

SOON TO BE SETTLED.

The Validity of the Capital Removal Resolution.

An Agreed Statement of Facts to be Submitted, a Pro Forma Decision and an Appeal.

The indications now are that the matter of the validity or invalidity of the action of the late Legislature, regarding the matter of the attempted removal of the seat of government from this city to San Jose, will be settled by the Supreme Court at a very early date—perhaps within a very few weeks.

A stipulation has been entered into between the lawyers engaged on either side in the suit brought by W. D. Kideout against Secretary of State Walte to enjoin him from certifying the removal resolution to the several County Clerks—by which an agreed statement of facts has been decided upon.

This will be submitted to the Superior Court at once, together with an amended complaint, and the court will be asked to give a pro forma judgment for the defense. The case will then be appealed to the Supreme Court, which will take but a few days, and the latter tribunal will be asked to advance it on the calendar, so that a decision may be reached within a very few weeks.

By this arrangement the plaintiff's (Sacramento's) attorneys will have control of the case, which will give them the opening and closing arguments. The agreed statement will probably be submitted to the Superior Court to-morrow, when all the points contained in the stipulation will be made public.

WILL NOT REPEAT IT.

The Oakland Press Pledged Against a Verbal Abomination.

The Oakland Times editorially says: "The Record-Union of Sacramento inveighs with characteristic vigor against the use of that verbal abomination, 'electrocuted.'" The Times then quotes the Record-Union's remarks in full, and says: "The Record-Union is right in every particular of its indictment, and yet it may be argued that the use of 'good slang' is not detrimental to the language in the sense that it is a 'corruption of the tongue we speak.' We do not advocate the use of vulgar idioms or meaningless phrases, but when the word or expression fits the subject—when it describes tersely and unerringly a condition, a manner, a habit, custom or folly, we believe that its use is justifiable, and as long as the subject exists the expression should be continued. Slang, so called, is the result of a limited vocabulary, but it is also an indication of invention, necessity, and, if true, by that limitation, but based upon the faculty of observation, and, in most cases, it is pregnant of comparison, metaphor and a humorous sense. Slang is graphic, and unless it contains a very decided element of logic and reason it will, like many of the more respectable words and derivations of the dictionary, become obsolete and lapse into a condition of 'innocuous desuetude.' The word 'electrocuted' is so utterly bad that every person who writes it is ashamed of his indecent assault upon the language. It is well, however, that the newspaper men who have thus 'much offended' should be warned of the ignoble source of the hybrid."

The Times then quotes from us the statement of fact that the word was invented by a brutal convict in Sing Sing, whose vocabulary was unequal to proper expression. The Times adds, referring to our protest against the use of the term: "We think we can answer for the newspaper men of Oakland—they will not do it again."

THE STORM.

Rain and hail in the valleys, and snow in the mountains. Yesterday's thunderstorm covered a very considerable portion of the northern half of the State, and on the whole will doubtless result in considerable benefit, although early cherries and ripening strawberries will suffer. Most of the cherries are, however, a couple of weeks later than usual, and will escape injury. The rain will, however, greatly benefit the grain crops in many localities.

About the Summit and Truckee rain, hail and snow fell yesterday, about half a foot of new snow falling at the Summit, where there is now between five and six feet of the beautiful stuff.

The Weather Bureau reports in this city show the highest and lowest temperatures yesterday to have been 61° and 49°, with fresh to brisk variable winds and partly cloudy weather prevailing.

The rainfall for the storm was .23 of an inch, making .25.35 inches for the season, as against 14.18 inches to a corresponding date last year.

The barometrical readings at 5 A. M. and 3 P. M. were 30.04 and 30 inches, respectively.

The highest and lowest temperatures one year ago yesterday were 82° and 56°, and one year ago to-day 84° and 59°.

There was during the rain yesterday afternoon a shower of hail, lasting for a minute, after which there was one single and lonesome peal of thunder, without any lightning being visible.

BEHIND THE AGE.

A recent telegram from Fresno states that a fraud is being carried on against that county in the matter of collecting bounties on manufactured rabbit ears. The bounty is 15 cents per pair, and the ears are made from rabbit skins. Ten thousand ears can be manufactured from 1,000 rabbits. The collusion of the officer who counts them is necessary to the success of the trick. As fast as counted the ears are burned, thus rendering detection difficult.

The matter was discovered by an officer who was approached by a man with ten sacks of what he claimed to be ears. The officer refused to count to suit the man, and from the latter's action it was surmised that all was not right.

Sacramento County has a man who can "see" this enterprising Fresnoite and go him several traps better. At a recent session of the Board of Supervisors a batch of alleged coyote scalps were sent in, accompanied by a claim for a certificate on the State Board of Examiners, and the State bounty. On examination of the scalps it was found that several of them had been taken from jack rabbits.

That Fresno man ought to go and bag his head.

TO STREET TITLE.

A Lot on H Street Gives Rise to a Law-Suit.

Frances M. Ross has commenced suit in the Superior Court against Emma J. Tozer and Charles A. Tozer to quiet title to the south half of the west quarter of lot 5 in the block between G and H, Thirtieth and Fourteenth streets.

Charles H. Lloyd, by which name he was sometimes known, is the plaintiff; also, that Tozer (or Lloyd) conveyed the property to the plaintiff; also, that Tozer died in 1880 and the Superior Court of Alameda made a decree of partition of his estate to the defendants, and that they are possessed of whatever title Tozer (or Lloyd) possessed in the property, the defendant, Charles A. Tozer, being at the time a minor, but having since become of age. The plaintiff asks that the ownership of the land be declared to rest in her.

EVERYBODY'S COLUMN.

Correspondence of Interest to the General Public.

Under this heading the Record-Union will publish short letters from correspondents on topics of interest to the general public. The writer in wise communication will be accompanied by the name of the writer, not for publication unless so desired, but as a guarantee of authenticity.

Give the County a Chance. Eps, Record-Union: The interests of Sacramento city and county are almost identical. If one prospers, the other must. Should the population of the city increase, or be doubled, the value of lands adjacent thereto must also increase and be doubled. I can see no reason why the people outside of the city should not be permitted to subscribe their portion to the undertaking of helping along not only the city but the county.

If, as was stated in yesterday morning's paper, there are some selfish men in the city who will not do their share toward helping not only themselves but others, there may be in the country men who will willingly take their places. The way I understand it is that all that is needed is money; it doesn't make any difference who subscribes, so long as it is subscribed.

Why would it not be a good idea for the gentlemen in charge of the Industrial Improvement Association to organize meetings throughout the county, and get subscriptions from all those who are willing to be assessed? FLORINITE.

ROONEY NONSUITED.

He Falls to Make Out His Case Against a Sholea.

The suit of James B. Rooney vs. Peter J. Shields, administrator of the estate of M. W. Hicks, deceased, was tried in Judge Johnson's court yesterday. The suit was for \$10,000, which Rooney claimed was due for pasturage on a band of brood mares belonging to Hicks, under a contract as to the number of horses and price of pasturage.

The defendant claimed that he had offered to the claim that at the time of the claim, and that the plaintiff did not keep the stock in a separate field and supply them with plenty of fresh water as specified in the contract, nor did he keep them in good pasture so as to keep them in good saleable condition. Also, that the fence was in such condition that one mare, valued at the sum of \$1,200, was so hurt by the fence that she died, and on account of insufficient pasture several of the foals died, at a cost to the plaintiff of \$2,000 as damages.

The defendant's attorney then moved for judgment on the ground that the plaintiff had failed to make out a case, and the court granted the motion.

DIED SUDDENLY.

Jacob Kaerth's Very Sudden Call From Above.

The many friends of Jacob Kaerth were surprised yesterday on learning that he had suddenly expired at midnight on the preceding night.

He was in his usual health up to 11 P. M., about which hour he went home on a street car. On the way he was taken violently ill, but managed to reach his house. While Mrs. Kaerth went to a rear room for some medicine he was seized with a moribund and died within a few minutes.

Deceased was a native of Germany and 65 years of age. He came to California in 1851 and resided in the Sacramento valley that year. He was a Veteran Odd Fellow, a member of Schiller Lodge, No. 10, for many terms was President of the Sacramento Turnverein.

He leaves a widow and five children—one son and four daughters. The funeral will take place from I. O. O. F. Hall at 2:30 P. M. to-morrow.

POLICE DETAILS.

Officer Dole for Special Duty—Burke to be Night Jailer. Chief of Police Rodgers has very wisely detailed Officer Dole to remain on duty at the police station each night up to midnight, to answer calls that may be made for an officer.

Officer George Nagel, whose long and cross-eyed eyesight is rather somewhat impaired, has been placed on outside duty—on beat one—and Officer Burke will do night jail service for awhile.

Although a new officer, Mr. Burke has shown himself to be efficient and faithful, and will prove an excellent officer to have charge of the jail at night.

SOLD THE HAY.

W. H. Posten Sued by Mrs. Valentin for Its Value. The plaintiff in the case of Alice M. Valentin vs. W. H. Posten has filed a supplemental complaint in the Superior Court, alleging that since the filing of the original complaint last August the defendant has sold all the hay described therein, excepting about sixty-two tons. Also that the entire amount of hay produced was 240 tons, of which the plaintiff was entitled to one-half, and that the defendant converted to his own use fifty-four tons of the half which belonged to her.

She therefore asks for judgment for \$750 and also the costs of suit.

FORD FLEED.

The San Francisco Sheriff Can't Find Him for Hornetism. Last winter, when the Legislature was in session, Jack Ford, by representations to the Hornet brothers that he was an attaché of the Legislature, managed to borrow of them the sum of \$100.

Judge Buckley issued a warrant for his arrest, and it was given to the San Francisco Sheriff for service on him; the charge being obtaining money under false pretenses.

Chief of Police yesterday received the Sheriff's which was returned unserved, so that the criminal court calendar will not be burdened with his case just at present.

WHY FUNDS ARE SHORT.

A Democratic Legislature and Controller Were Responsible.

Secretary of State Walte Defends the Present Administration Against Certain Charges.

Secretary of State Walte was called upon by a Record-Union reporter yesterday in regard to the State's financial condition and the alleged likelihood of its being unable to meet its obligations.

Mr. Walte said there was no cause for alarm, and nothing whatever for the partisan press to bring against the present administration, as the embarrassment, if any should occur, will be owing mainly to the action of the former Controller, Mr. Dunn, in underestimating the amounts required for the support of certain institutions, and to the operations of the late Legislature.

"This administration," said Mr. Walte, "was loaded with an unjust burden. The last administration had a levy of 70 cents on the \$100 to supply its funds, while the present administration was restricted by its platform to but 50 cents, and what makes the showing look bad is that the late Legislature did not make a tax levy up to the 50-cent limit."

"The Legislature of 1891 fixed the rate at 44-10 cents, when if it had been 50 cents—the limit fixed by party platforms—there would have been more money in the treasury at the beginning of the present administration. The tax levy for the two coming fiscal years, from July 1st, is somewhat higher than the 50-cent rate, or still less than the 50-cent limit."

"Beside," added Secretary Walte, "the last administration projected a great many new institutions which were left for the present administration to complete and sustain. Restricted as this administration has been to two-thirds the revenue of the one preceding it, it will be seen that it has had a heavy burden."

"The present depleted condition of the Treasury is owing to the fact that the former Controller, John P. Dunn, estimated that the amount of money that would be necessary for orphans, half-orphans, abandoned children and aged and indigent persons between 46 and 47 cents, or two fiscal years ending July 1st next.

"The cost has been a half million dollars more than that, which this administration has had to pay, and it has been obliged to pay arrearages for some purposes since as far back as 1883, or ten years."

"Among the institutions projected by the former administration were two Reform Schools, one at Whittier and one at Lone, two new Insane Asylums, in Mendocino and San Bernardino—both expensive ones—and besides, it has removed the Home for Feeble-Minded Children from Santa Clara to Geelson, Sonoma County, at a cost of \$100,000, and the establishment of a new one, and all at the expense of this administration."

"This administration has paid out \$300,000 for the Whittier school, \$200,000 for the Home for Feeble-Minded Children—and \$300,000 for the World's Fair. It has also paid a portion of the State's debt in outstanding bonds of \$25,000."

"Thus burdened, and owing to the new law, the tax revenue comes in installments and after delay, so that the funds are not at this time in the treasury that were there in advance of this time heretofore."

"Again," said Mr. Walte, "the last Legislature made its tax levy, establishing the amount to be levied, before it had its appropriations, and then passed bills aggregating an expenditure of nearly \$2,000,000 in excess of the amount levied by a fifty-cent limit."

"The Governor has curtailed this amount by \$800,000 in various bills, but this still leaves \$800,000 in excess of what will come into the treasury by the last tax levy."

"The Democratic press should know that this condition of things was mainly brought about by a Democratic Congress and a Democratic Legislature, and they cannot condemn the present administration, which has been burdened heavily by obligations which do not justly belong to it."

"However, I say again there is no cause for alarm, as this same state of affairs has existed heretofore, and there will be no difficulty at the end of this administration."

"It only rests with the next Legislature to make sufficient appropriations."

"PICTURESQUE AMERICA." An Entertaining and Instructive Lecture by G. G. Burnett. The illustrated lecture entitled "Picturesque America," given at the Sixteenth-street Lutheran Church last evening, by G. G. Burnett, formerly of this city, called out quite a large audience, and was very entertaining and instructive.

Mr. Burnett, accompanied by his wife, has just returned from an extensive tour of the United States, during which he gathered a very choice and select assortment of views of many notable objects of general interest. These he has had excellently prepared for projection on exhibition, and the apparatus used is one of the best obtainable.

Views are given of many of the public buildings of the country, scenes in Washington, Chicago, New York, Philadelphia and other cities, as well as many views of natural wonders.

Among the most striking scenes presented were views of the Niagara Falls in winter, the Ice Palace at Montreal, points on the Canadian Pacific Railroad, the Denver and its Grand Canyon, Florida, Arizona, and the various wonders of California.

Among the scenes were several of the dissected wrought by the jointed blood in Pennsylvania, from which some idea was given of the terrible havoc which caused the death of 3,000 people in a few moments.

The lecture throughout was instructive, and the views were very fascinating in their realistic representation of scenes covering a wide range of travel in America.

CHINESE MURDER CASE.

Faces of Those Concerned in the "Rogue's" Gallery at San Francisco. The murder trial of Chin Hane and Hoey Yen Sing still drags along in Judge Catlin's court, and no one as yet is bold enough to guess at the possible number of witnesses the defense has yet in reserve.

known as yet whether Warden Aull will allow him to be deported with the rest of the Chinese, or whether he will hold his grudge in the granite quarry to be too valuable to lose. Time will tell.

AMUSEMENTS.

A good house, a large audience was at the Opera-house last night, and was thoroughly well pleased with the New York Stock Company's presentation of "Miss Calaf." Miss Calaf gives the title character a strength and finish that is satisfying to good dramatic tastes.

Mr. Cleaves has made his Yuba Bill a decided improvement over the first night. It is now almost flawless and a strong, hearty and very accurate character. Mr. Waldron's mountain Justice of the Peace one of the best works of his genre. All in all, the play is a complete success.

To-night about a hundred ladies of the Foresters' gathering will attend at the Opera-house in a body.

Manager Todd says the performance of the Howard Atheneum Company at the Metropolitan Friday and Saturday nights will begin at 8 o'clock sharp on account of the length of the programme, and that Saturday night's performance will be as complete as Friday's, though the troupe leaves that night, arrangements having been made to enable the company to depart an hour and more later than the schedule train time.

Arrangements have been perfected for the appearance of the Stanford University Glee Club in this city next Thursday evening, May 25th, at the Congregational Church. The club will appear under the management of Frank Peltier and Edgar M. Shook. The club's efforts will be made to make it one of the most pleasing entertainments ever given here.

The Berkeley Glee Club delighted an audience of over a thousand people when it appeared here a few months ago, and many expressed the wish at the time that the club might repeat the musical. The Stanford Glee Club claims to be as fine an organization of its kind as there is in the State, and wherever it has appeared the press has spoken of it as a combination of rare musical talent and the most perfect ensemble of voices of people, and it is thought that Congregational Church will be crowded with people anxious to hear the club.

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Changed Daily for Weinstock, Lubin & Co.

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NOVELS AT 8 CENTS. STORY OF ELIZABETH. THE TWO ORPHANS. A TROUBLE-SOME GIRL. THE DUCHESS. LADY AUDLEY'S SECRET.

NOVELS AT 12 CENTS. GUILDEROY. LONA DOONE. THE NUN'S CURSE. LOVER OR FRIEND. THE WORLD, THE FLESH AND THE DEVIL.

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A MODERN CIRCE. DORA THORNE. MY HERO. GRIMM'S FAIRY TALES. A BORN COQUETTE.

JANE EYRE. DONOVAN. ADAM BEDE. LONSEDE LA VALLIERE. ROMOLA.

NEW THINGS AND THINGS BELOW VALUE. A broken line of sizes in "I. C." Corsets, heavy white coutille, 82c.

Ladies' Low-neck Sleeveless Silk Vests, 75c and 85c. Infants' Silk Vests, 38c and 48c.

Ladies' Richly Embroidered White Lawn Aprons, 75c. Long-waisted Ventilated Corsets for summer wear, \$1. Pongee Corsets, \$3.40.

Ladies' Black Silk Mitts, 12c. New Grenadine Veiling satin stripe border, with chenille dots, in contrasting colors, 35c.

Royal Worcester Empire Shirt Waists, black or drab. Children's Sun Bonnets, 25c and 50c; some prettily trimmed, 75c.

Ladies' White Kid Gauntlet Gloves, with white or black stitching, \$1.50. Children's Low Neck Sleeveless Cotton Vests, 15c.

Aluminum Thimbles, very light, 5c. New Coin Purses, with patent spring opening for ladies' use, 25c and 35c.

WEINSTOCK, LUBIN & CO. AGENTS FOR STANDARD PAPER PATTERNS, 400 TO 412 K STREET, SACRAMENTO.

"WELL BRED, SOON WED." GIRLS WHO USE SAPOLIO ARE QUICKLY MARRIED. Try it in Your Next House Cleaning.

INGRAM & BIRD. FURNITURE AND CARPETS. 617 K STREET.

THESE BOYS ARE ANXIOUS TO SHOW THE NEW PATTERNS, SO ARE WE. Our prices guaranteed as low as any, and it may be a little lower in some things. Come and see.

Special Values in Men's Fine Footwear. O'BRIEN'S. 607 J STREET, SACRAMENTO.

Gents' Fine Calf Shoes, lace or gaiter style, marked down to \$3.80. Men's Dress Shoes, in calf or dongola, square or London toe and tip, 8.00.

Workingmen's Kip Buckle Alexits, 1.65. A complete line of Ladies' Oxford Ties, opera toe and diamond tip or square toe and tip, \$1.25, \$1.50 and 2.00.

Misses' Spring-heel Shoes, square toe, patent leather tip, 1.75. Children's, 1.25.

What is It? In point of fact it is the freedom from poisonous and spurious ingredients, the excellence in flavor which gives to Dr. Price's Delicious Flavoring Extracts of Vanilla, Orange, Lemon, etc., their wide popularity and increasing sale.

The retail grocers are learning that quality rather than price is necessary to retain the confidence of customers and make a successful business.

We have just received from the East a large assortment of World's Fair Glasses, with the twelve different buildings beautifully engraved on them. See our show window.

Lawn Mowers, Lawn Shears and Rakes, Wire Cloth and Builders' Hardware. PLUMBING AND TINNING A SPECIALTY.

M. K. WALLACE & CO., F. A. PELTIER, 813, 815, 817 J Street. H. K. WALLACE.

PANCAKES! PANCAKES! Get a 10-pound sack of PHOENIX SELF-RAISING FLOUR from your grocer and bake some pancakes for your breakfast. They cannot be beat.

Miscellaneous.

New and Beautiful Patterns, at only \$1 PER YARD. On easy weekly or monthly payments.

Elegant Designs in Yard Wide Ingrains AT 50 CENTS. CHARLES M. CAMPBELL, 409 K STREET.

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GOLDEN EAGLE HOTEL, Corner Seventh and K Streets. STRICTLY FIRST-CLASS. FREE BUS to and from the cars.

WESTERN HOTEL, THE LEADING HOUSE OF SACRAMENTO. Free bus to and from hotel.

CAPITAL HOTEL, CORNER SEVENTH AND K STREETS. STRICTLY FIRST-CLASS. Free bus to and from depot.

CITY HOTEL. THE CITY HOTEL HAS BEEN RENOVATED and refurnished throughout, and is now one of the most comfortable in Sacramento. Will be rented or leased to a desirable tenant. Inquire at the hotel.

HOTEL LANGHAM, Northeast Corner Fourth and L Streets. FINEST FURNISHED ROOMS IN THE city by day, week or month.

STATE HOUSE HOTEL, Corner Tenth and K Sts., Sacramento. BOARD AND ROOM, \$1.25 TO \$2 PER DAY. Meals 25 cents.

INTERNATIONAL HOTEL, BOARD AND ROOM, \$5, \$5.50 AND \$8.50 PER WEEK. Meals, 25 cents.

THE SADDLE ROCK, Restaurant and Oyster House. FIRST-CLASS HOUSE IN EVERY REPECT. Ladies' dining-room separate. Open day and night.

VIENNA RESTAURANT, And Coffee Parlors, 703 J STREET. FIRST-CLASS IN EVERY respect. The best that markets afford open day and night.

Restaurant de France, GEO. WISSEMANN & CO. PROPRIETOR. 427 K Street, near Metropolitan Theater. Family orders, banquets and wedding parties a specialty.

MEDICAL DEPARTMENT, University of California. THE REGULAR COURSE OF LECTURES will begin Thursday, June 1st, at 9 A. M., at the College Building, corner Second street, Chestnut, San Francisco.

NOTICE OF MEETING OF STOCKHOLDERS OF THE MOUNT SHASTA MINERAL SPRING COMPANY. The Board of Directors, notice is hereby given that on the 12th day of May, 1893, at 2 o'clock P. M., there will be a meeting of the stockholders at the office of the company, in the City of Sacramento.

NOTICE OF SALE OF REAL ESTATE.—Notice is hereby given that in pursuance to an order of the Superior Court of the County of Sacramento, made on the 31st day of March, 1893, in the matter of the estate of Joseph E. Perry, deceased, the undersigned, the administrator of said estate, will sell at private sale to the highest bidder for cash, 2000 coin of the United States, and subject to confirmation by said Superior Court, on and after the 22d DAY OF MAY, 1893, all the right, title, interest and estate of the said Joseph E. Perry, deceased,