

# THE ARIZONA CITIZEN.

Vol. VII.

Tucson, Pima County, Arizona, Saturday, October 21, 1876.

No. 3.

## THE ARIZONA CITIZEN

— IS —  
PUBLISHED EVERY SATURDAY.

**SUBSCRIPTION RATES:**  
One Copy, one year, \$5.00  
One Copy, six months, 3.00  
Single numbers, 15

**ADVERTISING RATES:**  
Twelve lines in this type, one sq.  
One square, twelve lines, one time, \$3.00  
Each subsequent insertion, 1.00  
Professional cards, per quarter, 8.00

Main death notices, free. Ordinary notices in press, 25 per square; in poetry, 50 per line.

Business advertisements at Reduced Rates. Office Northwest corner Main and Congress streets.

**AUTHORIZED AGENTS FOR THE CITIZEN:**

W. N. Kelly, newsdealer at Prescott, has THE CITIZEN for sale, and has authority to receive and receipt for money due us.  
L. P. Fisher, 20 and 21 New Merchants' Exchange, is our authorized Agent in San Francisco.  
James Abegg, Yuma.  
E. Irvine, Phoenix.  
Dr. J. H. Pierson, Wickenburg.  
WASSON & HARRIS, Proprietors.

**J. C. HANDY, M. D.**

TUCSON, ARIZONA.

CORNER OF CHURCH AND CONVENT.

**H. N. ALEXANDER,**

YUMA, ARIZONA.

ATTORNEY AT LAW.

Will practice in all Courts in this Territory

**PAUL WEBER,**

ATTORNEY AND COUNSELOR AT LAW,

NOTARY PUBLIC.

Mineral Park, Mohave County, Arizona.

**JAMES ABEGG,**

MAIN STREET, YUMA, ARIZONA.

News Depot, Book and Clear Store, Confectionery and Fancy Goods.

**MOULTON & CO.,**

No. 102 F Street, Washington, D. C.

Agents for the Collection of, and hastening the payment of claims against the several Departments of government.

**JOHN E. NAYLOR,**

ATTORNEY AND COUNSELOR AT LAW

AND NOTARY PUBLIC.

Phoenix, Maricopa County, Arizona.

**THEO. F. WHITE,**

CIVIL ENGINEER AND SURVEYOR.

Deputy Surveyor of Mineral Lands,

Tucson, Arizona. 5041

**WILLIAM J. OSBORN,**

NOTARY PUBLIC AND CONVEYANCER.

Special assistance given in obtaining patents for Mining and Preemption claims. Office south side Congress street, Tucson Arizona.

**FARLEY & POMROY,**

ATTORNEYS AND COUNSELORS AT LAW.

Tucson, Arizona.

Notaries Public. Office United States District Attorney. Office on Congress street.

**R. A. WILBUR, M. D.**

CORNER PLEASANT AND CONVENT STS.

TUCSON, ARIZONA.

Will resume the practice of his profession Thursday, July 1. Will give attention by preference to diseases of women and children.

Office hours from 9 a. m. to 3 p. m. and evening.

**RAFAEL SUASTEGUE,**

JEWELER, WATCHMAKER AND ENGRAVER.

Repairs watches, jewelry and watches of all kinds. Also engraves and repairs watches of all kinds. Also engraves and repairs watches of all kinds.

Office hours from 9 a. m. to 3 p. m. and evening.

**J. M. BERGER,**

WATCHMAKER AND JEWELER.

Congress Street, opposite L. M. Jacobs & Co's Store.

Tucson, Arizona.

Having purchased all the tools, implements, merchandise, etc., pertaining to the Watchmaking and Jewelry department of Messrs. Davis & Seddon of Tucson, I am now MORE THAN EVER prepared to do all kinds of work in my line, and at reasonable prices, and warranted for one year.

A fine assortment of Clocks, Watches and Jewelry always on hand for sale. Patrons respectfully solicited. September 30.

**S. W. Carpenter,**

RECORDER OF PIMA COUNTY.

Office in the Court-house, Tucson.

**NOTARY PUBLIC AND CONVEYANCER.**

Water Rights, Mines and Mill-sites, Deeds, Mortgages, Bills of Sale and all other Legal Documents executed properly and promptly at moderate charges. Records searched FREE of charge.

**The Elliot House.**

Florence, Pinal County, Arizona.

W. V. ELLIOT, Proprietor.

THE ABOVE NAMED HOUSE IS amply prepared to accommodate the traveling and home public, and attention is called to the fact that the proprietor

Intends to Merit Patronage

By satisfying his customers with the best of meals.

His bar is always supplied with CHOICE LIQUORS AND CIGARS. 2541

**Palace Butcher Shop,**

MAIN AND DESHOLLE BUILDING, MEYERS STREET, TUCSON, ARIZONA.

**PUSCH & ZELLWEGER, Proprietors.**

THE UNDERSIGNED BEG TO INFORM the public that they have entered into partnership in the Meat and Butcher business at the above old and favorite stand. They intend to conduct their business in a

Fair, Open and Above Board

Manner.

Selling FIRST CLASS meat in its various shapes at as low a price as it can be laid on the block.

Call and Satisfy Yourself.

PUSCH & ZELLWEGER, September 30.

## Wedded Life.

At the single silver chime she hies,  
With golden lights in the brown of her hair,  
She carries away my heart and eyes,  
And leaves me her kiss at the foot of the stair!

Two plump white arms are round my neck;  
Her mouth and her eyes and her heart  
Kiss mine;  
She kisses me words she will not speak,  
Kisses like sunlight mingled with wine.  
Up the broad hall-stair she passes away;  
Into the shadow; out of the light;  
With her last "Good night," for after to-day  
She and I never shall say "Good night!"

The Virginia Enterprise has twice published one of Ingersoll's beautiful paragraphs. It was delivered over the grave of a dead relative. Standing at the final resting place of the dead Ingersoll, the infidel, said:

Without assurance and without fear we give him back, as it were, to Nature, the source and mother of us all. Friend, husband, father, far-thee-well! With morn, with noon, with night, with changing clouds and changeless stars, with grass, with trees and birds, with leaf and bud, with flower and blossoming vine, with all the sweet influences of Nature we leave our dead. Again, farewell!

This is very pretty, but how soulless and dull it is when contrasted with the Godlike words that have so often dispelled the darkness of the valley of the shadow of death. "I am the resurrection and the life; he that believeth in me though he were dead yet shall he live." As much as we dislike the canting hypocrisy of the average professional religious pill, it seems to us that the infidel is worse yet, as more nearly approaching the brute creation.

A book reviewer in the San Francisco Post, among other late publications picks up a book of Dr. J. G. Holland's, entitled "Everyday Topics." His criticism is fair enough as far as it goes but we are attracted by the strangeness of the closing paragraph. The critic says, "It would be unjust to dismiss the book without the remark that it can be safely admitted to any household." This is enough to cause any one familiar with Dr. Holland's literary character to smile, and recalls Weg's delicate subtlety of "Not before ladies."

IN AN ISSUE OF SEPTEMBER 1, THE ALTA California editorially published about the only sensible article it has had for several years past on the Indian question. But the very next day it had a long string of its old familiar bombast about the inherent and unavoidable dishonesty of every body not sanctified with a United States army commission. This latter hobby of the Alta is a little rough, but we suppose it is all true. Because if it isn't so, the Alta writer is either a fool or a hand organ.

THE Rio Grande Eco. of October 7, very sensibly and truthfully remarks: THE ARIZONA CITIZEN, one of the liveliest papers on the frontiers has entered upon its seventh volume with all the evidence of success and prosperity wholly due to its indefatigable and able editors; and it may not be out of place to remark though there are established journals of long standing in this Territory with all the facilities for obtaining news, THE CITIZEN as a general thing furnishes its New Mexican readers with telegraph dispatches four days earlier than any of our New Mexican papers.

Is this terrestrial paradise of southern Arizona, beneath this Indian Summer sun, with these favoring October skies and breathing in this lambent atmosphere, one is constrained to pity the poor people of Prescott upon reading in the Miner of the 19th, that "Winter seems to have set in with rain or hail every day and unusually cold weather for October."

CAN it be that the Miner and its Mohave county offshoot are destined to disjunct? It hardly seems possible and yet there is a show of discord in the family. There is however little chance for disagreement as long as the Miner man eats his words and heeds, on every requisition. Sick-un, Butler.

GEORGE ELLIOT says that a young man's eyes first open to the world when he is in love. This is not always so. Usually it is when he has gone away from home and had his washing sent out for the first time, and finds among it when it is returned an odd stocking with two red stripes about the top, and long enough to button around his neck.

AN Illinois Judge has just decided that a washing bill cannot be collected. There is nothing new in this to the woman of the wash-bench, although it is a great comfort to them to have their past experience and belief sustained by the wisdom of the other bench.

"How nicely they might shoot Indians," says the Rochester Democrat, referring to the rifle teams "if they choose." But the difficulty, is the senseless aboriginals won't stand still while a talented marksman measures off exactly 800 yards and winds his legs around a gun-barrel.

## French at Yuma.

The Sentinel of October 14, commenting on Judge French's late miscarriage, says—

Judge French is clearly of the opinion that neither the Territory nor the people of the Territory can be made a plaintiff in any case without an express law to that effect.

Shades of Marshal, Story, Webster, Choate and all the great judicial lights that have ever shone on our land! hide your diminished heads! for behold an omniscient Dea. come to judgment! May we be permitted to ask this sapient Judge, this sagacious soul, what the civil law was made for? Was it not made for the protection of right and the redress of wrong? And is it not intended to be broad enough in its scope to embrace every case that may arise and remedy every wrong that may be inflicted, without an "express law" being made for each case? And suppose that the law in its express letter does not cover every case, has his Honor in his judicial position, no equity powers? The learned Judge well knows that Blackstone lays down equity to be, "the law of reason, exercised by the Judge, giving remedy in cases to which the courts of law are not competent." In sitting in chambers in cases of this kind the Judge is clothed with both law and equity powers, and it is a shameful perversion of both law and reason to hold that neither the Territory nor the people of the Territory can be made a plaintiff in any case, without an express law to that effect. The mere test of the law can see the absurdity of such a position. But we have neither time, space nor inclination to enter into a lengthy legal disquisition of the question; nor is it necessary to do so to show the utter fallacy of this dogmatical, dogging decision. If the allegations set forth in the complaint were true, then a great wrong had been permitted, by which one county would gain several members of the legislature to which she was not entitled by population, thereby robbing other counties of a just and fair representation.

It was proposed to right this wrong by the only power in the Territory which could do it, the judiciary. Judge French heard the complaint and recognized the Territory as plaintiff in the cause ex rel. the citizens named in the complaint, and granted a restraining order, or in other words, a temporary injunction. This was done on August 7, and the time fixed by the Judge for the defendants to answer was September 20. Now, after great trouble and expense by the plaintiffs in collecting their testimony, which involved great labor and several hundred miles of travel, they are told that they have no standing in court.

If it is true that "neither the Territory nor the people can be made a plaintiff in any case without an express law to that effect," then Judge French knows it as well when he made the temporary restraining order as he did when the case came up on the day appointed for the hearing? If such was his opinion why did he not say so when he entertained the complaint; or did he wait for defendant's counsel to pour light upon his judicial brain? In this case it is not supported by law or reason, but is a purely puerile and pusillanimous, and will excite the contempt and derision of every true lawyer and every intelligent man who hears it. But the matter don't end here. It will go before a power higher than Judge French; a power before which his decisions will fly as chaff before the wind. The legislature will doubtless be elected and will hold its session, and we venture to predict that its every act will be declared null and void by Congress in consequence of its being an illegally constituted body. Arizona has been very unfortunate in the matter of her Chief Justice, Judge Turner was removed because of his general infirmity. Judge Danne was removed because of his spiteful and determined opposition to our free school system. We think that Judge French will soon follow in the wake of Judge Dunne.

A couple of tumble bugs should fall out and turn to pushing their mutual ball of dirt in opposite directions we might regret their foolishness, while charging it to the results of Adam's fall. But what can we say when the Damon of the Albuquerque (New Mexico) Review turns the cold shoulder to his Pythias, Judge Dunne, "dear Tom's" old friend, and erstwhile of Tucson. We find this in a late number of the Review; the reader can make the connection.

He (Major Sena) had the audacity the cruelty to bore the convention with a speech of more than one hour's length, and principally consisting of an attack on Judge Dunne. What in the world do the people of New Mexico care about Judge Dunne! Why should a Territorial convention be held for one solemn hour at the close of a hard day's work to hear Major Sena's opinion of Judge Dunne? What is Judge Dunne to us or to him, that we should be talked to in this way about him.

MR. JOHN P. CLUM and the sixteen Apache Indians were, at last accounts, exhibiting with Barnum's circus in Washington City. They are going to the Centennial. While with Barnum the Indians conceived a strong liking for the great showman and have offered him large inducements to return with them to Arizona and take up a permanent abode with the tribe. They would undoubtedly elect him High Sasachackler at the very outset, and if Barnum is wise he will close the bargain at once.

A boy has written a composition on the turtle, in which he says: "A turtle is not so frisky as a man, but he can stand a hot coal on his back longer without squalling."

The author of "Kathleen Mavourneen," Thomas Crouch, who served in the Confederate army, is living quietly in his Southern home.

## The Territorial Penitentiary.

The Board of Territorial Prison Commissioners, at Yuma, under date of October 2, report in substance, to Governor Safford, for the period from May 1, 1875 to June 30, 1876, as follows:—

There had been received in all eight prisoners, viz: Wm. Hall, Pima county, murder, life. Daniel Cannon, Yavapai county, murder, 31 years. Nicolas Perata, Yavapai county, assault to murder, 1 year. Guadalupe Baldivio, Pima county, forgery, 2 years. John Hoover, Yavapai county, grand larceny and perjury, 5 years. George Bundy, Yavapai county, perjury, 3 years. John Ryan, Yavapai county, robbery, 5 years. Louis Bachman, Maricopa county, embezzlement, 2 years. There has been one prisoner discharged,—Nicolas Perata, confined as above,—leaving seven prisoners remaining. During the building of the prison, the prisoners were engaged in getting out stone, grading, excavating, &c., and since they have occupied the prison they have been at work grading the surrounding grounds, and such other work as was offered by the citizens, outside of prison work. The total expense of the prison proper, that is, board, guards, attendance, fuel, furniture &c., has been \$8,922.89. \$68.57, of the amount for board, and \$59.50 of the amount for medical attendance were paid to persons at Prescott, before prisoners were removed from there, making the actual expenses at Yuma, \$8,794.82. The total number of days included in this report, is 418; actual average expense per day, \$21.04; the average number of prisoners is 6, making the average cost of maintaining each prisoner, \$3.50 per day. The price paid for board of prisoners was at the rate of 75 cents per day for two meals when not at work, and \$1.12 1/2 for three meals when at work. Such is the report to June 30, 1876, and the commissioners add: The expense from this time forward will be about \$475 per month, viz.—Salary of Superintendent, \$150; of Warden, \$115; of Guard, \$90; board of seven prisoners, \$90; medical attendance, &c., \$30. This is exclusive of the necessary fixtures for cooking,—tables and furniture, &c., which will make the daily expense of each prisoner, on the basis of 7, \$2.26. If the number of prisoners increase, the average will be increased. The clothing is done by one of the prisoners and they are fed on the ration principle, the cost of the ration not being over forty cents per day. We have no way of estimating the cost of clothing now but will be able to do so in our semi-annual report, on December 31, 1876. The provisions are furnished by contract, as also the clothing, and these were let, after advertising, to the lowest bidder. The health of the prisoners has been good and their conduct excellent. This report is signed by A. J. Finlay, chairman, David Neahr, commissioner and H. N. Alexander, Secretary.

The bank managers of St. Paul, Minn., have subscribed \$500 toward a fund for the support of the wife and child of J. L. Heywood, the heroic cashier of the Northfield Bank. A circular has been prepared and forwarded to all the banks and bankers in the country, describing the attack upon the bank by the eight robbers, and Heywood's refusal under penalty of death to open the bank vaults. Contributions are asked for the fund from bank officers and all others desiring to contribute to it.

It is very reassuring to read this. There was a story started that the bankers of St. Paul were very backward in showing proper appreciation of Heywood's self-sacrifice, and there were some doubts whether they would subscribe anything to the support of the widow and fatherless. But it was a mistake. They have subscribed the munificent sum of \$500 and have given the outside world a chance to make up the balance. We take it that the \$500 is the total subscribed by the bankers of St. Paul, including those of the Northfield Bank, whose assets Heywood saved with his life. Because bankers, as a general thing, always let their left hand know what their right hand doeth, when they give alms. Arizona is a good way from St. Paul, but the lesson which this \$500 subscription teaches can cover the space. It teaches that but one thing on this earthly ball has less soul than a banking corporation, and that is the head of a mourning pin.

WASHINGTON, September 29.—Toza, the son of Cachise, the celebrated Apache chief, died in this city yesterday, of pneumonia, and was buried in the Congressional Cemetery. Toza was one of the Apache delegation from Arizona lately arrived in this city in charge of Indian Agent Clum.

We have received a copy of The Daily Telegraph, being No. 8, of volume 1, published at Prescott by Messrs. Ochs and Allbach. The paper is small but neatly made up.

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## Wanted.

A Christian young man from Maine, engaged in the wool growing business in Arizona, wishes to secure a Christian young man of intelligence and activity, as partner, with a capital of \$5,000 or \$6,000. He also wants a trusty Maine man or boy to take charge of a herd of sheep, and another to drive a team. Name and reference given at St. Paul, Me.

The above, as will be seen by the reader, is clipped from the advertising columns of the Maine Farmer, published in Augusta, Maine. We give it the benefit of an insertion in THE CITIZEN, so as to afford Christian young men in Arizona, with the necessary trifle of five or six thousand dollars capital, an even show. Trade mark Christian young men are rather scarce in this vicinity, but THE CITIZEN circulates somewhat at Prescott, where the desired breed does more generally abound, and the above may catch the eye of some one there with the necessary qualifications. No son of Belial need apply. No such advertisement of the Miner, since his late installation as a Church trustee, might fill the bill, especially if he has the requisite flinty here. And he ought to have lucce since his services in behalf of the census f and scoundrels, and the lucce ought to be sufficiently flinty to suit even a Christian young man advertising for a stern-wheel Christian young man to go into a Christian wool growing business. Or if this chance don't prove sufficiently tempting to the Miner saint he might call his friend Behan's attention to the offer. It is no particular interest of ours but we dislike to see good material going to waste and if the above advertiser is honest in his intentions and is looking for genuine copper-bottomed air tight compartment Christians, singly or in group, we would advise him to get Behan for a Christian partner and Butler for a Christian sheep herder and teamster.

To a person of weak nerves there is nothing more dreadful than the spectacle of a red-headed woman attempting to blow down a powder-horn.—Exchange.

While we are entirely unprepared to deny the dreadfulness claimed in the above, we have lost considerable time in trying to conceive a case of a rational red-headed woman attempting to blow down a powder-horn. Facious and witty paragraphs are the sparkle to newspaper champagne. But we are afraid this is an imitation or Jersey street champagne paragraph. Or else it is Bagstockian in its depth and slyness. Or else there is some undiscovered country where red-headed women contract the habit mentioned. If the woman referred to had a bad breath, we should suppose she could more effectually stir up the weak nervous person by blowing in his face. But there it is,—we have nothing to go upon. We are carried out on a shoreless sea of speculation and left adrift on a red-headed woman, with nothing but a powder-horn for rudder or chart.

DESPERATE remarks that "they've talked the old fellow at last."

WASHINGTON, October 14.—In the matter of the application of Governor Chamberlain, of South Carolina, for troops to aid in enforcement of the laws in his State, which was received yesterday, the Secretary of War answered that he would await the return of the President to Washington. The President returned today but his action in the matter has not yet transpired.

NEW YORK, October 14.—The Quarterly Circular of Dunn & Co's Mercantile agency which has just been issued says the business outlook for the country is very promising. A statement from this authority is conclusive of the fact that the steady improvement in business during several weeks past is not a temporary matter but is based upon solid foundations and warrants belief that we are entering upon a true revival of prosperity. It is argued that the present improvement in financial affairs and the continued fall in the gold premium indicate a prevailing belief in the success of the republican party which is pledged to resumption of a coin basis in 1879 according to its present act of Congress.

A Washington dispatch of October 16, says nothing further has transpired relative to the South Carolina case. There is no doubt, however, that proper steps will be taken for the preservation of peace and good order by supporting the local authorities in the enforcement of the laws.

A slight snow-storm fell in Washington on October 15.

On the 16th a report was circulated in New York that Commodore Vanderbilt was dead, but it proved false.

NEW HAVEN, October 12.—Hubert H. Bancroft of San Francisco was married today to Matilde Griffith of this city.

SAN FRANCISCO, October 16.—It is rumored here that the accumulation of railroad material at Los Angeles is not for the purpose of extending the line towards Yuma, from its present terminus at Indian Wells, but for the construction of the new line to San Diego.

PARIS, October 14.—Russia rejects the six months armistice decided upon by Turkey, and demands the six weeks armistice originally proposed by England.

ST. PETERSBURG, October 14.—The report of the Czars abdication is officially denied.

LONDON, October 16.—The Times in a leading editorial says the conduct of Russia makes it certain that if Turkey does not accept the proposals of the powers, then Russia will interfere. The crisis is an anxious one. All seem to have a foreboding of a momentous moment to Europe than any which have arisen since the great wars at the commencement of the century. Russia's refusal of the five months armistice is to be condemned, but the Porte would be extremely anxious to have received a shorter armistice. Russian rulers have, we fear, determined not to yield much more, and Russia may soon be at the mercy of the storm she has raised. It is not too late to keep Russia back, and if any country can thus save the world from a tremendous war, it is Germany. She has the power to compel the acceptance of at least a truce. It depends on Prince Bismarck whether that power is to be used. Let him only say that Germany will not permit Russia to plant herself on the Danube, and the czar will find the means to stay the Slavonic enthusiasm which is carrying him and the whole world to war. No State has more at stake than Germany. The occupation of Belgrade by Russia would make the Danube from its mouth to Belgrade a Russian stream. To keep the navigation of that stream free is as much a necessity for Germany as for Austria. By a single word Bismarck may save all Europe from calamities compared with which those of his own wars seem slight. His responsibility is as great as his power.

A RESIDENT of the rural districts writes to the San Francisco News Letter inquiring concerning the merits of the new play "Hamlet," and whether the Mr. Booth over whom the Bay papers are making such a fuss is really worth coming to the city to see. That journal furnishes the desired information and sets the correspondent's doubts at rest in the following style: "Hamlet" is really a very creditable piece of work, and, when a few more touches are put to it by the author, will no doubt become very popular. Just at present it is too full of quotations to sound strictly original. The variety business in it, however, is really magnificent. Mr. Booth's double clog with Miss Wilton in the first act has never been surpassed on this coast. His "Ham Fat Man" song and dance, in the same act, is also immense. Harry Edwards' lone solo shows that he is getting the best of the rheumatism in his left arm. Miss Kate Denon's shakelike performance is also first class, though Mr. Keene's alarm ball juggling is neither new nor good. The balls are said to be hollow. He makes up for it though in the walk-around, without doubt. Our friend should, no, fail, under any circumstances, to be in time for the gorgeous street parade to be given by this theater next week. There will be a splendid procession of forty-six wagons, not counting the band. On one of these Mr. Booth will stand holding a living tiger and attired in his new pink tights. Mr. Hill will sing "Tommy Make Room for Your Uncle" while hanging by one foot. Mr. Bishop will chew soap on a golden chariot twenty-six feet high, while the urbane manager will sit on a movable tank and squirt champagne and washed ice into the populace through a half-inch hose.

LONDON, October 6. A Berlin dispatch to the Post says: It is stated that the Count Von Arnim has been sentenced to penal servitude for one year.

## Late News.

WASHINGTON, October 14.—In the matter of the application of Governor Chamberlain, of South Carolina, for troops to aid in enforcement of the laws in his State, which was received yesterday, the Secretary of War answered that he would await the return of the President to Washington. The President returned today but his action in the matter has not yet transpired.

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