

DAILY RECORD-UNION THURSDAY, SEPTEMBER 18, 1890 ISSUED BY THE SACRAMENTO PUBLISHING COMPANY.

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.

THE WEEKLY UNION In the cheapest and most desirable Home, News and Literary Journal published on the Pacific coast. The SUNDAY UNION is sent to every subscriber to the WEEKLY UNION.

Several of the Democratic papers are declaring that the Supreme Court has not decided that the removal of an elector from his precinct within thirty days prior to the election disqualifies him from voting.

There is a distinct, and it is clear, also, a vicious purpose in making this claim. The scheme in the place of its origination is intended to confuse electors and prepare the way for disqualifying as many Republican voters as possible.

To give some color to this position it is boldly asked that an agreed case be made and sent up to the Supreme Court, since, it is held, that reference by the Supreme Court to this point in Russell vs. McDowell, 83 Cal. Reps., is dictum only, and that no issue of that character was directly passed upon.

Now as a matter of fact the point was emphatically decided; it was one of the chief foundations of the judgment. The treatment of it by the Supreme Court was not dictum, but decision.

Under that decision, therefore, if an elector removes from his precinct on the 30th day, or later, prior to election, and into another precinct, he will not be entitled to vote at the election.

The decision of the Supreme Court completely destroys the popular belief that the voter retains his qualification in one precinct until he gains an elector's rights in another.

The Supreme Court at that point in the argument interposes its voice, and it says: The provision of the Political Code referred to was sound under the old Constitution, but is valueless under the Constitution of 1879.

Immediately after the adjournment of the Board, the Mayor went over to the Police Station, and finding Judge Buckley and Chief Drew there, he called a special meeting of the Board of Police Commissioners.

Now, says the Supreme Court, under the Constitution we have three prerequisites imperatively necessary to qualify one to exercise the right of a voter on election day, to wit: Residence in the State one year prior thereto, in the county ninety days, and in the election precinct where the citizen proposes to vote, for thirty days next preceding the election.

Examination of the debates of the Constitutional Convention emphasizes this ruling of the Supreme Court. It was the intention of the framers of the organic law that every man who removes from his precinct within thirty days prior to election, shall for that election be forbidden to vote.

That the law was not to this date been enforced with strictness, is confessed, but since the Supreme Court, so late as February, 1890, has held as we have quoted, there should be no more laxity in this matter.

thirty days residence in the precinct prior to election is an absolute necessity to secure the right to vote, and that removal of residence from an election precinct on or after October 4th of this year, disables an elector from voting at the general election in November.

Medical Advance deplors the weakness and shortsightedness of humanity in praising physicians to the skies who treat in a long sickness from which the patient recovers aided by strength of his vitality and the exhaustion of the disease, but that gives no praise to the doctor for preventing sickness by an accurate prescription that checks disease in its incipient stages.

That is not to be wondered at. It is the sense of danger that makes us thankful for the rescue from it. But where we are prevented by skill from running into danger we are apt to think that, after all, the ill might not have come upon us.

Prof. W. Gilman Thompson, M. D., of the New York University, reports four successful trials of brain grafting. There is a wide field for the exercise of the doctor's skill in the Municipal Board of Sacramento.

Another Wrangle Over the Provisions of the Franchise. A special meeting of the Board of City Trustees, called by the Mayor, was held yesterday morning.

The object of the meeting was to consider the matter of amending the electric railway franchise, so that it would be acceptable to the present owners of the road, as well as Mr. Henry, Groves L. Johnson, Albert Johnson, E. K. Alsip and L. L. Lewis were the interested parties present.

Mr. Alsip addressed the Board and urged them to amend the franchise as had been requested at Monday's meeting. The position of the owners of the road was fully explained at that time, and it was shown how great their risk would be should they give up their old bonds and accept of new ones.

Trustee McLaughlin said he did not believe in taking any power out of the hands of the Board and leaving it to the Courts. The Trustees were elected to guard the people's property, and they ought to have immediate control over all franchise matters.

Mayor Comstock read the following proposed amendment which he said would be satisfactory to all parties if the Board passed it: Ordinance 265 is hereby amended as follows: After the words "upon which said poles are erected" insert the following: "and provided, further, that the action of the Board shall be subject to review by the proper Courts, and the city shall not have the right to remove or to compel the removal of such poles if it shall appear to the Courts that the use and maintenance of said system is not unsafe or dangerous."

Trustees Wolf and McLaughlin objected to the amendment, and another was read which provided that the words "annul" and "this ordinance and" be stricken out of the original franchise. This was satisfactory to all the members of the Board and it was passed unanimously.

Mr. Alsip remarked that the amendment passed was not what the owners wanted, and that they did not propose to cloud the title to their property. NODDY COMPLAINING. Chief Drew's Answer to the Mayor Regarding Gambling.

Mayor Comstock became alarmed over the insinuations made by Trustees Wolf and McLaughlin at the meeting yesterday, to the effect that he (the Mayor) was at the head of the police department and could stop gambling in town if he was at all inclined to do so.

The Chief said that he believed the officers were doing what they considered their duty. So far no complaints had been made at the Police Station against the gamblers, and he thought that if the people were bothered they had better prefer their charges to the law violators.

The Mayor named a dozen places where, he said, gambling was going on at full blast, and he did not see why the officers were not investigating a little more closely. Judge Buckley had nothing to say, beyond remarking that he had simply heard that unlawful gaming was in progress.

THE BRIGHTON TRAGEDY. DETAILS GIVEN AT THE CORONER'S INQUEST LAST EVENING.

Menke Was Not Shot in the Head—The Jury Finds an Ordinary Verdict.

Coroner Clark held an inquest last evening in the case of Abner R. Menke, the young man who was shot about two miles east of Brighton on the Folsom road, last Monday evening, in a difficulty between himself and John J. Glacken, and an employee of the latter.

The jury sworn to hear the evidence were James W. Peeries, James H. James, C. P. Evans, J. S. George, Thos. Kirkpatrick, Patrick Gurran, Samuel A. Wolfe, Henry Rogers, Joseph Hopley and John Taffe. Constable Wm. Fey was the first witness sworn. He was working, he said, in a hop-barn, when he heard pistol shots, and running out to the road, he saw Menke, Glacken and Fisher, the hired man, lying in the dust. Menke was lying on his back with his hat covering his face, and the other two men were lying on their sides.

Jerdy Harlow testified that he was informed of the shooting almost immediately after it had taken place, and he hurried to the scene. Glacken was walking across the road with his hands upon his stomach. He called out to witness to get a doctor, and Fisher standing up with his hands pressed against his stomach, Glacken and Menke were lying in the road.

William Garvey swore that he was standing on a hop mound when he heard the shot fired and saw the smoke of the pistols. He hurried to the scene and first saw Fisher standing up with his hands pressed against his stomach, Glacken and Menke were lying in the road.

Thomas O'Brien said he happened to be on Murphy's ranch when he heard the shots. Just before this, however, he noticed Tony Menke, the deceased, sitting in his cart on the road. Glacken and Fisher had gotten out of the cart and were standing in the road to one side of Menke's cart. All three were talking in an ordinary tone of voice and witness paid no attention to what they were saying.

Constable Fey was recalled and he stated that when he arrived on the scene he saw a linen duster in the middle of the road. It must have belonged to Glacken, for witness saw him wearing one a short time before the shooting. Deputy Coroner Clark then read Fisher's statement as published yesterday.

The following certificate from County Physician White, who held a post mortem examination on the body of the deceased, was read: This is to certify that with the assistance of Drs. Ward and Parramore, I have this day held an anatomic dissection upon the body of Abner R. Menke, deceased.

Two bullet wounds were found upon the body. One bullet passed through the upper end of the tibia two inches below the knee joint and was extracted from the back of the leg. The other bullet passed through the fleshy part of the left arm near the shoulder, ran slightly downwards, backwards and to the right, splintering the fourth rib, in its passage it traversed the left lung, wounded a pulmonary blood-vessel and burst itself in one of the vertebrae of the spinal column.

The statement of John J. Glacken, as published in the Record-Union, was also read. The jury then retired, and after about ten minutes' deliberation returned a verdict to the effect that the deceased, Abner R. Menke, was shot by John J. Glacken, and that death resulted from a pistol-shot wound in the left side near the shoulder.

SOCIAL AND PERSONAL. Miss Lizzie Weber has gone to visit friends at the Bay. D. W. East is among the San Franciscans now visiting the city. Ex-Senator Whitney, of Alameda, is attending the State Fair.

Mr. and Mrs. William H. Mills of San Francisco arrived in the city yesterday and are at the Golden Eagle Hotel. They were accompanied by Mrs. Emeline Tracy, Superintendent of the Pacific Library Bureau, and Pacific Coast correspondent of the Western Journalist, of Chicago, and other periodicals, her private secretary, Mrs. Jeanie C. Carter, well known as the wife of ex-State Superintendent of Public Instruction Ezra S. Carr, of Pasadena. The party will attend the State Fair during the rest of the week.

BEECHAM'S PILLS cure sick headache. NEW ADVERTISEMENTS. Summer Corps - Regular meeting at Granger's Hall, Tuesday, September 18th. MATTIE MEDLEY, President. CAROLINE HANCOCK, Secretary.

TRAVELER FOR SACRAMENTO HOUSE wishes side line. TRAVELER, this office. \$50 REWARD - DISAPPEARED FROM THE stable of W. J. Parker, 2610 O Street, last night one large gray horse, one dark gray colt, a year old, also one horse wagon and harness. The above reward will be paid for the return of the property or any information which will lead to its recovery. A. PARKER, 2610 O Street.

ADVERTISEMENTS OF HALE BROS. & CO. OPEN EVENINGS DURING FAIR UNTIL 8 O'CLOCK. SATURDAY EVENING UNTIL 10 O'CLOCK.

Men's \$10 Suits A TEN-DOLLAR PIECE WILL do some wonderful work in our Men's Clothing.

We will give you an ALL-WOOL SUIT, made up strongly and neatly, and in tasty styles. There are over a dozen patterns from which to make a selection.

We make a specialty of TEN-DOLLAR SUITS, and make it a point to give better goods for the money than anyone else. All sizes.

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HALE BROS. & CO., CORNER OF NINTH AND K STREETS, SACRAMENTO, CAL. NEW ADVERTISEMENTS. STATE * FAIR! PAVILION. PAVILION opens daily at 8 A. M. to 5 P. M. and 7 P. M. to 11 P. M.

GRAND CONCERT. EACH EVENING AT THE PAVILION BY Liberati's Band of 50 Pieces. FLOWING CONTEST will take place at Coyte's Ranch, one and a half miles below Whiskey Hill, on TUESDAY, WEDNESDAY and THURSDAY, commencing at 9 A. M.

Third Grand Stock Parade at the Park, commencing at 9 A. M. Also, last Balloon Ascension and Parachute Jump. PARK, THURSDAY, September 18th.

ASSIGNEE'S * SALE! ASSIGNEE'S * SALE! OF THE Entire Stock OF Fine Diamonds, WATCHES, Silverware, JEWELRY, Wm. B. Miller Establishment, 628 J Street, Sacramento, Cal.

GRAND THROTTLING DAY! Races commence promptly at 1 P. M. No. 23 - SUBSTITUTE - TROTTLING - For a purse of \$500, or named horse. The following have been entered: Mattie P. Miller's, Maud H. Cochran's, Rockwood Woodard's, Laura Z. Woodard's, etc.

BASEBALL - CALIFORNIA LEAGUE. THURSDAY, September 18th At 10 o'clock A. M. FRIDAY, September 19th SACRAMENTO VS. STOCKTON. Game called, 3 P. M. Admission, 25 cents. Ladies free.

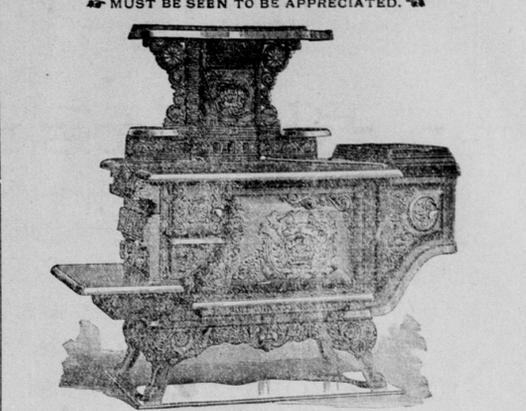
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TUTT'S PILLS have a specific effect on these organs, bringing them to their normal condition, discharging without straining or griping, and IMPARTING VIGOR to the kidneys, bladder and liver. They are adapted to old or young. SOLD EVERYWHERE.

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\$10 WILL BUY A NO 7 BUCK STOVE. \$3.50 WILL BUY A SET OF 44 pieces of beautiful colored DISHES. \$12.00 will buy a 100-piece Set of fine Tinted DISHES. Our house keeps the largest stock of Crockery, Glassware, Cutlery, Stoves, Ranges, Parlor's, Lovers and Tinware in fact, all Goods intended to fit out a house for house-keeping.

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LAST NIGHTS! LAST NIGHTS! LAST MATINEE SATURDAY. 628 N. B. - UPHOLSTERING A SPECIALTY. JOSEPH PIERRE GRISMER! DAVIES!

Under a Yoke! FRIDAY (by request) - Beacon Lights. SATURDAY MATINEE - Two Nights in Rome. EVENING PRICES - 50 and 75 cents, no higher. MATINEE PRICES - 25 and 50c - no higher. Seats now on sale for all performances. 65-14

CLUNIE OPERA HOUSE. CHAS. F. HALL, Proprietor and Manager - TWO NIGHTS ONLY - This Week (Friday and) Sept. 19 & 20. The Representative J. J. Scannlan, ("Peek-a-Boo") in two of his most popular plays, Friday Evening, Saturday Evening, MYLES ARDON, SHAW - NA-LAWN, In which Mr. Scannlan Mr. Scannlan singing will sing "You and I," "Peggy Moore," "The Love," "My Magnificent Rose," "Gather 'em, My Love, Oh! Singing the Myrtle With Live," "The Swinging Mary," "Remember, Song," and his always "Roy, You're Irish," and popular "Peek-a-Boo," "Peek-a-Boo."

Exciting Sport With Greyhounds, AT AGRICULTURAL PARK, ON SUNDAY, September 28th, commencing at 1 o'clock sharp. The artificial hare is supped out to travel like a minute if necessary, entrance fee, each dog, \$5; purse made according to entries on day of race. Admission, 25 cents. 615-748U J. PINARD, Proprietor.

MIND-READING. DR. DYER, THE CELEBRATED MIND- reader, at Metropolitan Theater, at 10 o'clock sharp. The artificial hare is supped out to travel like a minute if necessary, entrance fee, each dog, \$5; purse made according to entries on day of race. Admission, 25 cents. 615-748U J. PINARD, Proprietor.

TO THE PUBLIC. TO THE MANY THOUSAND PEOPLE WHO will visit Sacramento within the next few weeks we extend a cordial invitation to visit our store and get prices, whether wanting to purchase or not. Our stock comprises First-class Stoves, Crockery, Ranges, Lamps, Gasoline Stoves, Heaters, Oil Stoves, Tinware, Cooking Utensils, Agate Ware, etc.

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