LEGISLATURE—29TH SESSION.

Contested Election Cases Come High to the Taxpayers.

Nearly $9,000 Asked to Pay the Cost of P. J. Murphy's Contest Against J. H. Mahoney.

SENATE.

SACRAMENTO, Friday, February 6, 1891.

The Senate met at 11 o'clock A. M., the Lieutenant-Governor in the chair. Roll called and quorum present. Prayer by Rev. A. T. Needham. Journal read and approved.

A communication was received from Warden McComb, of the San Quentin Prison, in response to a resolution of the Senate asking for a detailed statement of the cost of manufacturing jute bags at the prison. The Secretary read the communication, which is as follows:

Net operating cost of jute mill for year ending December 31, 1890, $194,777 16.

Number of grain bags manufactured in same period, 3,323,169.

Cost per bag on wharf at San Francisco, 5.8946 cents.

The total manufacturing cost for the year was:

Raw jute used	$128,699 31
Spinning and weaving	57,500 97
Sewing expenses, exclusive of value of jute twine used in sewing, already included in value of raw jute used	5,308 03
Manila rope for baling	1,475 45
Freight on manufactured goods	1,793 40
Total	$194,777 16
Bags on hand January 1, 1890	961,550
Made during year	3,323,169
	4,284,719
Sold during year	3,262,919
On hand December 31, 1890, available for sale	1,021,800

IMPORTATION OF OPIUM.

Mr. G. H. Williams, from the Committee on Federal Relations, reported back S. J. R. 15, memorializing Congress to prohibit the importation of prepared opium, recommending its adoption.

On motion of Mr. Heacock, the resolution was taken up for consideration.

The resolution was adopted—ayes 31, noes 0.

PETITIONS.

Mr. Ostrom presented a petition from citizens of Waterloo, San Joaquin county, favoring the passage of a mutual insurance law.

Mr. McComas presented a petition from 2,822 men and women, asking the passage of an anti-tobacco law.

Also, from the Supervisors of Los Angeles county, asking the passage of the anti-fruit pest bill.

Also, from Seventh Day Adventists, relating to a Sunday law.

COMMITTEE REPORTS.

Mr. Sprague, from the Judiciary Committee reported back S. B.'s 414 and 415, relating to a phonographic reporter and clerks in the Attorney-General's office; passage recommended.

Also, S. B. 439, relating to the formation of corporations; passage recommended.

Also, A. B. 375 (amended) authorizing the dismissal of certain actions in San Francisco; passage recommended.

Also, S. B. 52 (amended) authorizing the appointment of women as Notaries Public; passage recommended.

Mr. Fraser, from the Committee on Agriculture, reported back S. B. 475, relating to dealing in options; passage recommended as amended.

[Later in the day several other committee reports were made.]

CONTESTED ELECTION EXPENSES.

Mr. McGowan, from the Committee on Elections, reported a resolution allowing the sum of $3,333 90 to P. J. Murphy for his expenses in contesting the seat occupied by J. H. Mahoney.

The resolution also allows Mr. Mahoney $534 40 for his expenses in the same action.

The resolution was referred to the Finance Committee.

BILLS INTRODUCED.

By Mr. Sprague—Adding Section 349 to the Code of Civil Procedure, relating to actions for the recovery of other than real property.

By Mr. Ostrom—Amending Section 1431 of the Code of Civil Procedure.

By Mr. Maher—Joint resolution asking Congress to pass the bills relating to the shipping interests.

SPECIAL ORDERS.

S. J. R. 4, relative to the abolishment of the duty on grain bags, burlaps, etc., was read and adopted by a vote of 28 to 0.

S. B. 6, relating to reassessments of property where a former assessment is invalid.

On motion of Mr. Berry, the bill was made the special order for Tuesday next, at 2:30 P. M.

WORK ON THE FILE.

All bills on the special file were passed over, owing to the absence of their authors.

S. B. 227, relating to incompetent persons. Read third time and passed.

Recess until 1:30 P. M.

Afternoon Session.

The Senate reassembled at 1:30 P. M., the Lieutenant-Governor in the chair, and resumed work on the third-reading file.

S. B. 214, relating to the preservation of fish and game. Read third time, and ordered reprinted. The bill, in its present form, provides:

Section 1. Section 634 of said Penal Code is hereby amended to read as follows: 634. Every person who, between the fifteenth day of March and the fifteenth day of April, or between the thirty-first day of July and the first day of September of each year, takes or catches, buys, sells or has in his possession, any fresh salmon, is guilty of a misdemeanor. Every person who shall set or draw, or assist in setting or drawing, any net or seine, for the purpose of taking or catching salmon or shad in any of the public waters of this State, at any time between sunrise of each Saturday and sunset of the following Sunday, is guilty of a misdemeanor. Every person who shall, for the purpose of catching shad or salmon in any public waters of this State, fish with or use any seine or net the meshes, when drawn closely together and measured inside the knot, are less than seven and one-half inches in length, is guilty of a misdemeanor, and upon conviction shall be fined not less than one hundred dollars, or in default, not less than one hundred days in the county jail. One half of all moneys collected for fines for violations of the provisions of this chapter shall be paid to the informers; one-quarter to the District Attorney of the county in which the action is tried, and one-quarter shall be paid into the Fish Commission Fund; all other costs shall be charged and collected from the county in which the action is prosecuted. Nothing in this chapter shall prohibit the United States Fish Commissioners, or the Fish Commissioners of this State, from taking such fish as they deem necessary for the purpose of artificial hatching, at all times.

[No change except in the first sentence of Section 634, Penal Code, as it now is.]

S. B. 241, appropriating $10,000 for the erection of a State hospital for lepers.

The bill was supported by Mr. Simpson. He held that it did not apply alone to Chinese, as there are several white persons in the State who are afflicted with the disease, one of the victims being a former attache of the Senate. The sum asked was small, and should be allowed.

The phraseology of the bill was amended, and it was ordered reprinted, after being read the third time.

S. B. 211, relating to the increase of police forces in cities of the first, second and fourth classes. Passed—ayes 26, noes 0.

S. B. 264, relating to liens of owners of breeding animals. Passed—ayes 22, noes 2.

S. B. 121, authorizing the formation of mutual insurance companies.

On motion of Mr. McGowan, the bill was made the special order for 3 o'clock P. M. on Tuesday.

S. B. 54, to pay the claim of George J. Mothersole for roofing the Napa Asylum, under contract. Passed—ayes 26, noes 0.

[Mr. Fraser in the chair.]

S. B. 88, to pay the claim of J. W. Rankin for services in the State Treasurer's office. Passed—ayes 24, noes 1.

S. B. 172, to appropriate $458 65 to pay the claim of W. H. Murphy. Passed—ayes 25, noes 0.

S. B. 209, to pay the claim of George Featherstone for services in the office of the State Treasurer. Passed—ayes 26, noes 2.

S. B. 16, relating to the laying of tracks and operating of street railways, and allowing different companies to use the portions of the same tracks.

On motion of Mr. Carpenter the bill was made the special order for Wednesday next at 3 o'clock P. M.

S. B. 75, relating to the duties of officers and their fees. Passed—ayes 23, noes 0.

S. B. 108, relative to the sale of tobacco or its preparations to persons under 16 years of age. Passed—ayes 25, noes 0.

S. B. 130, authorizing the sale of unused property of the Feeble-Minded Home. Passed—ayes 26, noes 0.

[Several bills were passed on the file.]

INSANITY AND DIVORCE.

S. B. 287, relating to divorces, making incurable insanity a statutory cause therefor.

Mr. Sprague spoke in support of the measure. He said it referred only to cases of incurable insanity. A husband in that condition is virtually dead to his wife and family, as he cannot contribute to their support, nor in any way be of assistance to them.

Mr. McGowan opposed the bill on the ground that it is too radical a departure from past and present law. It is generally believed that divorces are now too common, and the tendency of the times is toward a restriction in the number of causes upon which divorces are granted. He held that when a husband's or wife's mind shall become clouded, that is the time when he or she should have the care and attention of the other. The bill provided that five years' continuous insanity would be a ground for divorce, but not infrequently people recover after that period of insanity, and the result might often be a husband with two wives, or a wife with two husbands, both mentally sound. He concluded with an eloquent appeal in behalf of the mentally afflicted husband or wife, and was warmly applauded.

Mr. Carpenter also opposed the bill. He held that the most sacred contract that exists between man and woman is that of marriage, and should not be dissolved because of the misfortune of one or the other. Insanity is a misfortune, not a crime, and divorces should be granted only in the latter case.

Mr. Sprague said he wished to have the bill considered in regard to its legal propositions, and asked that it be passed on the file. So ordered.

POOLS ON RACES.

Mr. Sprague moved that the rules be suspended and the second reading file taken up. Lost.

Mr. Sprague then moved that S. B. 165, relating to the selling of pools on races, be taken up for second reading. Lost.

THIRD READING.

The Senate resumed consideration of the third-reading file.

S. B. 281, relating to the payment of the wages of mechanics and laborers employed by corporations.

Messrs. Ostrom and Wilson spoke in favor of the bill, and Messrs. Dray and Sprague in opposition thereto. The latter's chief objection to the bill was that it made it a misdemeanor for any employer to fail to pay the wages of his employes weekly. He held that it was equivalent to imprisoning a man for debt.

Mr. Dray's objection was that it authorized liens of the kind mentioned to take precedence of mortgages and deeds of trust already recorded.

Mr. Britt, author of the bill, consented to an amendment providing that existing mortgages, etc., should not be affected.

The bill was then ordered to be reprinted.

S. B. 143, providing for annual vacations for members of police forces. Passed.

S. B. 176, to ascertain and express the will of the people upon the subject of the election of United States Senators. Corrected and ordered reprinted.

S. B. 4, relating to the character of petitions for altering, laying out or abandoning public highways. Passed.

S. B. 66, to regulate the sale of olive oil. Passed.

S. B. 69, relating to the payment of the necessary expenses of witnesses in criminal cases. Passed.

Adjourned.

ASSEMBLY.

House met at 10 A. M.; Speaker Coombs in the chair. Roll called; quorum present. Prayer by the Chaplain.

The usual routine of approving yesterday's journal was deviated from materially. Mr. Estey stated that on the last motion of yesterday, viz.: that A. B. 174 be referred to the Committee on Municipal Corporations, he was recorded in the journal as having voted "aye," whereas his vote had been "no," and he requested that the record be so corrected. As the vote had been very close—35 ayes to 34 noes—compliance with Mr. Estey's request would change the majority to the negative, and a mild sensation ensued. Some objections to "changing the vote" were made, but the evidence of those gentlemen who had kept a tally of the votes corroborated Mr. Estey, and there was no serious objection to recording his vote in the negative.

In the meantime Mr. Fowler had discovered that, although he had voted "aye," he was not recorded as having voted at all. He desired to be placed upon record as having voted in favor of the motion. At this period things began to get interesting, and the Speaker was assailed on all sides by gentlemen who desired to be heard. Mr. Marion, who had voted in the affirmative, and who had also kept tally, was on his feet several times.

Mr. Bert, who had made the original motion, objected to the way things seemed to be going, but the corroborative testimony in favor of Mr. Fowler's having voted "aye" was cumulative, when Mr. Dow was brought in from an outlying committee meeting, and it appeared that he, too, had been misrepresented in the fateful journal of yesterday. Mr. Dow said he had voted "no," though the record did not show that he had voted at all. Upon this, half a dozen members were on their feet, some declaring that their tally showed that Mr. Dow had not voted, others asserting that this changing of votes could not be allowed, and still others confirming the assertion that Mr. Dow had voted in the negative. Mr. Marion and Mr. Bert insisted broadly that Mr. Dow had not voted at all, but Mr. Lowe testified to his negative, and Mr. Arms, who had tried to persuade Mr. Dow to change his vote, gave the same evidence. Matters were further complicated by Mr. Matlock of Tehama, who wished his record changed, as he had voted "aye," whereas he was recorded as one of the "noes."

The Speaker's rulings were peremptorily called in question by Mr. Bert, the originator of the motion, but Mr. Coombs ruled that while no amendment to the record and no change of vote could be possibly entertained, yet a correction of the record where it failed to correspond with existing facts was allowable. Mr. Dibble read extracts from Cushing's manual in support of this, and Mr. Bruner warmly supported the Speaker, saying that the clerks who recorded the votes were but the instruments of the Assembly, and if a mistake is made, it may lawfully be corrected, though no change of vote is allowable. Mr. Shanahan, Mr. McCall, Mr. Gould, Mr. Matlock, Mr. Marion and others warmly advocated the receiving of the unsupported assertion of Mr. Dow, or of any other member, as to his vote, and claimed that they believed no member of the House would tell anything but the absolute truth concerning his vote. A final calling of the roll settled the controversy, which had lasted over an hour and a half, and the result of the vote remained unchanged, ayes being 35 and noes 33.

PETITIONS.

Mr. Murphy presented a petition praying for the passage of a law remitting the poll tax for veterans of the late war. Referred to Committee on Military.

COMMITTEES.

The industry of various committees was evinced by a large batch of bills reported back by the Chairmen.

Mr. Dibble, of the Ways and Means Committee, reported that the fund for contingent expenses would need replenishing early next week, and was granted leave to introduce and have read a resolution to replenish, which was carried.

A. B. 278, providing for a seawall at San Diego, was reported favorably. A minority report, signed by Messrs. Phillips and Bledsoe, recommended the bill do not pass.

The Committee on Public Buildings and Grounds reported back A. B. 537, to provide for a Governor's residence, which was recommended to passage as amended, and referred to the Ways and Means Committee.

The Committee on Public Morals reported upon A. B. 240, known as the "Medical Bill," and providing for a Board of Medical Examiners, recommending its passage as amended.

The Committee on Counties and County Boundaries reported back some important bills, among which were A. B. 72, concerning "Pomona County," which was reported unfavorably; A. B. 579, concerning "Riverside County," also unfavorably; A. B. 353, concerning County of "San Jacinto," recommended favorably, and A. B. —, concerning "Glenn County," amended, and recommended to pass as amended.

A message from the Senate announced that the "vagrant bill" had passed that body. It was referred to Assembly Committee on Public Morals.

The Committee on State Charitable and Reformatory Institutions, having considered A. B. 264, regarding the establishing and support of a reform school for juvenile offenders, reported back a substitute with favorable recommendation.

SHALL THEY JUNKET?

Mr. McCall requested and was granted permission to introduce the following resolution out of order:

Resolved, That a majority of the Committees on State Charitable and Reform Institutions and Public Buildings and Grounds be granted leave of absence to inspect the State buildings at Los Angeles, Berkeley, San Jose and Chico.

Mr. Matlock moved that the Committee on State Prisons be added. Carried.

Several members spoke supporting the resolution and testifying their belief that intelligent action upon numerous bills involving large appropriations would be impossible without personal inspection of the buildings for which money was asked.

Pending the discussion recess was taken till 2 o'clock P. M.

Afternoon Session.

In the afternoon the Assembly convened at 2 o'clock with Speaker Coombs in the chair.

Dr. Martin of Placer moved that S. J. R's. 8 and 9 be passed and made a special order for Saturday morning. Carried.

Several members requested leave of absence till Monday, and notwithstanding objections from Mr. Shanahan, were granted them. Mr. Bruner moved that the Assembly take a recess until Monday afternoon, but the motion required a two-thirds vote, and was lost.

The matter of a visiting committee to inspect various State buildings, was again brought up, and after many members had indulged in more or less brilliant personal and political remarks and motions upon the subject of "junketing," the following resolution, by Mr. Bruner, was finally presented and received in good faith:

Resolved, That three members each of the Committees on Public Buildings and Grounds, and State Charitable and Reformatory Institutions, are hereby authorized to visit such public buildings as require appropriations of money, for the purpose of erecting or repairing such public buildings.

Adopted.

Mr. Renfro moved an amendment that the Committee on Education should be included, but after discussion, the motion was lost.

A message from the Senate was read anouncing that A. B. 211 had been amended and passed by that body, and requesting that the House concur in the amendment. The bill is one providing for the better policing of cities, and as the Senate amendment would exclude Sacramento from the benefits of such a change, Mr. Bruner made a stirring appeal to the House to withhold its concurrence to the amendment. He said that Sacramento, with 26,000 inhabitants, had only twelve policemen; that when an extra force had been employed there had been no provision for their pay. He therefore urgently desired that Sacramento might share in the provisions of the bill. In response to Mr. Bruner's appeal, the House decidedly declined to concur in the Senate amendment, and the Clerk was ordered to announce the decision to the Senate.

INTRODUCTION OF BILLS.

Numerous bills were introduced. Among the authors of the same were Messrs. Alexander, Mathews, McCall, Fowler, Doty, Gordon, Young, Windrow, Murphy, Barnett, Durner and Lowe.

It was evident that the House was weary; that the close and vitiated atmosphere of the Assembly-room had conspired with several weeks of uninterrupted labor on the floor and in committee, to bring the Assembly to a nervous tension which was unfriendly to the calm consideration of important questions. At this juncture Mr. Dibble moved that, as there was a long file of "first readings," that should be the next order of business, with a dim hope of adjournment to follow. Absentees were many, the motion was eagerly adopted, and the clerk proceeded to the first reading of bills. During this A. B.'s 40, 359, 350 and 243 were withdrawn by their authors, by permission of the House.

A motion to adjourn was lost, and supplemented by a motion to adjourn till Monday at 2 o'clock P. M., which was carried, amid sighs of relief from the homesick, murmurs of delight from the lazy, and visions of rest for the weary.

LEGISLATIVE NOTES.

Senator Goucher returned yesterday from a visit to his home in Fresno. He states that he conversed with farmers from all sections of that county, and all assured him that that locality is not suffering from want of rain. Crops are doing finely, he says, and the farmers are in high spirits.

The following memorial will be presented in the Senate and Assembly today:

SACRAMENTO, February 5, 1891.

To the Honorable, the members of Senate and Assembly of the Twenty-ninth Session of the Legislature of California—GENTLEMEN: We have the honor to present the following preamble and resolution, adopted by the State Board of Agriculture at their annual meeting held February 3, 1891:

WHEREAS, There is to be held in Chicago, Ill., during the year 1893 an exhibition known as the World's Columbian Exposition, whereat the State of California has been invited to make an exhibit of her products; and, whereas, we believe the opportunity thereby presented to display our agricultural, mineral and mechanical products is one that should be unhesitatingly accepted by the producers of California to show to the world the rich and varied capabilities of our State; therefore,

Resolved, That it is the sense of the State Board of Agriculture that California be properly represented at the Columbian Exposition, and that we hereby memorialize the Legislature now in session to appropriate an adequate amount of money to enable the State to have such representation as the importance of her resources merits.

FREDERICK COX, President,
EDWIN F. SMITH, Secretary.

The police bill, which was amended in the Senate so that Sacramento could not avail herself of its provisions, will probably be again amended in the Assembly. It originally provided that cities of the first, second, third and fourth classes might increase their police forces at the rate of one officer for each 500 inhabitants. This was objected to by Mayor Comstock and others, on the ground that it would leave it possible for the Sacramento force to be increased to upward of fifty men, so Senator Dray had third-class cities exempted. It is now understood that the opponents to that provision are willing that Sacramento should be allowed one officer for each 1,000 inhabitants. Assemblyman Bruner thinks that one in 800 would be about right, and leave the matter to the discretion of the appointing board. However, it is likely some compromise will be made, that the Assembly will amend the bill, and that the same will be concurred in by the Senate.

All idea of committee meetings, special order and work in general was dissipated by the magical effect of the adjournment of the House until Monday. The strains of "Home, Sweet Home" rang in the ears of the Assemblymen, and those who were too far away to think of going, sighed a farewell to the privileged ones who went home to spend Sunday.

In the debate in the House on the question of the permission to committees to go on trips of inspection, Mr. Robertson made a point by moving that several of the chronic talkers should be placed upon the junketing committee and sent on their travels. Said Mr. Robertson, "I am convinced that if we could only bottle up some of our oratory and send it off on a pleasure trip, we should accomplish something."

Assemblyman Dibble is apparently in the line of promotion for Speakership of a future House. When he relieves Speaker Coombs of his arduous duties for a time, the wheels work with accelerated ease and velocity, and yards of "first readings" are disposed of in fine order.

THE PARDONING POWER.

Two Bills Now Pending Before the Legislature.

EDS. RECORD-UNION: The unsavory reputation of the two last State administrations arises out of the method of issuing the great majority of pardons that set free scores of the hardest and most incorrigible criminals that ever prayed on the life or property of a people. In no other State has the pardoning power been so flagrantly and prodigally used by the Executive as here in California, unless, indeed, it was by the late Governor Taylor of Tennessee, who surrendered his official life in that State in the beginning of this year.

Governor Markham's administration is just commencing, and all things unite to say that it opens and promises well. And it is the duty of all the people to unite to make it a clean government. Above all things, the pardon scandals should never again disgrace any official term. I see there are several plans by which it is sought to remedy that evil. One is that coming from the Judiciary Committee of the Senate—making the Governor, Secretary of State, Controller, Attorney-General and the two State Prison Wardens a Board of Pardons. This plan is radically and entirely wrong. It proposes to make this an amendment to the Constitution, so as to take the power of pardon out of the Governor's hands. Should it prevail, it puts the executive branch of the government on a level with his subordinates, and only gives him an equal voice with the others in passing on an application, whereas the idea of our system of government is to make him the real pardoning power.

Again, the Attorney-General should have no voice as a medium of pardon, but should stand aloof to interpret the law when required. It is his duty to represent the State before the Supreme Court in all criminal cases on appeal before the Supreme Court, and it is not proper to place him in the position of the executive in cases where convicts are asking freedom when he, perhaps, has worked hard to send to prison. Then to take the Wardens from their duties as officers in charge of criminals, to pass on the merits of petitions for leniency, only enables the Wardens to exercise their likes or dislikes in consultation on the Board of Pardons. They should be reserved as witnesses when required. The bill that seems to be the one exactly fitting the requirements of the occasion is that introduced by Assemblyman Gould of Merced. It is not an amendment to the Constitution, is inexpensive, and keeps the pardoning power in the hands of the Governor. By its provisions a disinterested board is appointed, which hears and considers applications for pardon, and then reports to the Governor, and he acts according to his best judgment, after having received the advice and suggestions of the members of the board. It will be well if the legislators will compare the bills carefully before acting.

INDEX.

Sacramento, February 6, 1891.

GARDNER'S TRIAL.

The Attorneys are Making Their Arguments.

The trial of Daniel Gardner, charged with criminal assault, alleged to have been committed upon little Lizzie Cox, was resumed before Superior Judge Van Fleet and a jury yesterday.

The morning session was consumed in taking the testimony for the defense, Gardner himself being the principal witness.

In the afternoon the arguments commenced. Deputy District Attorney Buckley addressed the jury in behalf of the prosecution, and Grove L. Johnson made an elaborate argument for the defense.

The case was not concluded and will be resumed this morning, when S. Solon Holl will make the closing address for the defense, and District Attorney Ryan will close for the people.

NEW CORPORATIONS.

Water and Improvement Companies File Articles.

The following articles of incorporation were filed in the Secretary of State's office yesterday:

San Joaquin Water Company; principal place of business, Fresno; capital stock, $20,000; Directors—B. S. Birkhead, J. T. Birkhead, W. M. Williams, W. H. Lester and V. P. Cobb.

Eagelson Hawkins Company of San Francisco; capital stock, $200,000; directors—Robert Eagleson, J. G. Eagleson, W. I. Hawkins, W. E. Hawkins, T. H. McConnell, James McCullough and E. B. Haldan.

Co-operative Improvement Company of Los Angeles; capital stock, $7,500; Directors—S. F. Scott, J. R. Smurr, W. F. Marshall, C. F. Smurr and T. H. Goodman.

Funeral of Thomas Blake.

The funeral of the late Thomas Blake, which took place from his residence, 405½ K street, yesterday afternoon at 2 o'clock, was largely attended.

The Veteran Odd Fellows, of which order Mr. Blake, during his lifetime, was an esteemed member, had charge of the services. The Rev. Robert M. Stevenson, of the Presbyterian Church, officiated, and John Buchanan, Henry Wolf, Joseph Judd, James Taylor, Charles Harrison and P. F. Dolan acted as pallbearers.

The choir sang a few selections appropriate for the occasion. The floral pieces were beautiful. A large delegation of fellow-workmen from the railroad shops tendered their respects to the deceased by turning out in a body. The remains were interred in Odd Fellows' plot in the City Cemetery.

"A Man Wanted."

During the last session of the Legislature Rev. A. C. Bane, pastor of the Seventh-street M. E. Church, preached a sermon with the above title. At the request of members of the Legislature, he will repeat it next Sunday morning at 11 o'clock. At 7:30 P. M. Dr. Edward Thompson of Indianapolis, who comes highly recommended as a public educator by such men as Governor Foraker and United States Senator Sherman, will speak on "The American Sabbath."

Lamp Explosion.

A coal-oil lamp exploded in the kitchen of Philip Cohen's house at 1526 Fifth street, last evening, about half-past seven, and an alarm of fire was turned in from box 14, at Fourth and O streets. The department was promptly on hand, but the occupants of the house had extinguished the flames shortly before the engines arrived. A small portion of the wainscoting in the room was burned.

Two Offenders Sentenced.

In Judge Cravens' Court yesterday there were but two cases on the calendar. James A. Gallaway, who had previously been convicted of vagrancy, was sent to the County Jail for ninety days. Thomas Holland got twenty-five days for throwing a rock through the window of a house of ill-fame on L street.

Tucker's Arraignment.

"Jack" Tucker, who is charged with robbing a man at a hokey-pokey game recently, appeared in Judge Van Fleet's Court yesterday for arraignment. The Gardner case being on trial, however, the matter went over until today, when Tucker will enter his plea.

AS THE modern railroad train is ahead of the old-time stage coach, so is Hood's Sarsaparilla, a modern medicine, ahead of the old-time remedies. In positive merit it is peculiar to itself.

BEECHAM'S pills act like magic on a weak stomach.

CRUSHED AND BURNED.

How a Sacramento Boy Met His Death in a Railroad Collision.

Two Freight Trains Dash Into Each Other a Short Distance From Leadville, Colorado.

The details connected with the death of fireman F. S. Brouse in a railroad collision in Colorado a few days ago have been inquired after by a large number of the employes of the railroad shops in this city, on account of the fact that the deceased was a young man in the prime of life and very well known in Sacramento, where his mother, Mrs. S. Spencer, lives with her husband on L street, between Fifth and Sixth.

When the news of the young man's death was received here by a private telegram, only a meager account of the accident was obtained, and his friends have been anxious to learn the particulars. Mr. Spencer received a full account of the collision yesterday, and it shows that young Brouse met a most horrible death.

CRUSHED AND BURNED.

The accident happened Sunday morning, and the cause was the misinterpretation of a new time-card which went into effect that day on the Colorado Midland division. Train No. 43, in charge of Conductor Craig and drawn by an engine manned by Engineer Moore and Fireman Brouse, was coming east. Train No. 45, in charge of Conductor Jones, Engineer Meehan and Fireman Wilson, was going west. Both trains were freight, and running at good speed. On rounding a curve a few miles southeast of Leadville, they dashed into each other and in the wreck that followed, young Brouse was caught, held in his engine and killed. It took several hours to release his body. He had been pinioned between the boiler-head and tender and held there until he was horribly burned. He had a good chance to jump but failed to take advantage of it.

Brouse was a general favorite with the Midland men, and the brave and kind-hearted engineers brushed away a tear when they heard of his untimely death. He was a bright and capable young man, of good habits, and his superiors say he would have been at the top of the ladder had he lived. He was born in Chico, in this State, in 1869, and his first railroading was done on the California Southern. He was a member of the Brotherhood of Locomotive Firemen, and had just taken his last degree in the Knights of Pythias lodge at Colorado City. In the latter order he carried an insurance of $1,500.

FUNERAL CEREMONY.

A joint meeting of the Knights of Pythias and Brotherhood Firemen was held to perfect arrangements for the funeral of the deceased, and it took place last Wednesday at 11 o'clock. The remains were escorted to the train by a large number of friends and shipped to this city in charge of George Hopkins, a Knight and Fireman.

Brouse was with Engineer Stephens when he chased a "wild" car down Ute Pass a year ago. Both were rewarded by the company for their bravery.

The deceased was the only one in the crew killed, but most of the others were injured. Fireman Wilson received serious injuries about the side, and suffered a dislocated wrist. He was not fatally hurt, however. Engineer Moore was badly bruised and had a shoulder sprained. Engineer Meehan was but slightly injured.

THE WEATHER.

Not Promising of a Continuation of the Storm.

The Signal Service reports at 5 o'clock last evening showed a slow-falling barometer and gentle to fresh southerly winds and cloudy to partly cloudy weather prevailing. There was no precipitation between the hours of 5 A. M. and 5 P. M. yesterday except at Fort Canby and Portland (.02 of an inch) and Roseburg (.38 of an inch). The weather has been generally cloudy throughout the Pacific Coast north of this city.

The highest and lowest temperature yesterday was as follows for the places named: Olympia, 42° and 34°; Portland, 46° and 38°; Roseburg, 44° and 42°; Red Bluff, 54° and 44°; and Sacramento, 58° and 42°.

The present prospects show signs of snow in the mountains, on both the Truckee and Oregon divisions of the Southern Pacific Company's lines, although the outlook last night does not appear to point towards a heavy and continuous storm, but positive evidence of that fact is wanting in the paucity of reports from which to extract data.

SUPERIOR COURT.

FRIDAY, February 6, 1891.

Department Two—Van Fleet, Judge.

People vs. D. Gardner—On trial.

People vs. J. Tucker—Arraignment continued.

People vs. Wm. Wright—Sentence continued.

"Neatest and Most Complete."

[Gridley Herald, February 5th.]

The Sacramento RECORD-UNION, in its new dress and with its lightning press, is now one of the neatest and most complete newspapers in this State. Its editorials are strong and brainy, and give its readers something to think about. It is a credit to the Capital City.

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TO-DAY

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Real and Numerous.

Third and Last Day of the Special Sale of highest grades of SHOES for women and men, girls and boys. See yesterday's list, a portion of each remains, plus the extra lines added for to-day:

Men's French Calf Congress, St. Louis and Globe toe, tip or plain, hand sewed and seamless, all sizes, reduced from $6 to $3 95.
Men's French Calf Bals, Globe, French and St. Louis toes, tip or plain, hand-sewed, seamless, reduced from $6 50 to $3 95.
Men's Fine Calf Bals, seamless, pump sole, London toe and tips, sizes 5 to 8, reduced from $5 to $3 35.
Ladies' Kid Button, hand-sewed, C. S. last, broad and easy, sizes 3 to 6½, C to E widths, reduced from $4 to $2 49.
Ladies' Pebble Goat Button, C. S. last, long vamp, low heel, pliable soles, C to EE widths, reduced from $3 to $1 95.
Misses' French Kid Button, spring heel, sizes 11 to 2, square toe and long vamp, reduced from $3 to $1 75.
Ladies' French Kid, hand-sewed, button, turned sole, French and opera lasts, AA to EE, 2 to 7, reduced from $7 50 to $4 39.

Over 30 Lines of the Finest Manufacture in Our Sale To-day. Average Reductions Nearly 40 per cent.

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Ladies' $1 50 French Kid Gloves, sizes 5½ and 5¾, for 25 cents a pair.
Large size bottles Florida Water, 10 cents.
Best quality Indigo Blue Prints, with white stripes or flowers, 6 cents a yard.
Double Brown Blankets, 54x72, only 75 cents.
New style Dress Suitings, 5 cents a yard.
Medium size Shears, 5 cents a pair.
Men's and Boys' Brocaded Handkerchiefs---white, pink, red and blue---5 cents each.
Men's Angora Oiled-tanned Gloves, strap fastenings, 35 cents a pair.
Men's Dark Colored Cheviot Overshirts, 30 cents.

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$40 00 Suits now on sale....$30 00 to $32 50
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$60 00 Suits now on sale....$47 00 to $50 00

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