

THE HIGHER COURT.

It Filed Decisions Yesterday in Three Appealed Cases.

One is From San Joaquin, One From Calaveras, and the Other From Butte—The Points Settled.

The Supreme Court yesterday filed in the Deputy Clerk's office in this city its decision in the case of W. G. Burke, administrator (appellant), vs. B. W. Bours and others. The case was appealed from San Joaquin County, and was an action in ejectment. Bours claimed to be in possession, under a perfect, equitable title, and the appeal was taken by Burke from the judgment upon a bill of exceptions.

The Supreme Court orders that the judgment be reversed and the cause remanded for a new trial.

A CALAVERAS BOND CASE. A decision was also filed in the case of Charles Sutro and others (appellants) vs. A. M. Rhodes, which was appealed from San Joaquin County. An Act was passed by the Legislature of 1868, entitled "An Act in relation to the funded indebtedness of Calaveras County, and to provide for the funding of unpaid claims against said county."

By this Act Fund Commissioners were created, and the Board of Supervisors were authorized to have prepared, executed and issued bonds of the county in denominations of \$100 and \$500, but "not to exceed in all \$15,000."

The bonds were to be signed and sealed in a certain prescribed manner, were to mature and bear interest (with interest coupons attached) as specially provided in the Act, and a record of the number, date and amount of each bond issued was to be entered upon the journal of the board.

The bonds were negotiable in form, being payable to a party named, or holder. Under this Act bonds were executed and issued in form as provided therein to the amount of \$15,000; and afterwards additional bonds, similar in form to the first ones, and executed in the same manner, were issued to the amount of about \$40,000 more.

Nine of these latter "over-issued" bonds, of the par value of \$500, were sold by Rhodes to Sutro and others for \$4,575, and the latter brought action to recover the money, averring in the complaint that at the time of the sale the defendant falsely represented to plaintiffs that the bonds were good.

The court below rendered judgment for the defendant, and the plaintiffs appealed. In an exhaustive opinion the Supreme Court affirms the judgment. Justices Beatty and Paterson explaining separately why they concur in the main opinion, which was written by Justice McFarland. Justice Garoutte dissents from the opinion of the others.

REVERSAL BY A BUTTE CASE. The case of W. A. Cowan vs. A. Abbott and William Gregory (appellants), appealed from Butte County, was also decided.

It seems that Cowan sued the defendants as mining claimants to recover for services alleged to have been rendered as Superintendent of their mine. He averred first in his complaint that he performed labor which was reasonably worth \$3,000, of which amount Abbott and Gregory only paid \$650.

He also claimed that by an express contract he was to take charge of their mine and pump out the water so that it could be worked and thereafter manage and work it and receive the usual salary paid to mining engineers. In case he succeeded in keeping the water out for one year he was to receive a bonus of \$1,000.

The defendants, answering separately, denied specifically each allegation, except that they admit Cowan did some work for them, but not as a mining Superintendent.

The Supreme Court says the facts in contest seem to be four in number, as follows: First, the value of plaintiff's services; secondly, whether defendant made the express contract alleged by the plaintiff; thirdly, whether there was an express agreement, as claimed by the defendants, fixing plaintiff's compensation at \$4 per day and board; fourthly, whether he had been fully paid.

The court says: "The jury had the right, upon the evidence, to find that the defendants upon the last two issues, and the court erred in refusing to instruct the jury that, if they so found, plaintiff was entitled to additional compensation." For the error mentioned, the order should be reversed and a new trial had.

THE REED LABEL CASE. A Motion Made to Have the Indictment Reversed.

W. M. Reed, the Florin member of the Farmers' Alliance who was indicted by the Grand Jury for alleged libel committed against Supervisors Black, Jenkins and Miller, was arraigned in Judge Catlin's court yesterday.

His counsel, Grove L. Johnson and Matt F. Johnson, filed a motion to set aside the indictment, and the court fixed Wednesday, December 24, as the time for hearing arguments thereon.

The motion to set aside the indictment is based on the ground that the instrument is defective, in that the defendant was not given a proper hearing in the matter, and that, as the result thereof, the members of the grand jury were biased and prejudiced against him.

The foreman of the Grand Jury was notified to have the members of that body in court for interrogation.

PICKPOCKETS SENTENCED. Golden and Cartwright Will Each Spend a Year at Folsom.

Yesterday Judge Catlin sentenced Ike Golden and George Cartwright each to one year in the State Prison at Folsom, they having been convicted of attempt at robbery.

It will be remembered that during the State Fair the youths named got a farmer named M. S. Green drunk, and after piloting him about town and out to the race track were there detected in the act of attempting to rob him, and were arrested. Golden jumped from the hack in which they were placed, but the sight of a policeman's pistol prevented his escape.

rometer. If it continues to fall, and goes much below 30 inches, there may be a slight prospect of cloudy weather, although no storm center had been close enough to make itself felt on the barometrical column at 5 p. m. yesterday.

The highest and lowest temperatures one year ago yesterday were 69° and 33°, and one year ago to-day 69° and 42°.

A LIFETIME IN PRISON. Fourgous, the Wife-Slayer, Receives His Sentence.

August Fourgous, the Frenchman who was convicted last week of murdering his wife eleven months ago, was brought before Judge Van Fleet yesterday to receive his sentence. The jury that convicted Fourgous recommended the court to sentence him to imprisonment for life.

The court reviewed the trial and the circumstances connected therewith, and asked the prisoner if he had any legal objection to advance why the court should not pronounce his sentence. This was done through an interpreter, and the prisoner made answer through the same.

Fourgous made quite a long statement, in which he related the story of the trouble that had existed between himself and his wife, and declared that the latter's daughter, Mrs. Heisch, was at the bottom of it all. He declared bitterly against them both, whom he charged with various improper practices.

At the conclusion of Fourgous' harangue, Judge Van Fleet sentenced him to imprisonment in the Folsom Penitentiary for life, at the same time reminding him that he might consider himself fortunate in having escaped the gallows.

THE FUND SWELLING. C. P. Huntington Contributes \$500 to the Convent Improvement Fund.

Yesterday's late mail from the East brought to members of the Convent Improvement Committee a letter from C. P. Huntington, President of the Southern Pacific Company, containing a check for \$500 to be added to the fund for improving the Convent property.

Mr. Huntington expressed in his letter a warm attachment for Sacramento, where, he says, some of the happiest days of his life were spent. He adds that he daily receives scores of applications for aid, many of them from persons suffering for the necessities of life, and while he cannot respond in all cases, the drain upon his means is necessarily heavy else he would have given more to the Sisters, of whose charitable work here and elsewhere he is fully cognizant.

It may be added that within the past year Mr. Huntington has given upward of ten thousand dollars to public enterprises.

The fund for the Convent Improvement now foots up: Subscriptions already announced, \$16,081; since received Judge W. C. Van Fleet, \$10; Timothy Daily, \$2; E. H. McKee, \$2; Gus. Elkus, \$2; William Fawcett, \$2; C. P. Huntington, \$500; total, \$16,618 50.

THEY "CATCH ON." The Chinamen Going into the Footpad Business—Alleged Robbery.

The Chinamen have evidently been reading of the good thing that footpads enjoy in standing up and robbing people, and determined to take a hand in the business themselves.

Yesterday a man who gave his name as Jesse Derr reported to the police that between 9 and 10 o'clock on Thanksgiving, he was stopped on Fourth street, between I and J, by two Chinamen and robbed of the sum of \$65.

He said they choked him severely, and exhibited scars on his neck to bear out his statement.

Derr claimed to have recognized as one of his assailants a Chinese barber whose shop is now where the robbery is alleged to have taken place, and accordingly Officer Simmons arrested the said barber, one Moon Kin.

CHILDREN INJURED. One Thrown From a Vehicle and the Other Knocked Down.

Yesterday afternoon a little girl named Daisy Nichols, daughter of Mrs. M. Nichols, was struck by a runaway team while attempting to cross K street at the intersection of Fourth. The child was caught between the wheels of the vehicle to which the runaway team was attached and dragged quite a distance.

She was picked up by Ben Wilson in front of his barbershop and taken inside. At first it was feared she was dangerously injured, but the fact was developed that a painful gash on the forehead was the worst harm done, with possibly an injury to one shoulder.

There was a little boy in the wagon, and when the vehicle collided with a post at L street he was thrown out, but not seriously hurt.

THE RIVER BANK. It is Being Well Protected by Riprap.

The work of riprapping the Front-street levee below R street is being rapidly pushed, and if the weather remains pleasant it will be finished in the near future.

Between fifteen and twenty carloads of granite are brought down from Folsom daily, and men are engaged placing the bowlders on the outer slope of the levee, near the gas works.

ROBBERS' DENS.

Two Men Who Were Relieved of Surplus Cash.

One is Out Only \$20, But the Other Says He Was Despoiled of \$230 in Greenbacks.

A woman named Lillie Ackley was arrested yesterday morning and charged with grand larceny. According to the story of the man whom she is accused of robbing, the affair happened in broad daylight. He said he was passing her house when she called him in, stating that she wanted to talk with him.

He accepted the invitation, and while he was in the place he was robbed of a twenty-dollar piece.

He said he had his hand on his purse, which was in his trousers pocket, when he entered. When he missed the purse, the woman told him to search in all his pockets, and he found it in a rear pocket of his pantaloons. A twenty-dollar piece was missing, and he accused her of taking it. She denied the accusation, but he complained against her, and she was arrested by Officer Rider.

The party who claims to have been robbed was relieved of some of his surplus cash about two years ago by women of the same class.

ANOTHER VICTIM. Late last night another man, who declined to give his name, reported to the police that he had just been robbed of \$230 in an L-street crib.

While he was paying his attentions to the woman who presided over the house someone, he says, played the panel game on him.

When he was about to take his departure he found that \$230 had been abstracted from a roll of greenbacks in his pocket, leaving him only \$70 out of \$300 with which he entered.

Officer McLaughlin about midnight arrested the woman who was suspected of having committed the theft. She is known as Kittle Farley. Captain Lee also arrested a woman on suspicion, by the name of McNett, or something of the sort.

How many men with a grain of sense, and sober, cool to go in one of these dens, with \$300 in his pocket, something that surpasses the understanding of the average citizen. But it seems the fools are not all dead yet.

WILL RUN TO ROCKLIN. Hereafter the dining-car T. W. Peirce will be attached to the west-bound overland train at Rocklin every morning, instead of at this city.

Berlin Cough Cure. For coughs and colds and all lung and throat affections this article has superior merit. It is perfectly harmless, gives immediate relief, and cures the worst cases in from two to three days.

The latest styles of hats, caps, etc., can be seen at the store of Charles J. Fredericks & Co., 302 J street.

ALL in want of anything in music remember Cooper has the largest stock and sells the cheapest. Matheson & Pianos, the best, are in- destructible. Cooper's, Seven in his pocket.

MARRIED. HART-DOHN—In this city, November 26th, by Rev. Charles G. Oiler, new bride, Albert A. Hart to Dottie Dohn, both of this city.

BORN. STEPHENSON—In Frantlin, Cal., November 18th, to the wife of John F. Stephenson, twin daughters.

SMITH—In this city, November 18th, to the wife of Eugene E. Smith, a son, and a daughter.

CULVER—In Washington, Yolo County, November 17th, to the wife of J. E. Culver, a daughter.

DIED. WAIT—In this city, November 26th, Jennette, wife of Luther Wait, and mother of W. H. Wait, L. Christianon of Sacramento, Mrs. C. H. Cronant of Eureka, Nev., Albert L. James M. Gable and Wm. A. Wait, all of Sacramento, a native of New York, aged 61 years, 3 months and 13 days.

Friends and acquaintances are respectfully invited to attend the funeral this afternoon at 2 o'clock, from the residence of her son-in-law, C. L. Christianon, 2143 L street.

HESSEY—In this city, November 25th, Edwin E. son of S. E. and M. E. Hesse, a native of California, aged 20 years, 2 months and 5 days.

Friends and acquaintances are respectfully invited to attend the funeral on Sunday, November 29th, at 1:30 p. m., from the residence of his parents, 908 Twenty-first street, thence to the Central M. E. Church, Eleventh street, between H and I, where funeral services will be held.

WINING—In this city, November 27th, Mrs. Dora Wining, nee or w. H. W. Wining, and Mrs. E. K. Rott, of Sacramento, Mrs. E. J. Staling of San Francisco, and Fred H. Wining, of Omaha, a native of Hanover, Germany, aged 69 years and 6 days. [San Francisco, Omaha and Chicago papers please copy.]

Funeral notice hereafter.

FELIX—In this city, November 25th, Silvio Felix, a native of Mexico, Lower California, Mexico, aged 42 years, 5 months and 5 days.

Friends of the family are respectfully invited to attend the funeral from his late residence, No. 1115 Second street, this afternoon at 2:30 o'clock, thence to the Cathedral, Eleventh and K streets, where funeral services will be held, commencing at 9 o'clock.

Changed Daily for Weinstock, Lubin & Co.

TOYS! TOYS!

We have devoted the basement on the Fourth-street side of the new building to the display of Toys. The space is large, the light excellent and the force of salespeople ample to wait on everyone promptly.

During the past summer we sent a buyer to Europe, who purchased a large part of the toys which we are now displaying. The result is that prices in many lines are decidedly lower than ever before. This is specially true of those most popular of all toys—DOLLS. Many new European novelties are also shown.

DISPLAY OF FANCY WORK NOVELTIES.

We are making a display in the Embroidery Department of a large line of Holiday Novelties just from New York. They consist of ornamental and useful articles in kid, parchment, ivory, opaline, chamois, silk, etc. Many new and original ideas are presented.

This is a good opportunity for calling attention to our complete assortment of goods for all kinds of fancy needle and art work. Also of stamped linen goods, art silks, drapery scarfs, etc.

THE NEW STORE READY FOR BUSINESS.

TOO BUSY FOR FORMAL OPENING.

WEINSTOCK, LUBIN & Co., 400 to 412 K Street, Sacramento.

RIBBONS! RIBBONS! RIBBONS!

600 pieces of Ribbon, beautiful shades for Christmas Fancy Work, all silk, will be put on sale MONDAY MORNING from 25 to 40c per yard, worth \$1 per yard REMEMBER ALL-SILK RIBBONS. At

MRS. M. A. PEALER'S, 619 to 623 J Street, Sacramento, Cal.

ALL AROUND REDUCTION IN MEN'S SHOES O'BRIEN'S.

Special reduction in Heavy Cal Three-sole Railroad or Police-man's Shoe, wide sole. Price, \$5; reduced to \$3 50; lace or congress. Same style in a \$3 50 Shoe reduced to \$2 50. Boys' Lace or Congress Shoes, 2 1/2 to 5 1/2, \$2 50; reduced to \$1 90. MAIL AND EXPRESS ORDERS FILLED AT ABOVE REDUCTIONS.

O'Brien's Shoe Store, 607 J Street.

UPHOLSTERING OF ALL KINDS. FULL STOCK CARPETS AND FURNITURE. CHAS. M. CAMPBELL, 408 K ST.

Pacific Coast Diaries for 1892. W. F. PURNELL, 609 J ST. Telephone 156.

JAS. G. DAVIS Furniture and Carpets. Wall Paper of All Kinds. Send for Price List. 411-413 K Street, Sacramento.

KLUNE & FLOBERG, WATCHMAKERS AND JEWELERS. 425 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.

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.

WM. B. MILLER, KEEPS ON HAND A FINE LINE OF DIAMONDS, WATCHES AND JEWELRY. Repairing of Watches and Jewelry made a specialty. No. 628 J St., Sacramento, Cal.

C. SCHNERR & CO. (Successors to Poeschl & Schnerer), Nos. 311 and 313 Front Street, Sacramento, Cal. PROPRIETORS CAPITAL SODA WORKS and General Agents Frederickzberg Brewing Company, dealers in Wines, Imported Mineral Waters, Carbonated Drinks, Flasks, etc.

R. A. OLMSTEAD & CO., S. E. Cor. Fourth and L Sts. 118 1/2

REMOVAL OF SACRAMENTO TRUNK FACTORY to 515 K street.

THE WEEKLY UNION IS THE PAPER to send to friends in the East.

THE LACE HOUSE.

WE MEAN BUSINESS THE GREATEST Bargain Sale ON RECORD. DRY AND FANCY GOODS SUITABLE FOR CHRISTMAS. DON'T MISS IT!

Great Must Move Sale A TELLING CARD.

SPECIAL—Ladies' Jackson Corset Waists, in all shades. Former price, \$1 50; on sale, 94c.

THE LACE HOUSE, Cor. Eighth and J streets, GUS. ELKUS, Proprietor.

CUSTOM HABIT

When once grown upon a person are hard to throw off. Have you ever been in our place of business? Have you seen our stock of

POCKET KNIVES, SCISSORS, RAZORS, STROPS and TABLE CUTLERY?

If you persist in following old habits it may be to your loss. Our reputation for handling only the best brands of Cutlery is well known. An experience of twenty years in this line has not been lost to us. Remember the place,

M. MANASSE, 610 J Street.

CAPITAL PHARMACY, S. W. Corner Seventh and K Sts., J. S. O'CALLAGHAN, Proprietor, Druggist and Apothecary

PLAZA CASH GROCERY, N. E. Cor. Tenth and J Streets.

PRINTING D. JOHNSTON & Co. 410 J STREET.

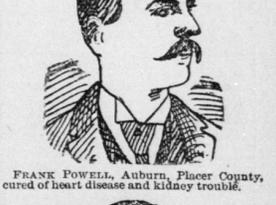
ORDERS FROM THE COUNTRY PROMPTLY FILLED

SAVED FROM DEATH.

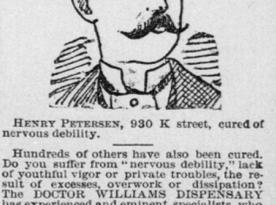
People Rescued at the Last Hour. REMARKABLE CURES EFFECTED AT THE NOW FAMOUS DOCTOR WILLIAMS DISPENSARY.



W. S. KALL, 324 K Street, cured of chronic catarrh and general debility.



FRANK POWELL, Auburn, Placer County, cured of heart disease and kidney trouble.



HENRY PETERSEN, 930 K Street, cured of nervous debility.

Hundreds of others have also been cured. Do you suffer from "nervous debility"? lack of youthful vigor or private troubles, the result of excesses, overwork or dissipation? The DOCTOR WILLIAMS DISPENSARY has experienced and eminent specialists, who have made nervous diseases of men a life study. The latest American and European discoveries are adopted. They recreate nerve force and powerful manhood. Correspondence secret.

DOCTOR WILLIAMS DISPENSARY, 612 K Street, Sacramento, Cal.