MIDNIGHT SALOON CLOSING.

Judge Cravens Holds the Ordinance to Be Valid.

He Overrules the Demurrer of J. N. Payne, and Gives His Reasons For So Doing.

Something over a week ago the case of Jerry N. Payne came up in the Police Court, he being charged with having violated the new ordinance providing that all saloons must close at midnight. Similar complaints had been filed in the cases of other saloon proprietors, but that of Payne was intended to be a test case.

The defendant filed a demurrer to the complaint against him, which was argued at the time and the matter submitted to Police Judge Cravens, who took it under advisement. Yesterday he rendered his decision thereon, overruling the demurrer. In doing so Judge Cravens gave his reasons as follows:

The defendant in this case is charged with violating an ordinance of the city of Sacramento, numbered Ordinance 276, and entitled "An Ordinance Regulating Saloons, Bar-rooms, etc., and providing the Amounts of City Licenses to be paid by Keepers of Saloons, Bar-rooms and other places where Wines and Liquors are Sold."

Section 10 of the ordinance provides: "It shall be unlawful for any person to keep open any bar-room, saloon or place, in the city of Sacramento, where wines, or spirituous or malt liquors are sold by the glass or bottle, to be used as a beverage, between the hours of 12 o'clock (midnight) and 5 o'clock in the morning, or to sell at such bar-room, saloon or place, any wines or spirituous or malt liquors between the hours named.

And all entrances to any such bar-room or saloon shall be kept closed, and all lights thereof shall be extinguished between the hours named; *provided*, however, that any hotel, restaurant, or eating-house, which serves meals between the hours named, may obtain a special license to keep open between the hours named, the bar or bar-room, constituting a part of the hotel, restaurant or eating-house, and to dispense wines and spirituous and malt liquors between the hours named, upon payment for such special license, in addition to any other State, county or city license required, the sum of $10 in advance for each and every quarter."

The complaint charges as follows: "The People of the State of California, upon oath of J. A. Gibson, complain against the said defendant, Jerry Payne, for the crime of violating Ordinance No. 276 of said city of Sacramento, committed as follows: That on the — day of July, 1891, and within the limits of the city of Sacramento, in the county of Sacramento, in the State of California, the said defendant did, then and there, before the filing of this complaint, and within one year prior thereto, willfully and unlawfully keep open between the hours of 12 o'clock, midnight, and 5 o'clock in the morning, for the purpose of selling wines, spirituous and malt liquors between the hours named, a certain saloon, which said saloon was then and there a place where wines, spirituous and malt liquors were sold by the glass and bottle to be used as a beverage, in violation of lawful ordinances of the Board of Trustees of the said city of Sacramento, passed by the said board of Trustees on the 22d day of June, 1891, entitled Ordinance No. 276, and contrary to the form, force and effect of the statute in such case made and provided, and against the peace and dignity of the people of the State of California."

The defendant excepts to the sufficiency of the complaint. First, that it does not state facts sufficient to constitute a public offense; second, that it does not state the substance of an ordinance describing a public offense.

I am unable to discover any force in these objections. Section 1425 of the Penal Code provides "that all proceedings and actions in Justices' and Police Courts for a public offense, of which such courts have jurisdiction, must be commenced by complaint under oath, setting forth the offense charged, with such particularity of time, place, person and property as to enable the defendant to understand the character of the offense complained of, and to answer the complaint."

The complaint in this case meets the requirements of the statute by charging the defendant with acts which, if true, constitute the offense declared against in the ordinance.

A complaint charging a violation of a municipal ordinance is sufficiently certain if it refers to the ordinance, and describes the offense prohibited without pleading the ordinance in full. [Ex parte Lane 76 Cal., 587; ex parte Christensen, 85 Cal., 208.]

To the objection that it does not appear that the ordinance has ever been passed and published under any order of the Board of Trustees of the city of Sacramento, or that it has ever become a by-law of said city, it must be answered that the complaint does allege the passage of the ordinance, giving its number and the date of its passage. This is sufficient to identify it and enable the defendant to single it out from all other ordinances. The complaint alleges all that is required to satisfy the rules of good pleading.

It is urged that the ordinance is in conflict with Section 24, Article IV. of the Constitution of this State, which requires that "Every Act shall embrace but one subject, which subject shall be expressed in its title. But if any subject shall be embraced in the Act which shall not be expressed in its title, such Act shall be void only as to so much thereof as shall not be expressed in its title."

I think that this clause of the Constitution is only intended to apply to Acts of the State Legislature. But even if it is held to apply to governing bodies of municipal corporations, the ordinance in question is not obnoxious to its provisions. It is plain that the object of the ordinance is to regulate saloons, barrooms, etc., and to prescribe the conditions upon which they will be allowed to exist within the municipality. A power which is expressly delegated by the charter. *Infra.*

It is further urged that Section 10 of the ordinance is unconstitutional because it provides that bars connected with hotels, restaurants and eating-houses may be kept open during the inhibited hours by paying a special license therefor. It is a well settled principle of statutory contruction that an unconstitutional provision of an Act does not affect the validity of another provision in the same Act, or even in the same section of an Act which is not obnoxious to the objection, unless the two provisions are inseparable or are so united that the presumption arises that the Legislature would not have adopted the one without the other. [Ex parte Frazer, 54 Cal., 94; ex parte R. D. Johnson, 62 Cal., 263.]

The provision against which the objection is urged is in a proviso which is as distinct from the enacting clause of the section as if it were in a separate section or even in a separate ordinance. And even if it is admitted that this proviso is unconstitutional it does not necessarily follow that the whole ordinance must fail, if it can be made operative of the legislative will without the proviso. It is plain that the purpose of the ordinance is the regulation of saloons, etc., and to prohibit them from being kept open at such hours of the night as might tend to disturb the peace, quiet and good order of the neighborhood or encourage immorality. If the proviso is repugnant to the main purpose of the legislative intent and obnoxious to the Constitution and laws of the State the exemptions in the proviso must fail and not the entire ordinance.

In passing on the constitutionality of a law it is the duty of the courts to look at the true object of the law, and if the law be found to be consistent with the Constitution or within the acknowledged power of the legislative body to uphold it.

It is also urged that the ordinance requiring saloons to be closed during the hours named is an infringement on the rights of the citizen and an unreasonable and arbitrary exercise of power.

The charter of the city of Sacramento authorizes the Board of Trustees "to regulate, prohibit or suppress all tippling-houses, dram shops, saloons, bars, barrooms, etc." (See charter, Sec. 2, subdivision 9.) The State Constitution (Art. XI., Section 11) provides that "any county, city, town or township may make and enforce within its limits all such local, police, sanitary and other police regulations as are not in conflict with general laws."

An ordinance of the city of Pasadena prohibiting the maintenance of tippling-houses, dram shops or barrooms, was held to be constitutional and reasonable by the Supreme Court of this State in ex parte Campbell, 74 Cal. 20. In that opinion the court say: "The power to license, regulate or prohibit tippling-houses is a constitutional right, which may be enforced as a police regulation through proper legislation, is no longer an open question in this State."

In ex parte Christensen (85 Cal., 213) the court says: "It is well settled that the governing power may prohibit the manufacture and traffic in liquor altogether, and if the governing power can prohibit a thing altogether, it can impose such conditions upon its existence as it pleases."

This latter case was appealed to the Supreme Court of the United States, and the opinion of the California court was fully sustained by that court in 137 U. S. Reports, 86. The opinion is by the full court, and must be accepted as conclusive on this question. The court says:

It is undoubtedly true that it is the right of every citizen of the United States to pursue any lawful trade or business, under such restrictions as are imposed upon all persons of the same age, sex and condition. But the possession and enjoyment of all rights are subject to such reasonable conditions as may be deemed by the governing authority of the country essential to the safety, health, peace, good order and morals of the community. Even liberty itself, the greatest of all rights, is not unrestricted license to act according to one's own will. It is only freedom from restraint under conditions essential to the equal enjoyment of the same rights by others. It is then liberty regulated by law. The right to acquire, enjoy and dispose of property is declared in the Constitutions of several States to be one of the inalienable rights of man. But this declaration is not held to preclude the Legislature of any State from passing laws respecting the acquisition, enjoyment and disposition of property. What contracts respecting its acquisition and disposition shall be valid and what void or voidable; when they shall be in writing and when they may be made orally; and by what instrument it may be conveyed or mortgaged, are subjects of constant legislation. And, as to the enjoyment of property, the rule is general that it must be accompanied with such limitations as will not impair the equal enjoyment by others of their property. *Sic utere tuo ut alienum non laedas* is a maxim of universal application.

For the pursuit of any lawful trade or business the law imposes similar conditions. Regulations respecting them are almost infinite, varying with the nature of the business. Some occupations, by the noise made in their pursuit, some by the odors they engender, and some by the danger accompanying them, require regulations as to locality in which they shall be conducted. Some by the dangerous character of the articles used, manufactured or sold require also special qualifications in the parties permitted to use, manufacture or sell them.

All this is but common knowledge and would hardly be mentioned were it not for the position often taken and vehemently pressed, that there is something wrong in principle and objectionable in similar restrictions when applied to the business of selling by retail, in small quantities, spirituous and intoxicating liquors. It is urged that as the liquors are used as a beverage, and the injury following them, if taken in excess, is voluntarily inflicted and is confined to the party offending, their sale should be without restrictions; the contention being that what a man shall drink, equally with what he shall eat, is not properly matter for legislation.

There is in this position an assumption of a fact which does not exist—that when liquors are taken in excess the injuries are confined to the party offending. The injury, it is true, first falls upon him in his health, which it undermines; in his morals, which it weakens, and in the self-abasement which it creates. But, as it leads to neglect of business and waste of property and general demoralization, it affects those who are immediately connected with and dependant upon him. By the general concurrence of opinion of every civilized and Christian community, there are few sources of crime and misery to society equal to the dram shop, where intoxicating liquors in small quantities, to be drank at the time, are sold indiscriminately to all parties applying. The statistics of every State show a greater amount of crime and misery attributable to the use of ardent spirits obtained at these retail liquor saloons than to any other source. The sale of such liquors in this way has therefore been, at all times, by the courts of every State considered as the proper subject of legislative regulation. Not only may a license be exacted from the keeper of the saloon before a glass of his liquors can be disposed of, but restrictions may be imposed as to the class of persons to whom they may be sold, and the hours of the day and the days of the week on which the saloons may be opened. Their sale in that form may be absolutely prohibited. It is a question of public expediency and public morality, and not of Federal law. The police power of the State is fully competent to regulate the business—to mitigate its evils or to suppress it entirely. There is no inherent right in a citizen to thus sell intoxicating liquors by retail; it is not a privilege of a citizen of the State or of a citizen of the United States. As it is a business attended with danger to the community, it may, as already said, be entirely prohibited or be permitted under such conditions as will limit to the utmost its evils. The manner and extent of regulation rest in the discretion of the governing authority.

The governing authority of the city of Sacramento has, in the ordinance under consideration, made such regulations as it considered necessary to regulate retail liquor saloons and conserve the good order and peace of society. In view of the power vested in the Board of Trustees by the Constitution and laws of the State, the ordinance is not only reasonable, but it is liberal, in that it stops so far short of absolute prohibition, which might have been lawfully imposed.

The objection that the city of Sacramento has no power to use the name of the people in this action is not well taken. Section 684 of the Penal Code says: "A criminal action is prosecuted in the name of the people of the State of California, as a party against the person charged with the offense."

In Santa Barbara vs. Sherman (61 Cal., 57) it is held that "an action in the Police Court for the violation of a city ordinance and to enforce the penalty thereof should be brought in the name of the people."

The charter of the city of Sacramento also provides that "Every violation of any lawful order, regulation, or ordinance of the Board of Trustees of the city of Sacramento is hereby declared a misdemeanor or public offense, and all prosecutions for the same shall be in the name of the people of the State of California." (Statutes relating to Sacramento, p. 38.)

The other questions presented by counsel being dependent upon facts not now before the court, no opinion is expressed as to them. The demurrer is overruled.

FIRE ON THE HILL.

Nearly a Half-Mile of Snowsheds Burned Yesterday.

About 9:30 o'clock yesterday the Southern Pacific Company's lookout on Red Mountain, whose station commands a view of a broad expanse of the snowsheds on "the hill," discovered the timbers on fire between Yuba Pass and Cisco, and immediately gave the alarm. The track-walker had also discovered it, and the water trains at the Summit and at Cisco were ordered out, and after a determined fight subdued the flames, though not until about half a mile of sheds had been burned.

But for the fact that a force of carpenters had torn down the sheds in advance of the flames the conflagration might have been more disastrous than it was.

Men were sent up to clear the track, and it is not probable that there will be any long delays to passenger trains.

Capay Valley Fruit.

According to the Esparto *Independent*, W. E. Cole of that place shipped away up to Friday last 1,210 crates of green apricots and sixty-eight tons of dried. He is still engaged in picking and drying apricots, having just purchased the product of 200 acres of apricot trees, which he is now curing. He says the demand for Esparto picked fruit is more than the supply, and he could sell twice as much if he could get it. He is now engaged in buying up figs which he will cure and send East, the fruit firms there saying there is a fine demand for the "Esparto brand."

In Our Sale To-day.

Ladies' 20-inch extra-fine quality satin parasols, carved handles, in cardinal, navy blue and cream. Former price, $1 50; cut for to-day to 78 cents at Red House. *

TAKING THE EVIDENCE.

A Jury is Finally Secured to Try J. D. Smith.

The Story of the Assault and Robbery of Robert Allen is Re-Told in Court.

The trial of J. D. Smith, accused of complicity in the murderous assault and robbery of Robert Allen, was resumed in Superior Judge Catlin's court yesterday morning.

The courtroom was crowded with spectators again.

During the forenoon the regular jury panel was exhausted, but not before two jurors were secured, making eleven in all. A special venire of ten more jurors was issued returnable at 1:30 o'clock. From this venire the last juror was secured. The jury as completed is composed of the following named citizens: Hugo Sprock, Fifth Precinct; Patrick Flannigan, 1422 Sixth street; P. Herzog, 1130 N street; W. F. Ashby, 1920 J street; Bernard Shields, 710 Ninth street; George N. Makee, Clay Station; Wm. Foote, Sutter Township; J. D. Lockhart, 2122 J street; James Parsons, 603 J street; George Schroth, J street, between Front and Second; C. F. Williams, 2319 H street, and C. Cooley.

There was no delay after the panel was completed. District Attorney Ryan proceeded at once to make the opening statement for the prosecution. He read the statutes defining robbery and those describing an accessory. "We expect to prove," he said, "that on the night of the 10th of May a robbery was committed in this city. We will show that an old resident and business man of this city was knocked down and robbed. This crime was committed at the corner of the alley. Mr. Allen closed up his place of business on the night named, went to the Golden Eagle Hotel and took a drink. He proceeded toward home, and when near the alley, back of the Courthouse, noticed two men following him. They threw him off his guard and one struck him on the head with a hammer. Mr. Allen recovered sufficiently to stagger to his home." Mr. Ryan proceeded at length and reviewed the entire history of the case, and ended with the statement that after proving these facts by witnesses the prosecution would confidently expect a verdict of guilty.

David Falconer was first called to the stand. Before any questions were asked however Attorney Johnson, for the defense, interposed an objection to the introduction of any testimony, on the ground that the District Attorney's opening statement had not disclosed that any crime had been committed, or that the defendant Smith was connected at all with any crime.

The court overruled the objection.

Mr. Falconer then proceeded to tell how he was awakened shortly after the assault and robbery, by Jennie Allen, the wounded man's daughter, who told him that her father had been hurt. He went over to the house, and after dressing Allen's wound, went and examined the alley where the assault took place. He found $1 25 in money and a portion of Allen's watch-fob. When daylight came witness went to the alley again, and this time found the hammer with which the cruel blow was struck.

Jennie Allen testified regarding the condition of her father when he staggered into the house that morning. She also told how her father carried his greenbacks in a cigar-case, in his inside pocket. She identified the Masonic charm which was taken from Allen's watch-fob, and which was subsequently recovered in San Francisco.

Dr. G. L. Simmons, who attended Mr. Allen after the assault, described the ghastly wound in Mr. Allen's head.

Eddie Allen, son of the victim of the assault, described the habits of his father in regard to carrying money.

Mrs. Catherine Allen, the wife, testified that her husband is at present in such a precarious condition that he could not be present in court. He is now undergoing treatment in an asylum at Stockton, she said.

Frank, alias "Piggie" Johnson, was the next witness. He is the young man who was overhauled in San Francisco while trying to pawn Robert Allen's Masonic watch-charm. He testified that he met Haley, Gordon's pal, at the metropolis, and that individual gave him the charm.

MARGUERITE KINDERGARTEN.

Its Little Pupils Celebrate the Close of the Term.

The closing for the term of the Marguerite Kindergarten School was celebrated yesterday morning at the schoolroom on Twenty-third and K streets by class exercises of surprising merit for children so young. Little tots, who could hardly toddle, took part in the entertainment, and each seemed to think that all the applause was intended for himself or herself.

The room was gorgeously decorated with pictures and bric-a-brac, and dozens of streamers of paper-chains, with green, pink, purple, blue, yellow, red, white and black links were hung from all sides of the walls and festooned to a large hanging lamp in the center of the room. The effect was very pleasing to the children and made them feel proud of their class.

Under the direction of the teachers—Miss M. Alys Pullman and Miss Etta Morton—the children, some fifty in number, executed various movements in marching and sang a number of simple songs with vigor. Two class recitations were also given, and those who attended were well pleased with the manner in which the little ones acquitted themselves.

After the exercises ice-cream and cake were served, and it was very evident that the children considered it the best feature of the morning. The following programme was given:

March, "Happy Little Children"; hymn, "Birds and Bees and Flowers"; "Good Morning," song; song, "Twinkle, Twinkle, Little Star"; recitation, "Fluffy and Speckle"; song, "Whitest Lambkins"; Old English Dance; recitation, "The Little Mouse"; Sweeping Song.

Miss Pullman will spend her vacation in San Francisco, where she will pursue a course of dramatic study in connection with her Delsarte studies.

INCREASED CAR SERVICE.

Mr. Carey will Have Cars for All that Want to Ride.

Prospective patrons of the new swimming baths at Twenty-first and O streets are promised by Mr. Carey, proprietor of the O-street railway, the best possible service. He says he will run all the cars necessary to accommodate the throngs of people that are expected to visit the baths daily, and will give them the best of accommodations.

He will put more cars on that line and will run them as much oftener than at present as the demand may require. Mr. Carey says he is determined to keep the promises made to the public, of providing them as good car service as any city can boast of, as he will demonstrate at an early day. He is in constant communication with parties relative to the immediate introduction of the latest improved methods of car propulsion, and will have the best.

RANCHO DEL PASO.

Brighton Farmers Who Want its Assessment Increased.

J. E. Camp and John Rooney, who have land on the south side of the American River at Brighton, appeared before the Board of Equalization yesterday and demanded that the assessments on different portions of the Haggin ranch, on the other side, be raised.

Quite a long wrangle ensued between Messrs. Rooney and Camp and Superintendent John Mackey, bookkeeper Sullivan and surveyor Johnson, representing the Haggin interests.

Finally the members of the board decided to visit the Grant this morning in a body and determine for themselves what the assessment rate should be.

ALEXANDER'S BAD BREAK.

He and Telegraph Operator William Colburn are Both Arrested.

Isadore Alexander returned to the city yesterday from Reno, Nev., and his manner did not indicate that he realized that he had done anything for which he should be severely censured. In the afternoon he learned that a complaint had been lodged against him by the Western Union Telegraph Company charging him with forgery, and he went to the Police Station and gave himself up. He was subsequently released on giving bail in the sum of $1,000.

William Colburn, a youthful telegraph operator in the Western Union Office, was also arrested at the instance of the company and charged with a similar offense. He could not give the required bail, and remains in custody.

The facts appear to be that Alexander induced Colburn to write the following alleged telegram on one of the company's blanks, which he used to obtain an advance of $100 from a friend:

Send you $250 by first train to-night. Meet Ritchie on 12 o'clock train to-night and give him $100. EXAMINER.

Colburn states that Alexander, with whom he was on very familiar terms, assured him that he merely wished to perpetrate a joke on some girl. It may prove a very serious joke to the thoughtless operator.

The mother of young Alexander is terribly distressed over her son's actions, and yesterday she went to San Francisco to plead with the Western Union managers for leniency in his case.

DOWN THE ROAD.

The Flyers Were Out in Force Last Night.

The Capital Turf and Driving Club had its second semi-weekly outing on the Riverside road last night, and the members turned out in full force. There were in the neighborhood of a hundred vehicles on the road, and to every one was attached speedy animals. It was a racing night, and every driver seemed ready for a brush with anything that came along. There were more fast pacers out than were ever seen on the road before at one time, including J. L. McCord's Wonder and C. H. Gilman's Solfaire.

Among those noticed driving very fast animals were W. O. Bowers, J. W. Wilson, Daniel Flint, General A. L. Hart, W. J. O'Brien, State Controller Colgan, John Weil, George C. McMullen and others. Many gentlemen were out in phaetons, buggies and family carriages, accompanied by ladies.

The road is one of the best in the State, and as many good horses can be seen upon it as on any road in California. These meetings of the Capital Turf and Driving Club are evidently going to be very popular this year, and every Tuesday and Friday evening there will be fun on the Riverside.

For Reduced Taxes.

The following additional applications for reductions in assessments were yesterday filed with the Board of Equalization:

John Batcher—Improvements on west half of lot 6, and quarter of south half of lot 7, L and M, Second and Third streets, from $3,000 to $2,000.

L. G. Nixon, for estate of A. B. Nixon—Furniture from $250 to $50.

Mrs. Hanora Farrell—143 acres, Rancho del Americanos, from $7,150 to $6,000.

They Will Look Gorgeous.

The uniforms for Staff Orderlies Van Horn and Smith have arrived, and in future parades these gentlemen will look gorgeous as cavalrymen. They will be mounted, armed with sabres, and will rank as Sergeant-Majors. One will be standard-bearer, and the other will learn the bugle calls. Their duties in times of peace will consist chiefly in "bossing" the General and Staff Officers.

First Special Fruit Train.

To-day the California Fruit Union will send out for the East the first expedited special fruit train of the season.

It will consist of ten cars, loaded at Sacramento, Winters, Vacaville and Newcastle, consigned to Porter Bros. Company at Omaha, Minneapolis, Chicago and New York, and Blake & Ripley of Boston.

On the Way to Camp.

The Colusa Guard, about fifty members, arrived here yesterday afternoon and remained in town until half-past 2 o'clock this morning, when the troops from Redding, Chico, Red Bluff and Marysville arrived, and all of the companies left on a special train for Santa Cruz, where they will enjoy an eight-day encampment.

Lake Tahoe Chautauqua.

The Lake Tahoe Chautauqua Assembly will open July 28th and continue until August 7th, inclusive. Reduced rates of transportation have been arranged from all points in California and Nevada. Rev. T. E. Sisson of Truckee is Secretary and General Manager.

The Case Submitted.

The hearing of the case of William Likens vs. J. A. Parker has been concluded in Justice Devine's court, and has by him been taken under advisement.

DIED.

BALDWIN—In this city, July 16th, Mrs. Elvira Baldwin, a native of Maine, aged 85 years and 1 day.

☞ Friends and acquaintances are respectfully invited to attend the funeral, from Marguerite Home, corner Seventh and Q streets, this afternoon at 4:30 o'clock.

THOMAS—In Gold Run, July 14th, Frank M. Thomas, aged 20 years, 3 months and 8 days. *

DR. PRICE'S DELICIOUS Flavoring Extracts

NATURAL FRUIT FLAVORS.

Vanilla, Lemon, Orange, Almond, Rose etc.—Of perfect purity. Of great strength. Economy in their use. Flavor as delicately and deliciously as the fresh fruit.

Intelligent Readers will notice that Tutt's Pills are not "warranted to cure" all classes of diseases, but only such as result from a disordered liver, viz:

Vertigo, Headache, Dyspepsia, Fevers, Costiveness, Bilious Colic, Flatulence, etc.

For these they are not warranted infallible, but are as nearly so as it is possible to make a remedy. Price, 25 cts.

SOLD EVERYWHERE.

Changed Daily for Weinstock, Lubin & Co.

ANNOUNCEMENT.

We are making preparations for an unusually

LARGE CLOAK SALE

Monday. It will include all our odd lines of summer garments, as well as some good things in Ladies' Black Jackets. For further particulars see the papers of to-night and Monday.

Ladies' French Percale Waists.

We have exceptionally fine French Zephrine Shirt Waists at $1 95 each and to be had in three colors. The former price of these waists was much higher, but we have decided to close out this line and so have reduced them. We have all sizes.

Royal Worcester Corsets.

These splendid Corsets seem almost perfection itself, and it is small wonder that those who buy them once buy again and again. They are specially long-waisted and pliable, giving a graceful form without discomfort. We carry them in many styles ranging in price from $1 to $5, but call special attention to the following:

Royal Worcester White Silk Pongee Corsets for summer wear—as dainty, graceful and comfortable a corset as it is possible to imagine, $3 40. We also have this corset in tan pongee.

Long-waisted Black or Gray Sateen Corsets, $2 and $3.

Drab Corset, with Venus high back, combines the ease of a waist with the support that a corset gives, $1 35. A number of our customers have spoken of this corset as the best medium-priced corset they have ever worn.

Black Sateen or Satin Corsets at $5. Equal in quality and shape to made-to-order corsets at much higher prices.

For Men.

Men's Cheviot Shirts (have a creamy ground with canvas-like texture) in handsome stripes, collars and cuffs attached, $2.

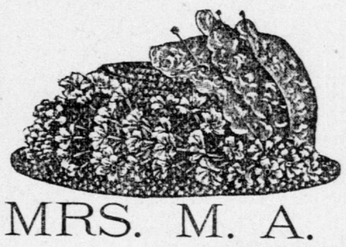
The best styles in neckwear of Virgoe, Middleton & Co., London; Waterhouse, Lowney and others of New York; Cutter & Crossette of Chicago, etc. The assortment of summer styles is at its best now.

For large men we have Light Fancy Flannel Overshirts up to size 20 neck measure. Price, $2.

Weinstock, Lubin & Co.

400 to 412 K Street, Sacramento.

CLEARANCE SALE.



I will sell for less than cost the next THIRTY DAYS to reduce stock, as I intend to make some decided improvements in my stores before the fall opening in August. CALL AND SEE at

MRS. M. A. PEALER'S,

619, 621 and 623 J Street.

Gas. G. Davis

411-413 K St., Sacramento.

WALL PAPER OF ALL KINDS. SEND FOR PRICE LIST.

Furniture —AND— Carpets.

KLUNE & FLOBERG,

WATCHMAKERS AND JEWELERS, 428 J STREET, BETWEEN FOURTH AND Fifth, dealers in WATCHES, JEWELRY and DIAMONDS. REPAIRING in all its branches a specialty, under Mr. Floberg. Agents for ROCKFORD WATCH COMPANY.

WM. B. MILLER,

No. 628 J St., Sacramento, Cal.,

KEEPS ON HAND A FINE LINE OF DIAMONDS, WATCHES AND JEWELRY. ☞ Repairing of Watches and Jewelry made a specialty.

M. WACHMORST,

LEADING JEWELER OF SACRAMENTO, AGENT FOR PATEK, PHILIPPE & CO.'S WATCHES—best in the world. SIGN OF THE TOWN CLOCK, 315 J STREET, Sacramento.

SACRAMENTO LUMBER COMPANY, { Dealers in Lumber, Doors, Windows and Blinds.

MAIN OFFICE—Second street, L and M. YARD—Front and R streets, Sacramento.

JOE POHEIM

THE TAILOR

MAKES THE BEST CLOTHES IN THE STATE

AT 25 PER CENT LESS THAN ANY OTHER HOUSE.

SUITS Made to Order from $20

PANTS Made to Order from $5

FINE TAILORING AT MODERATE PRICES

☞ Rules for Self-Measurement and Samples of Cloth sent free for all orders.

No. 600 J St., cor. Sixth

SACRAMENTO.

WALTER PARKER. EMIL SCHMID.

SCHMID & PARKER,

1400 J Street, Sacramento,

Butchers and Packers.

HAM, BACON, LARD, ETC.

Also, manufacturers of all kinds of Sausage. Orders called for and delivered to any part of the city free of charge. jy15-tf3p

CAPITAL PHARMACY,

S. W. Corner Seventh and K Sts.,

Druggist and Apothecary.

ICE CREAM SODA, WITH ALL FLAVORS. Also, all kinds of Mineral Waters.

jy17-6m3p J. S. O'CALLAGHAN, Prop.

TRADE COMPOUND MARK

Sulphur Powder!

—THE—

Most Perfect Laxative and Cathartic KNOWN!

Will Give Instant Relief and Effect Permanent Cures in Cases of

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SYMPTOMS: HEADACHE, OBSTRUCtion of nose, discharges falling into throat, sometimes profuse, watery and acrid, at others, thick, tenacious, mucous, purulent, bloody and putrid; eyes weak, ringing in ears, deafness, difficulty of clearing throat, expectoration of offensive matter, breath offensive, smell and taste impaired, and general debility.

We treat these diseases on new and scientific principles and guarantee thorough and permanent cures.

NERVOUS DEBILITY

Resulting from the errors of youth, marital excesses, etc., and causing exhausting drains, loss of memory, ambition and sexual power, impediments to marriage and wrecking the victim mentally and physically.

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Diseases, such as Scrofula, Syphilis, Ulcers and Blotches, affecting body, throat and bones, are speedily and thoroughly eradicated from the system without mercury or other injurious drugs.

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Troubles, painful, too frequent, difficult or bad colored urine, pains in the back, gonorrhœa, gleet, stricture, etc., cured for life. Recent cases cured in a few days. The diseases peculiar to women thoroughly understood and cured by mild but effectual remedies.

A permanent cure guaranteed in every case undertaken. We do not want your money for nothing, and if you are incurable you will be candidly informed of the fact. Consultation and examination free to patients.

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NOTICE.

IT HAVING COME TO OUR KNOWLEDGE that certain agents of other firms engaged in the manufacture of sarsaparilla and iron, and particularly one J. F. McCraken, representing Schmidt & Co. of Stockton, have been circulating statements to the effect that we no longer have the right to manufacture that article, we take this opportunity of notifying the trade and the public that we have the same rights now as heretofore, and that we propose to exercise them. We are still engaged in the business, still manufacture and sell a superior preparation of "SARSAPARILLA, IRON and VICHY WATER," and will continue to do so, all reports to the contrary notwithstanding. Any statements of Mr. McCraken, or any one else, that any one firm has the exclusive privilege of selling sarsaparilla and iron are wholly unfounded.

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DR. T. FELIX GOURAUD'S ORIENTAL CREAM, OR MAGICAL BEAUTIFIER Removes Tan, Pimples, Freckles, Moth Patches, Rash and Skin diseases, and every blemish on beauty, and defies detection. It has stood the test of 40 years, and is so harmless we taste it to be sure it is properly made. Accept no counterfeit of similar name. Dr. L. A. Sayer said to a lady of the haut-ton (a patient): "As you ladies will use them, I recommend 'Gouraud's Cream' as the least harmful of all the Skin preparations." For sale by all druggists and fancy goods dealers in the United States, Canadas and Europe. FRED. T. HOPKINS, Proprietor, 37 Great Jones street, New York.

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