AN ILLEGAL BODY.

CONTINUED FROM FIRST PAGE.

In People vs. Thurston (5 Cal. 69), the same rule was stated, where Murray, C. J., delivering the opinion of the court, said: "I regard the indictment thus found by an illegally constituted body as worthless, and all proceedings based upon it void." (See also People vs. Coffman, 24 Cal. 234.) And such is the tenor of the general authorities. In People vs. McNamara (3 Nev. 75) the court say: "An indictment found by a jury not legally constituted cannot be valid." In McEvoy vs. State (9 Nebraska 163) the court say: "The Grand Jury must be selected in the manner prescribed by law. There is no security to the citizen but in a rigid adherence to the legislative will, as expressed in the statutes for a general guidance." In Stokes vs. The State (24 Miss. 623) it was held that (we quote from the syllabus, which correctly states the decision) "A Grand Jury consists of the requisite number of competent individuals selected, summoned, impaneled legally and sworn according to the form of law, and if the forms be not followed the Grand Jury is incompetent to perform legal acts. * * * The strict observance of the statute in regard to the formation of a jury cannot be dispensed with." In Ramey vs. The State (19 Tex. Ct. of Appeals 481) the court says that "A valid indictment is an indispensable pre-requisite to a legal prosecution for felony." In Finley vs. The State (61 Ala. 201) the court, after referring to an unauthorized order made by the lower court in procuring a Grand Jury, says: "The exercise of such a power by the court would be a violation of the spirit of all our legislation and would convert the Grand Jury from a distinct, independent body, drawn and summoned, by officers specially charged with that duty, into a mere dependency of the court, chosen by its absolute will. The practical results of such a power are too apparent to require discussion or statement. There is no reason for imparting to the court in this instance more than mere error, but the power exercised in the hands of a capricious or an unscrupulous Judge would destroy the purity and independence of the Grand Jury and pervert it from all the purposes of its intention."

There are numberless other authorities to the same point, but it is useless to indulge in further citation. And these authorities are determinative of the other form in which one of the respondents' counsel states his position, to wit: That the court having obtained jurisdiction of the matter of forming a Grand Jury by first making a valid order that certain jurors be drawn from the box, retained or thus acquired power to make the subsequent invalid order that other jurors be selected by Scott. But that was the exact state of facts in many of the cases above cited. In Finley vs. The State, for instance, the court had first made a legal order that certain Grand Jurors be properly drawn, and had afterward made an illegal order for the procurement of other jurors. The fact is that the jurisdiction of the respondent to legally impanel a Grand Jury did not come from any order which it made in the premises. That jurisdiction came from the law, and was vested in the court before any order was made by it. But that power was limited. There was room for the play and exercise of discretion within the inclosure; but they could not get beyond that without overleaping or breaking down the barriers. The appointment of Scott was an act entirely independent of, and distinct from, the order for the drawing of jurors from the box; and if there was any power to make it, such power must be found in the law and not in any previous action of the court. As said in High on Ex. L. Rem. (Sec. 704, 2d Ed.) a court "will not be permitted to make a jurisdiction for itself, by coupling matters beyond its control with those upon which it may rightfully adjudicate."

Our conclusion is that the court below had no authority in law to appoint said Scott to select Grand Jurors, because there was no case in which the power of appointing an elisor applied.

Is prohibition their remedy?

Prohibition in civil cases where there have been proceedings "without or in excess" of jurisdiction, and there "is not a plain, speedy and adequate remedy in the ordinary course of law." (C. C. P., secs. 1102 and 1103.) If the views heretofore expressed are correct, it is clear that the appointment of the (so called) elisor is "without jurisdiction." Jurisdiction is usually defined as "the power to hear and determine"; but, of course, it is difficult to express, in abstract terms, a statement of the distinction between error in exercising jurisdiction and jurisdiction itself, that can be readily applied to all cases as they may arise. The law endeavors to fix definitely everything that can in its nature be defined, so as to leave as little as possible to the judgment or caprice of those who administer it, but its many future events cannot, in the nature of things, be foreseen and provided for. It follows necessarily that much must be left to the discretion of courts and other tribunals. And the main test of jurisdiction in any particular matter is whether or not discretion is given to the court as to such matter. In the matter before us, for instance, if the law intended to give the power to appoint an elisor in the event of disqualification of the Sheriff, it is apparent that the law could not determine beforehand the disqualification of any particular person who might happen to be Sheriff at any future time. It could not say that any such Sheriff would be actuated by "bias or prejudice." Consequently the determination of the issue, when properly made, of such disqualification, is necessarily left to the discretion of the court; and it has jurisdiction to hear and determine that issue. But when there is no such disqualification, then there is no discretion given to determine whether an elisor should or should not be appointed. Consequently, when there is such an issue made and the court finds against the disqualification, or when, as in the case at bar, it is admitted there is no such disqualification, then no jurisdiction exists to make the appointment. And the jury not being a legal body, and the so-called indictment being void, then, as before quoted from Levy vs. Wilson, "the court has no jurisdiction to try the petitioner upon it." The conclusion follows that the proposed action of the court would be without and in excess of its jurisdiction.

The only other question is: Would petitioner have a plain, speedy and adequate remedy in the ordinary course of law?

If there be such remedy it must be by appeal. But it would be a difficult proposition to maintain that a defendant in a criminal case, forced through all the stages of a trial for felony without any indictment against him, or, which is the same thing in effect, upon a void indictment, would have a plain, speedy and adequate remedy, because after conviction and judgment, and perhaps after suffering the ignominy of imprisonment in the State Prison, he could have the illegal proceeding reversed on appeal. But it is not necessary to discuss that question, because it has been held several times by this court that the point here made by petitioner cannot be reached on appeal. It was so held by our predecessors in People vs. Southwell, 46 Cal., 141. In that case the lower court has made an order reciting that where objections to the Sheriff, and that the court intended to submit certain charges against him to the Grand Jury, and for that reason appointed the Coroner to summon the Grand Jurors. The defendant attacked in the court below the legality of the Grand Jury upon the ground of such appointment of the Coroner by moving to set aside the indictment. On appeal this court first held that the appointment of the Coroner was illegal, that the question could be reviewed on appeal; and that the judgment should be reversed; saying among other things that "a due regard to the rights of all persons accused, or to be accused by the Grand Jury, required that that body should be summoned by the officer intrusted by law with the performance of that duty."

But a rehearing was granted, and after further consideration the court (Wallace, C. J., dissenting and adhering to the former opinion) held that "in its legal effect the motion was a challenge to the panel," and that, as the objection to the summoning of a jury by the Coroner was not a statutory ground of challenge to our panel, the defendant had no remedy on appeal. In People vs. Welch, 49 Cal. 174, the court below had allowed the District Attorney to examine the Sheriff as to his qualifications to summon a jury, and upon his testimony that he was biased against the defendant, had appointed the Coroner to summon the jury. The defendant objected to the venire for that reason; but this court, on appeal, while holding that the action of the court below was wrong, held also that the question could not be reached, saying that The People vs. Southwell "is authority for the proposition that the mistake of the Judge in this case was not ground for challenge to the panel of trial jurors, or of objection to the venire." (It will be noticed that in both of the above cases there was an attempt, in some form, to attack the qualifications of the Sheriff). The same rule was announced in People vs. Colby (54 Cal. 37), and People vs. Hunter (Id. 65); and in each of said cases The People vs. Southwell is mentioned and expressly approved. And unless all of these cases—and some later ones—are to be overruled, there is no way in which the question raised in the case at bar can be reached except by the writ of prohibition.

And such, we think, was the decision of this court in Levy vs. Wilson (69 Cal. 105). In that case the petition was for a writ of prohibition. The petitioner set forth that he had been indicted by a body of men styled a Grand Jury, but "that the body that found said indictment was not a Grand Jury, or a valid, legal or constitutional body of Grand Jurors"; that the respondent, Wilson, Judge of the court in which said indictment was pending, was about to proceed to try petitioner upon said indictment; and that he would so proceed unless prohibited by the order of this court. Whereupon he prayed that a "writ of prohibition" be issued "restraining said Hon. T. K. Wilson as a Judge of said Superior Court from taking any further action for proceeding in said matter." (See petition in said case.) Now, the first question presented to the court, and which it must have decided affirmatively before looking further into the case, was this: Assuming that the body of men by whom petitioner was indicted was not a legal and valid Grand Jury, is prohibition the proper remedy, and has the court jurisdiction under that proceeding to grant the relief prayed for? If the decision had been adverse to the proposition that prohibition would lie in such a case, there would have been no occasion for the court proceeding further and examining into the grounds upon which petitioner, in that particular instance, rested his charges of the invalidity of the jury; the case would have stopped at the threshold. And the question was fully presented and elaborately argued by opposing counsel. Lounderback, for petitioner, argued strenuously that prohibition was the proper remedy, and cited numerous authorities to sustain his position; while the first point made by counsel for respondent (J. N. E. Wilson) was that prohibition would not lie—authority also being cited to that point. And so if the court had agreed with the petition of respondent it would have dismissed the proceedings upon that ground. But no such course was pursued. It entertained the writ of prohibition, and discussed the cases where it will and will not lie, and clearly held that it would lie when there was an indictment by a body not a valid and constitutional Grand Jury. Such is the necessary result of the action of the court; and such is the conclusion that must follow the language which is used. In that case the petitioner, among other things, had alleged numerous irregularities as grounds of the illegality of the Grand Jury, and the court in speaking of those used this language: "Most of the grounds stated for the purpose are irregularities and errors accruing before and after the finding and return of the indictment. But as these are matters which are reversible and remandable on appeal in the action, there are no grounds for a writ of prohibition. Prohibition lies to arrest the proceedings of a judicial tribunal when they are without or in excess of its jurisdiction; and the writ is issuable only in in cases where there is not a plain, speedy and adequate remedy in the ordinary course of law." But, having disposed of these minor matters, the court proceeds: "One of the grounds stated in the petition is, that the indictment was found by a body of men styled a Grand Jury that was not in law and in fact a valid and constitutional Grand Jury. If that be so, the accusatory paper returned by them to the court below as an indictment is worthless and void (People vs. Thurston, 5 Cal. 69), and the court has no jurisdiction to try the petitioner upon it." And so the express language of the court is a clear statement that if in that case the indictment had been found by a body of men who were not a legal Grand Jury, the peremptory writ of prohibition would have been granted.

From every standpoint, therefore, the case must be taken as a full authority to the point that prohibition lies in the case at bar. But when the court proceeded and looked into the merits of that case it found against the petitioner. The fact relied on was that the court below, after having ordered some of the Grand Jurors drawn from the jury-box, had then ordered the Sheriff to select the rest from the body of the county. The point insisted on by petitioner was that under the Constitution Grand Jurors must be "drawn," and that drawn meant taken from the jury-box by lot; and that the statutory provision allowing the court to direct the Sheriff to select jurors was unconstitutional. On that point the decision of the court was against the petitioner. While it says that, "We are of opinion that the court below, in exercising its discretion, ought to have ordered the panel to be filled by requiring the clerk in open court, and in the presence of the Judge, to draw the requisite number of names from the Grand Jury box, instead of requiring the Sheriff to summon jurors from the body of the city and county"; yet it holds that "the course adopted by the court was one authorized by the code." But if the court had held with the petitioner in his contention about the Sheriff's power it is clear that the writ would have issued. As to the case of ex parte Haymond, it is sufficient to say that distinction between a mere witness and a party indicted for a felony, is too clear to need discussion.

We are of opinion, therefore that there is no jurisdiction in the respondent to proceed with the trial of petitioner; that the latter has no "plain, speedy and adequate remedy in the ordinary course of law," and that prohibition is the proper remedy.

Petitioner makes the point that at the time of the order complained of there was a rule of the Superior Court of San Francisco, made by the twelve Judges thereof, and never repealed or abrogated, as follows: "Rule 4. It shall be the duty of the Presiding Judge to preside over the drawing and impanelment of all Grand Juries required by law or the public interests to be drawn. Grand Jurors must in all cases be drawn from the list of Grand Jurors selected by the Judges of this court, unless the Grand Jury box containing the names of jurors so selected be exhausted without securing a Grand Jury." Also, that the Constitution requires a Grand Jury to be drawn, and that "drawn" means taken by lot from a jury box. Also, that one of the alleged indictments against petitioner shows upon its face that if the crime charged was committed at all it was committed in the county of Sacramento, and without the jurisdiction of respondents. Also, that the trial jurors before whom he would be tried have, likewise, been procured by another similar order appointing another elisor. Also, that petitioner was compelled to appear before said Grand Jury and testify as to the very charges upon which he was indicted. But as our views heretofore expressed are determinative of the case, and as some of said questions are reviewable on appeal, we deem it unnecessary to here discuss them.

Let the writ issue, restraining the respondents as prayed for in the petition.

McFARLAND, J.

We concur: Harrison, J.; Paterson, J.

A concurring opinion was also written by Justice Garoutte.

OPINION OF CHIEF JUSTICE BEATTY.

Chief Justice Beatty concurs in the majority opinion as far as the illegality of the Grand Jury is concerned, but does not believe that the writ of prohibition is the process by which the question can properly be raised.

The Chief Justice concludes his opinion as follows: "As to the objection that the indictment for bribery in this case shows on its face that no part of the offense was committed in San Francisco no answer is made, and I do not see how any can be made. But although it seems pretty clear that the Superior Court of San Francisco has no jurisdiction of the offense charged, I do not think this court should interfere by prohibition until the particular defect referred to has been called to the attention of the Superior Court by demurrer, and even then appeal would be the usual remedy. The other objections to the indictment do not, in my opinion, involve any question of jurisdiction. Upon these grounds, while fully concurring with the court in its construction of the statute relating to the appointment of an elisor to select and summon talesmen, I am constrained to dissent from the conclusion that the error of the Superior Court can be corrected by prohibition.

DISSENTING OPINIONS.

Views of Justices Sharpstein and De Haven on the Points at Issue.

Justices Sharpstein and DeHaven in dissenting from the opinions given above reason as follows:

OPINION OF JUSTICE SHARPSTEIN.

Justice Sharpstein's opinion reads:

I dissent.

It seems to me that the only serious question in this case is whether the court, in the absence of an affidavit showing that the Sheriff and Coroner were "disqualified, or by reason of any bias, prejudice or other cause would not act promptly or impartially," has the power to direct "an elisor chosen by the court forthwith to summon so many good and lawful men of the county or city and county to serve as jurors as may be required," which was fully and carefully considered in People vs. Southwell, 46 Cal, 141, and determined against the contention of this petitioner. Under the law then in force the Coroner was authorized to execute process only when the Sheriff was a party to an action or special proceeding. It nowhere appears, nor is it suggested in People against Southwell, that the Sheriff was disqualified to serve the venire. Therefore the power of the court to direct it to the Coroner in that case rested upon no better foundation than the power of the court in this case to direct it to an elisor. The court, in people against Southwell, very pertinently remarks that "A Grand Jury, summoned in pursuance of a venire duly issued, cannot be said to be a wholly illegal body having no semblance of authority merely because the court erroneously directed the venire to be served by the Coroner instead of the Sheriff."

In that case the court said: "We think the court erred in directing the venire to be summoned by the Coroner instead of the Sheriff. But this was only one of the irregularities for which the statute had failed to provide a remedy. A Grand Jury summoned in pursuance of a venire duly issued cannot be said to be a wholly illegal body having no semblance of authority, merely because the court erroneously directed the venire to be served by the Coroner instead of the Sheriff.

"It was an error of which the defendant, perhaps, might justly complain, but the statute has provided no remedy for it."

This decision has never been overruled, but on the contrary has been repeatedly referred to as authority in later cases in this court, and seems to be conclusive of every question presented by this record. Indeed, my attention has not been called to the decision of any court, either in this State or elsewhere, in which it has been held that an irregularity in the formation of a Grand Jury of the character here complained of can be corrected in a collateral action.

In Wharton's "Criminal Law and Practice," Section 550, it is said: "If the body by whom the indictment was found was neither de jure nor de facto entitled to act as such, then the proceedings are a nullity, and the defendant at any period when he is advised of such nullity is entitled to attack them by motion to quash or by plea in abatement, or when the objection is of record, by motion of arrest in judgment. He is in most jurisdictions sheltered by constitutional provisions from prosecution, except upon indictment found by a Grand Jury, and when the body finding the indictment is not a Grand Jury, either de jure or de facto, then the prosecution must fall when the question is duly raised. But a de facto Grand Jury cannot be deemed a nullity under this provision of the Constitution."

This seems to me to be the true rule, and in the case of ex parte Haymond, 27 Pacific Reports, 859, we held upon the same state of facts disclosed in this record, but this same Grand Jury was a de facto Grand Jury. This being so, in my opinion, the Superior Court has jurisdiction to proceed upon the indictments, and any judgment which it might make should not be void and therefore the writ should be denied. In the foregoing I have assumed that the offenses charged against the petitioner are alleged to have been committed in whole or in part within the city and county of San Francisco. If, however, the indictments are defective in this respect, and it is not shown that the attention of the Superior Court has been called thereto, petitioner is not entitled, as a matter of right at this time, to the writ demanded. DE HAVEN, J.

Royal Baking Powder.

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Royal Baking Powder

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M'AULEY'S WATERLOO.

The San Francisco Boxer Falls Before the Agile Turner.

An Exhibition of Generalship and Gameness Seldom Equaled—It Lasted Eleven Rounds.

As was predicted, the glove contest between McAuley of San Francisco and Turner (colored) of this city, which took place at the Comique Theatre, Saturday evening, turned out to be one of the cleverest and most scientific contests of the kind that ever occurred in Sacramento.

Both men have good records, and are noted for their hard hitting qualities. Turner appeared in splendid condition and looked strong enough to fight for his life. McAuley, however, probably thought he would have an easy time with the man of color, and had not been careful in his training. He did not seem to have his old-time stamina, but, nevertheless, he was quick and active, and gave a splendid exhibition of pluck.

LOOKED A WINNER.

During the first three rounds the contest appeared to be all in McAuley's favor. He was smiling and confident, and, despite the fact that Turner was doing all the forcing, the white man's counters and left-hand stops were doing the most damage. McAuley tried the "La Blanche" swing several times in these rounds, but the colored man was extremely wary and dodged all of them except one, which landed on his forehead and staggered him.

In the fourth round Turner evened matters up by flooring McAuley during a hot rally at the ropes. The white man was up in a twinkling, however, and withstood Turner's rushes cleverly. In the fifth round the colored man was still pushing matters, while McAuley remained on the defensive. Just at the close of the round the San Francisco boxer landed another staggering La Blanche swing on the brunette's forehead. The latter retaliated quickly with a resounding slap on the white man's mouth.

LIVELY WORK.

The sixth round was one of the best in the contest. It was characterized by hot exchanges of hard blows all through. Turner lost his temper during the round and for a minute fought wildly. He was brought to his senses, however, by another heavy pivot blow, or La Blanche swing.

In the next round McAuley's lack of condition began to tell. He was breathing laboriously and appeared to be getting tired. He kept close to his adversary and took every opportunity to land some heavy body blows. He also landed some crushing neck blows with left and right. In the eighth round the colored man

LANDED ON M'AULEY'S NOSE

And soon the blood was trickling down the white man's breast. McAuley was getting weaker all the time, but his science stood him well in hand and prevented the colored man from finishing him. In the ninth McAuley became desperate and rushed Turner and landed a pivot blow. He missed another and fell from the force of his own blow. Turner jabbed the white man unmercifully in this round with his left.

When the tenth round opened it was plain that, barring a chance blow, Turner would win. McAuley was "groggy" and had lost his strength. Turner went at him savagely and landed repeatedly. McAuley was game to the last, however, and tried his best to stem the tide—but in vain. The eleventh round was the last. Turner rushed McAuley, and landed hard and often. McAuley made a desperate swing at the black man, but missed. The force of the ineffective blow pirouited him, and just as he came around facing his opponent again, the latter hit him on the point of the chin, knocking him down and rendering him *hors du combat*.

The big audience cheered the white man for his gameness. Turner, the victor was pronounced a good one, and he was immediately matched to meet his namesake, Turner of Stockton, in two weeks. McAuley also challenged him for another match.

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Bad Blood.

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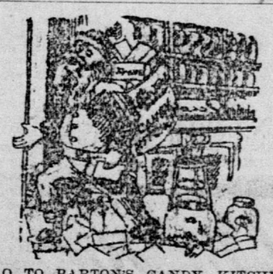

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Canton Steel, Hazard Powder, Gillingham Portland Cement.

CHAS. FLOHR,

1024 SIXTH STREET, IMPORTER AND dealer in Fine Shotguns, Rifles and Pistols. Agent for the celebrated Imperial Shotgun. Loaded Ammunition of the best quality for shotguns, rifles and pistols always on hand. Safes and Scales repaired and Locksmithing given prompt attention. Call and try my Machine-loaded, "Reliable" Shotgun Ammunition. Repairing of all kinds neatly done and warranted. d8-tf

Meeting Notices.

THE ANNUAL MEETING OF THE stockholders of the Masonic Hall Association of Sacramento, Cal., will be held at Masonic Building, southwest corner Sixth and K streets, MONDAY EVENING, December 14, 1891, at 7:30 o'clock.
d5-10t JOHN W. ROCK, President.

General Notices.

REMOVAL—THE OFFICE OF THE SAN Francisco "Call," "Post," "Bulletin" and "Report" has been removed to 631 J street. d12-3t*

MRS. L. M. BATES, METAPHYSICIAN, gives treatments daily at the HOWELL CLARK RESIDENCE, Tenth and Y streets. d8-6t*

DR. T. WAH HING, ENGLISH AND CHInese physician and surgeon, graduate of Hongkong Medical College. Office in room 29, P. O. Building. d4-1m

Lost—Found.

LOST—IN THIS CITY LAST SATURDAY, a gold hunting case watch. $20 reward will be paid for its return to E. S. JACOBS, 514 Thirteenth street, and no questions asked. d14-3t*

LOST—LAST EVENING, AT THE LETTER Carriers' ball, a scarf pin. Finder return to 1420½ Q street, and receive reward. d12-2t*

LOST—A SMALL BLACK-AND-TAN DOG had on red collar; answers to name of "Jerry." Return to DR. G. G. TYRRELL, and receive reward. d11-3t*

Wanted.

WANTED BY A GERMAN WOMAN—A situation to do general housework or as housekeeper. Apply at room 19, STATE HOUSE HOTEL. 1t*

WANTED—GIRLS TO SELL TOYS WHO have had some experience. Apply to C. H. GILMAN, Red House, from 9 A. M. to 4 P. M. d14-3t

WANTED—TO PURCHASE SOME SECond-hand duck decoys. Address E. O., this office. d14-3t*

WANTED—A WOMAN TO TAKE CARE of children. Apply at 1701 K street. d12-3t*

WANTED—A GALVANIC BATTERY; must be in good order; also, cheap. Address BATTERY, this office. d12-2t*

WANTED—A REFINED, INTELLIGENT married lady or widow in Sacramento to superintend the sale of our "Imperial Shields." Every married woman a sure patron. A permanent position and $200 per month guaranteed. Address, with reference as to character and ability, H. H. LANG, Manager, San Francisco, Cal. Write to-day. d11-3t*

WANTED—FIVE GENTLEMEN, WIDE awake, with good address; salary or commission. Apply to the SINGER MANUFACTURING CO., 509 J street.

WANTED—MEN FOR FARMS, VINEyards, dairies and all kinds of labor; women and girls for cooking and general housework; plenty of work for desirable help. Apply at EMPLOYMENT OFFICE, Fourth street, K and L.

To Let or Rent.

TO LET—A FURNISHED DINING-ROOM in good location. Board for rent. Apply at 914 Seventh street. d14-7t*

TWO ROOMS PARTLY FURNISHED FOR housekeeping; rent $8 per month. Apply at 411 L street. d14-tf

TO LET—FIVE UNFURNISHED ROOMS, with use of stable; rent, $6 per month. Inquire of M. DUFFY, 1103 J st. d10-6t*

FOR BOARD WITH OR WITHOUT rooms; also, furnished rooms for housekeeping, inquire at 1211 Seventh st. d10-6t*

TO LET—THREE FURNISHED ROOMS suitable for housekeeping; 1418 Sixth street. d9-6t*

TO LET—THE TWO-STORY BRICK stable (fireproof) on part of lot 7 (60x80), O and P, Fifteenth and Sixteenth streets; large enough for 80 tons of hay, and contains six stalls. Inquire of JOS. BEEBE, next door east, on P. d9-tf

TO LET—COMFORTABLY FURNISHED double parlors, gas and bath, with or without board; convenient to State Printing Office and Capitol. For terms address Q, this office. d8-6t*

TO LET—FOUR FURNISHED ROOMS and bath, at 1233 G street. d8-1w*

TO LET—THE NICE, FIVE-ROOM COTtage corner Seventh and P; large rooms; all modern improvements. Inquire at 704 P street. d8-6t*

TO LET—FURNISHED ROOMS SUITable for one or two gentlemen, or gentleman and wife, with or without board; within ten minutes' walk of State Bindery. Address L. V., this office. d8-6t*

TO LET—910-912 M STREET. HOUSE of 18 rooms, suitable for boarding or dwelling house. Apply to SILLER BROS., 1230 P street. d5-tf

TO LET—NICELY FURNISHED FRONT room; references required. 1208 Ninth street. d2-tf

FURNISHED ROOMS, WITHOUT BOARD, at International Hotel, 320 to 326 K street. W. A. CASWELL, Proprietor.

FURNISHED ROOMS AT CENTRAL House, from $5 per month upward; also, family rooms at low prices. HORNLEIN BROS., Proprietors.

For Sale.

FOR SALE CHEAP—A BENSINGER Self-Adding Register; good as new. Apply 1023 Second street. d12-6t*

FOR SALE—ONE OF THE BEST LITTLE Jersey cows in the city; gives very rich milk and plenty of it; a very desirable family cow in every respect. H. W. RIVETT, 1128 O street. d11-3t

FOR SALE OR TO RENT—THE UNDERsigned offers for sale or to rent her ranch in Yolo County, on the Sacramento River, about eight miles above the town of Washington. It contains nearly four hundred acres of first-class bottom land, and will produce grain, alfalfa and vegetables of all kinds in great abundance. The property will be leased for from one to five years on reasonable terms. For particulars inquire of Holl & Dunn, 920 Fifth street, Sacramento City. d10-tf SARAH McKEARNEY.

FOR SALE—THE VALLEY BRAND CONdensed milk, by all retail grocers. Ask for it. d9-1m*

FOR SALE—THE SHELVING AND FIXtures of a grocery store. Apply at 416 K street. d7-2w

FOR SALE, OR WILL EXCHANGE FOR farming land—160 acres (about 80 acres in full bearing trees) Placer County land, seven miles from Loomis, Rocklin and Roseville, four miles from Folsom; good house of 11 rooms, rented last year for $1,500. MILLS & HAWK, Third and J sts., Sacramento. n19-tf

FOR SALE—LOTS 40 OR 80x160 FEET, north side of P street, between Twentieth and Twenty-first streets; one of the finest locations in the city—above all possible floods. W. E. CHAMBERLAIN, 1618 M street.

FOR SALE—ONE OF THE FINEST AND largest saloons in the city; extra family entrance; best location; stock and lease. Inquire at this office.

FOR SALE OR TO RENT ON LEASE—Ten acres of bottom land, one mile below Washington, Yolo County; if sold will take small payment down. Apply to EDWIN K. ALSIP & CO., Real Estate and Insurance Agents, 1015 Fourth street.

HOLIDAY GOODS!

Our extensive lines of XMAS NOVELTIES are now open for inspection.

OPEN EVENINGS.

H. S. CROCKER & CO.,

208-210 J Street.

MINCE MEATS,
MOUNTAIN APPLES
And the most select stock of
GROCERIES.
R. A. OLMSTEAD & CO.,
S. E. Cor. Fourth and L Sts.

TANSY PILLS!

(Wilcox's——Compound.)

SAFE, CERTAIN & EFFECTUAL.

Used monthly by 10,000 American women who find them indispensable. Druggists, or by mail. Send 4c. (stamps) for "Woman's Safe-Guard."

"GOFF'S GIANT GLOBULES"

Strongest Invigorant known. Restore Lost Vigor in 5 days. Druggists, or by mail. Particulars (sealed) 2c.

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