

LAW'S UNCERTAINTIES.

THE SUPREME COURT DECIDES MANY KNOTTY POINTS.

Decisions Filed Yesterday in a Large Number of Appealed Cases, with Varying Results.

The following large batch of Supreme Court opinions were filed in the office of J. S. Williams, Clerk of the Sacramento District, yesterday:

Morgan et al. (respondents) vs. Lones—An action to quiet title to several lots in Nevada City. As to some of the lots, the lower court gave judgment for the defendant, and to the other lots gave judgment for the plaintiff.

The will of the people governs. Gibson (respondent) vs. The Board of Supervisors of Trinity County—In October, 1888, the Board of Supervisors of Trinity county ordered a general election, at which the question of the amount of \$14,000, for purpose of building bridges, was to be submitted.

A Sacramento general election. This was a suit to enjoin the enforcement of an assessment of the stock of a corporation on the grounds that the meeting of the Board of Directors at which the assessment was ordered was not legally called, and that the assessment was not made for any of the purposes allowed by law.

P. T. McClure and J. A. McClure (appellants) vs. McClure (appellee) and Amanda Colyear, his wife—The defendant's appeal to plaintiffs' complaint was sustained with leave to plaintiffs to amend. For their failure to do so, judgment was granted, their default was entered and judgment in favor of the defendants was entered on the grounds that the plaintiffs' complaint was amended.

The complaint expressly avers that both defendants knew of and acquiesced in the rights of plaintiffs until within six days next before the commencement of this action. The demurrer was sustained on the ground that the complaint was indefinite and uncertain; but we think it sufficiently certain to put the defendants to their answer. The judgment is reversed and the cause remanded for further proceedings.

C. C. Smith (appellant) vs. E. H. Smith, The Supreme Court says: "A rehearing was granted in this case, and the same has been reheard, but we adhere to our former decision and adopt the former opinion of the commission and Hayne as the opinion of the court. The judgment is reversed and the cause remanded for a new trial as to said property and the judgment and order are in all respects affirmed, the appellant to recover one-half of the costs on appeal."

Wilson vs. Devine—The question in this case is, whether the judgment in a prior action is an estoppel to a second action. Wilson sued Devine and wife for tearing out his dam and interfering with the diversion of water into the Turlock stream at his dam. Judgment was rendered for \$1 damages, with an injunction restraining the defendant from interfering with the dam.

Several new cars for the Central Street Railway Company arrived from Stockton yesterday. They are a great improvement over even the splendid ones already in use, having electric bells and other late improvements. But most important of all is the running gear, which is of the Philadelphia. It is claimed to be so perfect that the cars will ride as smoothly as the finest roller.

The annual catalogue of Atkinson's Sacramento Business College, which has just been issued, is something out of the usual run of such publications. It is a neatly printed and handsomely illustrated book of fifty-two pages, containing a list of the various departments of the institution; letters of acceptance from the various departments of the State, who form the Advisory Board of the college; and a list of the names of the number of leading business houses, calling for young men and young ladies to fill positions. The fact, that out of some 300 letters of acceptance, the college has secured a remarkable home endorsement.

The Howard Benevolent Association reports 17 men, 38 women and 60 children, making a total of 115 persons, assisted during the month of August by the granting of \$717 disbursements. The disbursements for the month aggregated the sum of \$262.04 outside of an estimated value of \$47.45 dispensed in the way of second-hand clothing. The total value of goods received by donation during the month was \$41.50.

Mr. George Higgs, who lives at the northwest corner of Fourteenth and E streets, had some extraordinary bunches of Muscat grapes growing in his yard which he exhibited in place on exhibition in the Exposition building, the day before yesterday. Yesterday morning he awoke to find that they had all been stolen. He thinks they were taken by the boys who play ball in the street there every day.

Dr. H. L. Nichols, Secretary of the City Board of Health, makes the following report of the city's mortality for the month of August: Total deaths, 23; under one year, 6; between one and five years, 3; between five and ten years, 2; between ten and twenty years, 2; between twenty and forty years, 7; between forty and sixty years, 6; between sixty and eighty years, 5; females, 5; natives born, 15; foreign, 8.

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UNFORTUNATE AFFAIR.

AN UNKNOWN MAN MEETS A VIOLENT DEATH AT BRIGHTON.

The village of Brighton (or Perkins, as officially designated) was last evening the scene of a most unfortunate affair, in which an unknown man lost his life at the hands of T. C. Perkins, the Postmaster, an old and esteemed resident of the place. Charles C. Perkins, his son, was seen late last night, and he made the following statement in regard to the tragedy.

"We have a store and saloon at Perkins station. The deceased was a stranger who had been at work picking hops for Mr. Menke. He was discharged yesterday morning and came to our place about noon and acted very disagreeable. He made trouble for us around the store all the afternoon. There were ladies and other customers to be waited on, and he was interfering and creating a great deal of trouble."

"Mr. White, one of the clerks, ran him out once, but he remained around, and forth between our place and Mr. Perkins all the afternoon. Three men came along in a wagon and deceased gave them some offensive remarks, and one of them got down and commenced punching him, but the Constable was there and separated them. After that he was very abusive, being full of whisky, and created a great deal of trouble, as will be seen by the following account of the case."

"My father was in Sacramento all day. When he came home this evening the man was still around the store. There were present William Fay, George Gandy, my father and I, and another man, who works for John Rooney. I do not know his name, but every one knows him. He was sitting there on the porch, and this fellow came around again and began making himself disagreeable. He set down bad remarks, and my father told him to shut up. At that he became more abusive, and my father told him to get out. He gave him a little kick with his foot, striking him just back of the ear. It was so dark he did not see where he was kicking him. My father then walked out and we stayed there for a few minutes. The fellow sat there for a few seconds and then fell over. I had no idea he was hurt much and thought he was 'playing off.'"

"After a few minutes, as he did not get up, we went and picked him up, and saw from his face that he was in a bad condition. We got some water and put it on his head, and tried to get some whisky down his throat, and used every possible means to bring him to. Then I went and ordered a buggy hitched up and sent for Dr. Manlove. He was treated for quite a while, but died in about fifteen minutes, and was dead when Dr. Manlove got there."

"We telephoned to the Coroner and I called another buggy, and my father and I came to Sacramento and went to Albert Johnson's house, and related the circumstances to him. We were met by Sheriff McMillen's and my father surrendered himself to him."

"My father feels terribly about the unfortunate affair. It was wholly accidental, as he had no idea of hurting him, or doing anything more than make him shut up and go away."

A Record-Union reporter went out to Brighton last night with Deputy Coroner Clark and Assistant Watson, and gathered some particulars of the affair from several eye-witnesses. They all agreed that the deceased had given Mr. Perkins every reason to be angry, and in fact two of them admitted that they, too, had had trouble with the man. The clerk in one of the stores stated that deceased came into his place while he was sitting on some ladies, and began using vulgar and profane language. The clerk says he went out to deal with him, and that he struck the ladies, but he only became more abusive and foul-mouthed. The clerk then went out and administered several blows, which had the effect of making the man leave the place and go to Perkins's side. There he became abusive again, and became involved in several other rows.

Supervisors Tebbets and Greer drove by the scene, and the individual who ran out into the road and tried to stop the team. Finally he took a seat in front of the car, and the driver, Mr. Perkins, saw a couple of farm hands who were the only persons near him, so he began to abuse them. Finally Perkins, who was not a very good walker, or to be the man said, 'I've stood enough of this.' The man fell over upon the ground and in a moment he was no more. Nobody thought anything of it at first, but when it was noticed that he did not move Perkins went back and commenced shaking him. Still he did not move. A bucket of water was then procured and the man's face was washed, and the man's head bathed, but to no purpose. Then the doctor was sent for, and it was soon learned that the man was dead.

All of the persons seen were positive that the blow was struck with the hand, and was not a kick.

It is taken to the Police Court and Seriously Affects Judge Buckley. The warfare which has for months past been waged with increasing bitterness in an printed and handsomely illustrated book of fifty-two pages, containing a list of the various departments of the institution; letters of acceptance from the various departments of the State, who form the Advisory Board of the college; and a list of the names of the number of leading business houses, calling for young men and young ladies to fill positions.

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The splendid new things in Silks and Fine Woolens for fall and winter are attracting much attention. One of the largest show windows is filled with a display of some of these novelties. It will be noticed that we also have a very fine collection of Trimmings in Fringes, Persian and Tinsel Embroideries, Fancy Gimps, Braids, and Beaded Work.

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Scrofula
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On the Down Grade.
Yesterday morning officer Agner arrested a boy named Harry Fisher, and he was held in jail on a charge of vagrancy. The officer says that the boy spends most of his time around the streets and in disreputable houses. He is also the boy who, in the case of the Chinese gamblers, of disturbing the peace, was also dismissed at Brighton.

More Elegant Furniture.
Another large consignment of new and elegant furniture has been received by Bell & Co., auctioneers, to be sold on Friday, at their salesroom, 427 K street. The goods will be on exhibition this afternoon, and until the day of sale.

I used Simmons Liver Regulator for indigestion with immediate relief.—O. G. Sparks, ex-Mayor, Macon, Ga.

Scrofula
Probably no form of disease is so generally distributed among our whole population as scrofula. Almost every individual is at some time or other afflicted with it. The terrible sufferings endured by those afflicted with scrofulous sores cannot be understood by others, and the gratifying nature of a remedy that cures them, establishes a well person. The wonderful power of

Hood's Sarsaparilla
In elucidating every form of Scrofula has been so clearly and fully demonstrated that it leaves no doubt that it is the greatest medical discovery of this generation. It is made by C. I. HOOD & CO., Lowell, Mass., and is sold by all druggists. It never opens a mouth," added Mrs. Dunn.

Several of the Dunn family, including her two daughters, substantiated her story. Judge Buckley wiped the streaming brow and looked dazed. Never in his judicial experience had he been treated to such an exhibition of tall weaving.

Batter Goldstein came to his Honor's rescue with a speech in behalf of his client, Mrs. Marshall. He argued in his own original way that no case had been made out against Mrs. Marshall, and that she was only a persecuted witness.

His Honor did not attempt to