufficient bond for at least ten per cent. of the amount of the bid, conditioned that the party bidding shall within ten days after the acceptance of his bid, enter into contract with said Board of Trustees for the building of said Infirmaries, according to the plans and specifications therefor, and give a good and sufficient bond, with two sufficient sureties thereto, in the penal sum of ten per cent. of the amount of the accepted bid for the faithful performance of his contract. Said bond to be approved by the Board of Trustees of the Napa State Asylum. This notice is made in pursuance of an Act of the Legislature entitled an Act to regulate contracts in behalf of the State in relation to erections and buildings, approved March 23, 1876, which Act is hereby referred to and made a part of this notice. Said Infirmaries are to be completed within six months from the date of contract, with forfeiture by contractor of twenty dollars for each day in excess of time specified. Payments of seventy-five per cent. on architect's estimate to be made monthly.
Plans and specifications to be seen at the office of the Secretary, No. 29 Brown street, Napa; at the office of the Secretary of State, Sacramento; and at the office of Copeland & Pierce, No. 126 Kearny street, San Francisco.
By order of the Board of Trustees Napa State Asylum for the Insane.
C. B. SEELEY, Secretary.
Dated Napa, August 5, 1889. au7-5tW

PHELAN BUILDING, SAN FRANCISCO, CAL., August 28, 1889.—Sealed proposals will be received here, and at the office of the Acting Commissary of Subsistence, Fort Bidwell, Cal., until 12 M., WEDNESDAY, October 2, 1889, and then opened, for furnishing and delivery at Fort Bidwell (33,300) thirty three thousand three hundred pounds of flour. Proposals for the delivery of the flour at the usual places of delivery in San Francisco will be received up to and opened at the same hour, by the Purchasing and Depot C. S. at San Francisco. Preference given to flour of domestic production, conditions of quality and price (including in the price of foreign productions or manufactures the duty thereon) being equal. Circular of instruction to bidders will be furnished on application to those receiving bids. JOHN P. HAWKINS, Major and C. S., Chief C. S.
se3, 4, 5, 6, 30, oct

The best place in California to have your printing done. A. J. Johnston & Co., 410 J street, Sacramento.

ADVERTISEMENT OF HALE BROS. & CO.

Still They Come!

IN ADDITION TO THE LIST OF FALL GOODS DETAILED IN OUR ANNOUNCEMENT A FEW DAYS AGO, WE ARE IN RECEIPT OF THE FOLLOWING LINES, WHICH ARRIVED TOO LATE TO BE CHRONICLED.

Tricots at 25 Cents.

A LARGE LINE OF THESE, SHOWING FIFTEEN SHADES, THE GOODS ARE DOUBLE FOLD, AND SHOW EXCEPTIONAL VALUE. TRICOTS SUCH AS THESE WOULD BRING MORE MONEY ELSEWHERE.

Princess Cloth.

THIS IS A FABRIC ALLIED TO THE BROADCLOTH, ONLY MUCH MORE DESIRABLE. SPECIALLY ADAPTED TO JACKETS, REDINGOTES AND SNUG-FITTING, TRIM-APPEARING STREET COSTUMES. PRICE, $1 50 PER YARD.....COLORS ARE:

MARRON,	GARNET,
ACAJON,	PILOT BLUE,
GRAY,	SAPPHIRE,
MYRTLE,	GROS BLEU,
CROCODILE,	BLACK.

Combination Suits.

A NEW LINE AT $12 50 THE SUIT. SIX YARDS OF PLAIN; FOUR OF FANCY. THE LATTER A FOUR-TONED BROAD STRIPE. SIX STYLES: BLACK, FOREST GREEN, PORCELAIN, MARINE, WOOD BROWN, BLUE SLATE.

HALE BROS. & CO.
Corner Ninth and K Streets.....Sacramento.

THERE ARE MANY USES FOR SAPOLIO.
To clean tombstones. To renew oil-cloth. To renovate paint. To brighten metals.
To polish knives. To scrub floors. To wash out sinks. To scour bath-tubs.
To clean dishes. To whiten marble. To remove rust. To scour kettles.
EVERYBODY USES IT.
Dentists to clean false teeth. Surgeons to polish their instruments. Confectioners to scour their pans. Mechanics to brighten their tools. Cooks to clean the kitchen sink. Painters to clean off surfaces.
Engineers to clean parts of machines. Ministers to renovate old chapels. Sextons to clean the tombstones. Hostlers on brasses and white horses. Artists to clean their palettes. Wheelmen to clean bicycles.
Housemaids to scrub the marble floors. Chemists to remove some stains. Carvers to sharpen their knives. Shrewd ones to scour old straw hats. Soldiers to brighten their arms. Renovators to clean carpets.
EVERY ONE FINDS A NEW USE.

BEST IN THE WORLD!
$3-W. L. DOUGLAS SHOE-$3
For Gentlemen
IS A FINE SEAMLESS CALF SHOE, WITH DONGOLA TOPS and Oak-Leather Bottoms. They are made in Congress, Button and Lace on London Cap Toe, Narrow Cap Toe, and Plain French Toe Lasts, in sizes from 5 to 11, including half sizes and in all widths. If you have been paying from $5 to $6 for Shoes of this quality, do not do so longer. One pair will wear as long as two pairs of common shoes sold by dealers, that are not warranted by the manufacturer.
BOYS' SIZES IN THE DOUGLAS SHOE, $2 and $2 50.
Our claims for this Shoe over all other $3 Shoes Advertised are:
1st. It contains better material.
2d. It is more stylish, better fitting and durable.
3d. It gives better general satisfaction.
4th. It costs more money to make.
5th. It saves more money for the consumer.
6th. It is sold by more dealers throughout the United States.
7th. Its great success is due to merit.
8th. It cannot be duplicated by any other manufacturer.
9th. It is the best in the world, and has a larger demand than any other $3 Shoe advertised.

Douglas Shoes for Ladies.
A fine substantial Kid Button Shoe on the "Medium Common-sense" style. Price...$3.
For Sale by
WEINSTOCK, LUBIN & Co.
400 to 410 K street, Sacramento,

Wood-working MACHINERY
Of all kinds, of Best Make, an LOWEST PRICE.
SAWMILL AND SHINGLE MACHINERY.
Hoe Chisel Tooth Saws, etc.
ENGINE GOVERNORS
Iron-Working Tools,
Crosby Steam Gauges
ENGINES and BOILERS OF ANY CAPACITY, Etc.
TATUM & BOWEN,
84 & 86 Fremont st., San Francisco,
f8W Manufacturers and Agents.

MANLY COURAGE AND VIGOR RESTORED
HOW TO ACT! ADVICE FREE! Men suffering from Lost Vigor, Nervous Debility, Premature Decline, etc., resulting from indiscretions, excesses, etc., cured without Stomach drugging, by THE MARSTON TREATMENT. Sealed book sent free. Address, THE MARSTON CO., 19 Park Place, New York.
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Goff's Giant Globules, Strongest Invigorant known.