CAPITAL REMOVAL.

Grove L. Johnson's Able Argument in the Case.

A Masterly Presentation of Plaintiff's Side of the Issue—The Case Under Advisement.

Yesterday morning Grove L. Johnson, associate counsel with L. T. Hatfield in the case of Livermore vs. Waite, made his argument for the plaintiff.

He said he approached the argument of the case with great diffidence, because of the importance of the case and also the fact that his health not having permitted him to give it the close attention it demanded. He wished to say at this time that he regretted that the attorneys of this city had not accepted the invitation extended to them by Mr. Hatfield and himself to aid them by their advice and counsel in a case which was of so much importance to the future prosperity of the city and county.

In his judgment the amendment was invalid for the reason that it is drawn upon the basis of Section 1 of Article XVIII., instead of Section 1 of Article XX. An unbroken line of decisions of the Supreme Courts in different States is to the effect that when the Constitution declares a subject must be proceeded with in a certain way it must be dealt with in the way prescribed in order to be valid, and cannot be dealt with in any other. The direction in the section is paramount, and following the decisions it necessarily results that proceedings to amend the Constitution must be in strict accordance with its provisions which prescribes the method of amending it,and each step must be followed with strictness. He quoted a long list of authorities bearing upon the point. These seemed to his mind to place the matter most strongly and to lay down and confirm this rule.

He could only find, he said, one opposite instance, which had been quoted by his friend Moorehouse, and even that affirmed the rule. This was a decision by Judge Brewer of Kansas.

He read Section 1 of Article XX. of the present Constitution, and then read the corresponding article of the Constitution of 1863, which is different. In the latter the Capital could be removed by a vote of a two-thirds majority of the Legislature. Under that Constitution the matter did not have to be submitted to the people. The seat of government was removed to Vallejo, and afterward to Sacramento, and its removal was sustained by the Supreme Court after a bitter contest. Section 1 of Article XX. is a great change from the old Constitution, and this change was meant for something. The members of the Constitutional Convention meant to make a change, and so did the legislators and the people who voted on it. They meant that no change should be made in any other way. If it had been meant to be like the old Constitution no change would have been made; it would not have needed any change. If it had been intended to leave it to the Legislature to act in a hurry, from pique or any other reason, as the last one did, or to make a removal whenever it chose, it would not have been changed. It is evident that the intention was that only an amendment submitted to the people should remove the Capital, and not a resolution like this one. There was only one way, and that is clearly laid down.

It was, he said, intended to produce deliberation. The Constitution provides that any law must be read three times before its passage, and that the Governor shall have ten days after its passage in which to sign it. The testimony before the court emphasizes in the strongest manner the rule and the action of the Legislature shows the necessity of it.

This piece of shreds and tatters, pasted together, part written in ink and part in pencil, in inaccurate language, written in haste, intended to state that San Jose shall pay $1,000,000 in case the Capital is removed there, but through the misuse of language not making it a condition that she should do so, shows the necessity of the rule. The deliberation of two-thirds of the members, with the usual procedure of passing a law, would not have allowed such inaccuracies to escape notice.

He contended that any other section could have been amended under Section 1, Article XVIII., but this matter could not. For instance, take Section 4 of Article XIII.; he knew from his own experience that there were no more bitter fights than those on the taxation of mortgages. If that section contained a provision that it could only be amended by a vote of three-fourths of the Legislature, or three-fourths of the Legislature and three-fourths of the people, will it be contended that it could be amended by striking out that provision, or in any other way?

If Section 2, Article XII., the one regarding the Railroad Commission, contained the provision which was proposed in the Constitutional Convention, that it should only be amended by calling a new Constitutional Convention, would it be contended that it could be amended by proceeding under Section 1, Article XVIII.? All the parts of the Constitution must be made effective and harmonize, and must be made equally strong. How can this be effected in any other way than under this rule? Shall we make Section 1, Article XX., a dead letter, and say to the people: "It is true the Constitution throws a safeguard around the removal of the Capital, so that it shall not be carted around on wheels at the pleasure of each succeeding Legislature, or like the Supreme Court is; but when that was done it was simply to fool you, to cheat the people of the State, to blind them to the real state of the case?" Why not put in another provision, that when two-thirds of the Legislature, blinded by anger and prejudice, wish to remove the Capital they can do so?

He quoted the case of the Los Angeles charter, which was adopted under the Constitution, with a provision for a Police Court. The Constitution provides that the Legislature shall establish inferior courts. Notwithstanding the Constitution authorized Los Angeles to adopt a charter, the Supreme Court decided they could not adopt it with that provision. The Constitution cannot be nullified by a resolution. Until the Supreme Court reverses the decision in the People vs. Cole, this amendment cannot stand.

But suppose it should be adopted under Section 1, Article XVIII., no law or resolution was passed submitting it to the people. It is not contended by the other side that the Legislature did pass any law specifying how or when it should be submitted. There is a decision of the Supreme Court that the provision for reading a law three times meant just what it says. It was contended that reading by title the first and second times was sufficient, but the court decided otherwise. It would require a trained legal mind, one accustomed to make wrong appear right, to persuade the ordinary mind that it is not necessary to follow the course the Constitution prescribes. There is not a schoolboy who would not say that in passing a law the Legislature should specify how it should be carried into effect. Mr. Morehouse tries to break the effect of this by saying that in 1883 a general law was passed. That cannot apply to this. The Constitution prescribes how; for good reasons the people might want more or less time to consider some proposition. Such a law is in violation of the Constitution, because it delegates legislative authority, as stated by Cooley in his "Constitutional Limitations." He quoted from People vs. Parks, Daugherty vs. Austin, and People vs. Johnson on this point.

The provisions of the Constitution, he said, are mandatory or prohibitory, and Section 1, Article XX., specifies how removal shall be effected.

One might reasonably suppose that the Legislature could delegate legislative power in minor details to the Supervisors, but the Supreme Court decided in these cases that it could not, and reaffirms the decision that it is a duty imposed on the Legislature which it can neither escape nor avoid, and it cannot delegate legislative power to anyone. It is so in this case. Their duty is clearly prescribed. Admitting that they could amend Article XX. by proceding under Article XVIII., they have not done so properly.

Mr. Morehouse, he stated, realized the weakness of his case under the law of 1883, and tried to break its force by contending that other amendments to the Constitution had been passed, and the Governor and the people acquiesced, and were therefore bound by their action. This is not good law, and ought not to be. The decision in the case of the Oakland Paving Company vs. Hilton states that the Constitution could not be lawfully changed by the vote of every one of the people except in the prescribed form. It is the duty of the court, if there were only one litigant, to give him justice. The Alabama Supreme Court decided that the Constitution could be amended only in two ways—by the people who made it, or in the mode prescribed by it.

Under the rulings of our Supreme Court, said he, no error, no matter of how long standing, or how long adhered to, can stand. The Supreme Court of Iowa gives a like decision; each case must stand by itself. In neither case cited by Mr. Morehouse has an attack been made on the legality of an amendment on account of informality in its passage. Such a case as this has never been brought before the Supreme Court. The people have not acquiesced in this. In the case of one amendment where the Supreme Court was affected, it naturally wanted it right, and had a special Act passed. In the case of the People vs. Pendegast, the Supreme Court decided that the people preferred new inconveniences to the old ones. That was the reason for making the new Constitution. But admitting that Article XX. could be amended by proceeding under Article XVIII., and all the other requirements had been fulfilled, this amendment had not been passed legally. It only received a vote of 26, and the legal two-thirds needed was 27, Mr. Delmas claims the journal is the best evidence, and the controlling element for judicial judgment.

"Now," said Mr. Johnson, "I concur in his position."

He then recapitulated Senator Voorheis' statement and the Senate's action, which left only 27 votes, including Senator Hart's; Hart's statement and protest, which was referred to the Judiciary Committee, which was composed of the best legal minds in the Senate and on whose judgment the Senate relied. Their report on the 14th of March states that it is shown that Senator Hart was at all times opposed to the removal. How then could he vote for it? It is not a small point; this is a case where form becomes substance, detail becomes the essence of the matter. It must appear on the journal that 27 voted aye, in order that the amendment should be legal, but the Senate unanimously found that it was not so. They were willing to admit that Senator Hart voted no, but they refused to allow him to change his vote. This report shows in the journal that the resolution did not receive 27 votes in the Senate.

He asserted that the two houses did not concur in the adoption of the amendment. They must do so, literally and actually, word for word, to pass it legally, but they did not.

This is not a point of substantial compliance, of justice between two litigants, but of exact procedure, according to the Constitution. It must be identical in both houses. It is admitted and proved not to be the same. This is not an ordinary resolution; this is a resolution to change the Constitution, and must be exact.

The Constitutions of 1849 and 1863 do not contain the words "of this State," which appear in the Constitution of 1879. There must have been some reason for this change. If not, why was it made and why is it there? Whether essential or not, the omission of the words is a fatal error. The courts cannot afford to open the door, for there will be no way to limit the omissions when it is once opened. The Supreme Courts of various States have so decided.

In answer to the statement of Mr. Morehouse that there was no necessity of its being enrolled or engrossed, Mr. Johnson said that the rules of the Senate state that both laws and resolutions shall be enrolled and engrossed. The rule in one case has as much weight as in the other.

He quoted from the railroad tax cases in the Federal reports and also from the 52 New Hampshire reports, to the effect that the Act itself was prima facie evidence, but the journals are the best evidence. They must show that both houses concur; if not, the Act falls to the ground.

This thing of shreds and patches, said he, was not enrolled, not engrossed, not passed by both houses.

The decision of the Supreme Court is that the body of a resolution need not be entered in the journal. But this is not an inhibition, it does not forbid its being entered. The Legislature has its choice, but whichever way it does do must govern its action and that of the court. It chooses its way and must abide by its method. Suppose in one house the resolution read San Jose, and in the other Monterey, could the court take no notice? Must it take the original as San Jose, which is not certified, not approved, not authenticated by anyone. Suppose the Senate resolution read Monterey and the Assembly resolution read Los Angeles and the original read San Jose, which would be correctly passed? Suppose the Senate resolution read Monterey and the Assembly resolution read Milpitas and the original was burned or destroyed, would the court decide that San Jose was the proper name in the amendment. An amendment is not legislation; it needs neither enrollment nor engrossment, the certificate of the President nor the signature of the Governor, except by the rules. The journal is the best evidence therefore. The question ought to be set at rest, once and for all; the Constitution is sacred.

He then stated that Mr. Hatfield desired him to call attention to the fact that the Assembly voted twice on the resolution after it had been returned to the Senate, as shown by the Senate journal, and was therefore not in the hands of the Assembly.

Mr. Delmas asked leave to answer some new authorities introduced by Mr. Johnson. He spoke on several points and claimed that the proper proceeding was not against the Secretary of State, to restrain him from doing his duty. Neither he nor the State Printer had any discretion in promulgating on printing the proposed amendment, whether properly passed or not. It should be passed on by the people then, if not satisfactory, by a mandamus proceeding. He thought the Act of 1883 was sufficient without any special Act.

The court took the case under advisement.

Fourth of July.

This evening the Executive Committee appointed by Mayor Steinman to make preparations for celebrating the coming national holiday will meet at Justice Henry's office at 8 o'clock.

Several of the members of the committee had a conference informally yesterday and resolved to serve. They request that every one of the fifteen will be on hand to-night, not one shirking his patriotic duty. It is the plan that promptness, sharpness of decision and clearness of purpose shall be the rule, and thus much of labor and trouble be avoided. Any citizens having suggestions to make to the committee are requested to send them in to-night in writing, as it is proposed to get over a great deal of ground this evening and not to waste a moment's time in useless parley.

Christian Endeavor Election.

At the regular monthly business meeting of the Young People's Society of Christian Endeavor connected with the Congregational Church, held on Wednesday evening, the following named officers were elected for the six months commencing July 1st: President, G. A. Capen; Vice-President, F. A. Wallace; Recording Secretary, Miss Madge Yeckley; Corresponding Secretary, Miss Flora Hartwell; Treasurer, A. E. Musselman.

Suit on a Claim.

Jacob Knauth has commenced suit in the Superior Court against G. Schmeizer and Sophia Schmeizer for $650 and costs of suit. He claims the amount is due him for work performed as an expert orchardist and vineyardist for the defendants from 1890 to 1893.

A "MEDIUM'S" MISHAP.

Her Trickery and Her Ankles Simultaneously Exposed.

How the Fitches Played the Stocktonians—Their Failure Here—The Slate Fake.

The "mejums," the so-called Mr. and Mrs. Fitch, have gone from Sacramento to hunt for another community where they may be able to practice their swindling tactics by posing as spiritualist mediums for the holding of communication between people of this world and the spirits of departed friends or relatives, and incidentally raking in the pennies by giving fake slate-writing tests.

The Record-Union was warned a few days ago by a resident of Stockton that "Mr. and Mrs. Fitch" had been driven out of that city by the exposure of their fraudulent practices and might undertake to swindle people here. The writer said:

Eds. Record-Union: I have noticed in a Sacramento paper an advertisement of G. B. Fitch and wife, and I want to say they are great frauds and should be exposed. Send a good strong reporter to have a slate-writing, and when Fitch has washed and piled up his slates, have the reporter pick them up, and on the under side of some of them will be found all the writing and pictures that will ever be on them. They are all prepared before the sitting begins.

I send you clipping from the Stockton *Independent*. This will give you a good idea of the frauds. I trust you will expose them and save many dollars for people who are easily duped. A. L. Foreman.

THE "INDEPENDENT'S" EXPOSE.

Following is the article referred to in the letter:

"John York's experience with the lovely medium whom he embraced during the seance the other evening proved conclusively that she was a fraud, but Dr. A. L. Foreman accomplished the same result without adopting a method appealing so strongly to young men. Mr. York reached for her, thinking she was a ghost, and found that he had in his arms warm and palpitating flesh not unlike that of any other woman. Dr. Foreman, on the other hand, sought the woman, hoping that she was sufficiently conversant with the ways of the spirits to cause them to inscribe messages from the dear departed with an unseen pencil on a common slate. He found, though, that she was merely the delightful confederate in an old-fashioned swindling game.

"'They are frauds,' said the doctor last night. 'I am a believer in spiritualism, but I trap nearly every medium that comes to this town. I have indorsed but two of them, and it is getting nowadays that mediums look upon me as hard game. These Fitches came around to me to investigate their power. I did so and concluded they were frauds.'

"The doctor described his experience at a private slate-writing seance. Mrs. Fitch sat close to her husband, who was on the opposite side of the table from the investigator. Fitch then took a slate, washed one side carefully, turned that side over and pressed the slate level with the table while he washed the other side. Having done this, he put the slate in the center of the table, and Dr. Foreman rested his hands upon it for some time. The slate was then turned over, and on the side that had been next the table was a message signed D. Foreman.

"Dr. Foreman had seen through the trick, and he offered to bet the medium Fitch $100 that he could not make anything on a slate that he (Dr. Foreman) might wash. The medium said the spirits did not permit him to bet. Dr. Foreman then asked Mrs. Fitch why she sat so close to her husband, and she said she had to give him power.

"Dr. Foreman says the Fitch slate-writing is done this way: The slate is first secretly prepared—sometimes with a picture and sometimes with a message. Each slate has a false slateboard fitted over the side on which the spirit writing has been placed. The medium washes the slateboard first. Then he turns the slate over, puts it level with the table, and washes the other side, letting the slateboard drop into his lap, from which place Mrs. Fitch removes it. Finally, the slate is turned over and the writing exposed. The names of dead relatives are written by the victims on a tablet provided by the medium, which has black impression paper between the leaves. The man goes off with the names written on a sheet of paper in his pocket, little dreaming that the medium has a copy in the tablet.

"Nothing has been heard of the Fitches since their sudden departure from this city."

THE SAME HERE.

It seems the Fitches had been here a couple of weeks and were quietly conducting their so-called "seances" and systematically swindling a few dupes who knew no more than to believe this couple were what is termed "mediums."

On Tuesday night they gave their last seance at a residence in the eastern part of the city, when Mrs. Richardson, of 1312 Eighth street—who attended for the purpose of exposing the mediums and thus opening the eyes of a friend who had fallen under their spell—created a sensation that threw the spiritualistic portion of the audience almost into spasms.

While a "spirit" was passing out cake in the darkened room to those present, Mrs. Richardson bolted into the cabinet used by Mrs. Fitch, which was of course empty. She gathered up the clothing dropped by the female medium when the latter stole out in the dark to personate the spirit, and scattered them among the astonished auditors.

The lights were turned on and the clothing of the disrobed "spirit" was readily recognized, while the spirit herself, in a very transparent uniform, made a break for the cabinet to get out of sight.

It is needless to say that there were not so many believers in spiritualistic gymnastics among those who left the scene as when they entered.

Mr. and Mrs. Fitch will probably soon be heard from again. Their game is too coarse to long deceive any intelligent and level-headed person.

SOCIAL AND PERSONAL.

Mrs. Robert Johnson of Visalia is visiting friends here.

Mrs. Frank McGaw is visiting her parents in Oakland.

G. H. Colby of Dutch Flat is stopping at the Capital Hotel.

Miss Jennie Miller has gone to visit friends at Carson, Nev.

Ex-Surveyor-General J. W. Shanklin has been visiting the city.

Isadore Townsend has been up from the Bay attending the races.

R. H. Clarke will leave to-day on a camping trip to Lake Tahoe.

Miles Stevens has gone to San Benito County to benefit his health.

Miss Belle James of Red Bluff is visiting Mrs. W. L. Scott in this city.

Mrs. Nelson Slater of Los Angeles is visiting her daughter, Mrs. John A. McIntire.

Mrs. W. H. Kinross and Miss Gussie Stevenson have gone for a month's vacation in Shasta.

Mrs. Mattie Rood entertained a party of friends very handsomely at her residence last night.

Ex-Congressman Biggs and niece, Miss Anna Belle Biggs of St. Louis, arrived from the East yesterday.

A. L. Nichols, the Chico hardware merchant, got here in time to see the windup of the racing meeting.

Mr. and Mrs. Benjamin Welch and son Benjamin left for the East on Wednesday on a six or eight weeks' trip.

Superior Judge Johnson returned yesterday from Auburn, where he had been holding court for Judge Prewett.

Misses Rosie and Josie Hall of San Francisco were passengers on the overland train for Denver, Col., yesterday.

The little son of H. F. G. Wulff, Chief Clerk of the Internal Revenue Office, is lying dangerously ill at his father's home.

Colonel Robert E. Murray, Assistant Adjutant-General, and Miss Nellie Lawrence were married at Lodi on Wednesday. The bride is the only daughter of Mr. and Mrs. F. Lawrence, who were among the early settlers of San Joaquin County.

Nellie Harris was the recipient of a suprise party at her residence, 1114 P street, on Wednesday evening. Music and games were indulged in until a late hour, after which refreshments were served. Those invited were: Misses Bernice Green, Edna and Belle Johnson, Daisy Weisel, Dora and Cora Hastings, Wizilla Hand, Wilma Green, Nellie Harris, Mamie Malone, Gertie and Grace Mealand, May Gafford, Maud Guthrie, Alice Hurlbut, Anita Cosby, Mabel Lyon, Bertie Rode, Lulu Stickney, Ada Rambo, Nettie and Edna Scott, Celia Ryan, Clara Wentworth, Quinnie Roblin, Nellie Beach; Messrs. Newton Harris, Arthur Minford, Percy Willis, Wilma Green, Ed Stickney, Charles George, Ed Flint, George Bassett, Ed Wolf, Bert Wolf, Wallace Renwick, Bright, Arthur and Fred Roblin, Harry Johnson, Lee Harris.

A pleasant surprise party was tendered Misses Carrie and Emma Ehmann, at the residence of Mr. and Mrs. C. Ehmann, No. 1236 I street, by Equity Lodge, Knights and Ladies of Honor, on Monday evening. The evening was spent in singing, dancing and games, after which those present were invited to the dining room, where a fine repast was served. Those present were: Misses Bertha Schmid, Jennie Casper, Pauline Schoenbachler, Carrie Ehmann, Emma Ehmann, Eva Storrer, Mamie Clemens, Nettie Franks, Sadie Iserel, Rosie Futterer, Francis Casper, Addie Ehmann, Estelle Pember and Lillie Ehmann; Mesdames Watkins, W. P. Tanquary, Jones, Balze, Barnes and Ehmann; Messrs. Frank Christophel, Oscar Miller, B. Nichols, Frank Miller, George Fiedler, Charles Hill, Frank Ripley, Sam Harper, Charles Schoenbachler, Burt Dean, Barnes Watkins, W. P. Tanquary, W. Schaunsloffeil, L. Smith and Chris. Ehmann.

One of the pleasantest weddings of the season took place on Wednesday at the residence of Mr. and Mrs. Joseph Ough, 750 N street, the occasion being the nuptials of their daughter May and John Slater, son of ex-School Director Slater and a resident of San Francisco, although a native son of Sacramento. The accessories to the ceremony were charming, the parlors being beautified with the choicest of floral decorations, including a true-lovers' knot and an artistic wedding bell, beneath which the bride and groom stood during the wedding service. Miss Lizzie Klebitz attended the bride, and Henry Slater, brother of the groom, performed a like service for the latter. It is needless to say to those who know the bride that she presented a picture of loveliness. Rev. E. R. Dille, formerly of this city but now of San Francisco, came here to officiate at the ceremony. The bride was the recipient of many beautiful gifts, including one each from her uncles, R. A. Ough of Buffalo, N. Y., and B. F. Ough of Cleveland, O. After a wedding lunch, at which the bridal couple were joined by the few relatives and intimate friends present, the happy pair departed for their future home in San Francisco, carrying with them the best wishes of a host of friends.

CLAN GORDON.

It Will Celebrate the Fourth of July in a Becoming Manner.

The regular meeting of Clan Gordon, No. 107, on Wednesday evening, was large attended and the degree was conferred on several candidates. At the same time several propositions for membership were presented.

W. H. Gibson bid farewell to the clansmen before departing as representative to the Royal Clan, which meets in Duluth, Minn., on the 20th of this month.

From the reports read the clan is in a flourishing condition, and by a unanimous vote resolved to celebrate the Fourth of July by turning out in the citizens' procession, after which they will hold their annual gathering and games at East Park grove in the afternoon and evening.

FIRE IN THE COUNTRY.

John Glacken's Hophouse Burned at Brighton.

At noon yesterday the large hophouse of Mrs. Conner, at Brighton, was destroyed by fire, and with it a quantity of baled hay, a hop press, farming implements, etc. The hay was the property of William Foote and W. W. White, and the hop press belonged to John J. Glacken. The hophouse and farming implements were worth about $2,000, and were uninsured. The origin of the fire is a mystery, and will probably so remain.

BRIEF NOTES.

Ada L. Harms has sued Ernest Harms for divorce, Eliza J. Derr has brought a similar suit against Jesse Derr.

Yesterday's overland train at 10:50 was made up of twenty cars, in two sections, and carrying principally passengers for the World's Fair.

A team belonging to E. Twaddle ran off with a mowing machine in the eastern part of the city on Wednesday and converted it into first-class junk.

The report of J. F. McCracken, Clerk of the Police Court, shows that during the last month fines were imposed to the amount of $1,642; collected, $974 50.

The Southern Pacific Company will soon put on a passenger train to run between San Francisco and Castle Crag, to make the trip both ways at night, so that visitors to that grand resort may lose no time while traveling.

A wagon loaded with wood was backed over the embankment on I street, between Third and Fourth, into China Slough, last evening, by a balky team. No damage of consequence resulted, other than the imperiling of souls consequent upon the profanity attending the pulling of the team out of the mire.

Must Move On.

The Chief of Police has instructed his officers to keep close watch of street-walkers, women who frequent saloons in violation of the ordinances and "lovers," and to place them under arrest, with a view to ridding the community of this undesirable element. It is understood in police circles that this time it is "for keeps."

Unitarian Picnic.

The Unitarian Sunday-school will picnic at Oak Park to-morrow. Baskets will be taken up at Tenth and J and Fourteenth and J streets. Cars will leave Tenth and J streets at 9:30. Children will pay their car fare.

A Painful Accident.

W. S. Daly, a painter in the employ of J. S. Shaner, while working on a house at Oak Park yesterday fell from the scaffolding and broke one of his legs just above the ankle. He also sustained a number of severe bruises about the head.

To Erect a Monument.

James Glenn, administrator of the estate of Patrick Allen, deceased, has petitioned the Superior Court for leave to erect a monument costing $200 over his grave.

Cast Off the Yoke.

Althea M. Jones was granted a divorce yesterday by Judge Catlin from James E. Jones on the ground of desertion and failure to provide.

Laws For the Justices.

The copies of the statutes for the country Justices of the Peace are ready for delivery to them at the County Clerk's office.

Seamless steel boats, each made of only two plates, each plate riveted to a bulb keel bar, which forms also the stem and stern posts, are being made by a firm in London. They are less costly than the ordinary metallic boat, and keep tighter and more seaworthy condition than wooden boats.

New Guinea is extremely rich in plants, the number of species discovered in the last sixty-five years being 2,000.

SINEWY STRUGGLES.

Some Fine Wrestling Matches at the Athletic Club.

Who Won Last Night—The Medals Will Be Awarded After the Final Bouts This Evening.

That was a delightful entertainment that the Sacramento Athletic Club gave to friends at the club rooms last evening. About 250 ladies and gentlemen assembled by invitation to witness the last series but one of the contests in wrestling by members of the club classes. The ladies, much to the satisfaction of the club, outnumbered the other guests.

The wrestling was all good—even that by the smallest in the juvenile classes was good. Of course, it was all by amateurs, but it had the merit of being perfectly free from jockeying, trickery and pretense. The gentlemen who took part in the contests, the boys who wrestled, also, did so for all there was in them, evidently. If there was any throwing off it was impossible for the spectators to detect it—but there was none. It was a genuine contest throughout, in one of the most important branches of manly athletics. That the club has conserved its practice until such a degree of excellence has been attained is highly creditable to it.

President George H. Clark presided as Master of Ceremonies. The referee was R. G. Cole. Judges, V. S. McClatchy and J. C. Pierson; Timekeepers, H. D. Gamble and Thomas Dwyer. Scorers, Charles Gorman and F. W. Whitmore.

The first bout was between members of the bantam class (117 pounds), J. H. Fettes, 107, C. E. Bauer, 115 pounds. It was won by Bauer, who got a fall in 29 seconds. It was about as sharp a tussle for a short one as anybody need wish to see. The next, same class, J. F. Morris, 116, and H. Rubenstein, 110 pounds. It was a hot contest. In the first grip Rubenstein had his opponent one shoulder down after several handsome locks and fine struggles, but Morris won the fall in 7:30.

The next pair came from the lightweight class (140 pounds) and was between J. Spanjer and A. V. Scheppelman, each 137 pounds. Scheppelman was down in the first bout on one shoulder, but in the second Spanjer won the fall; time, 2:23.

Then came the first of the juvenile class, of which there are three divisions, seventy, eighty and ninety pounds, respectively. Jed McClatchy, sixty, and H. Senf, sixty-nine pounds, were the contestants. No bout of the evening was contested more doggedly or created so much merriment and downright interest as this between these little fellows. It lasted eight minutes and forty-nine seconds, and was "for blood" clear through. Little Jed was shoulder down a half dozen times by the heavier contestant, but he flopped and worked out of his dilemma in away to bring out rounds of applause. The pertinacity with which he stuck to his work and with which he endeavored to put down his larger opponent's shoulders was as pretty a sight and as merry a one as can be imagined. Master Senf was too long-limbed and large-bodied for little Jed, who went down at last. The next of this class was a pair composed of James McClatchy, sixty-two, and C. McMann, sixty-three. The brother of the tough little fellow in the previous bout was downed in fifty-seven seconds by Master McMann.

Return was then made to the lightweight class, and H. Payen 137 and A. V. Scheppleman 137 grappled. In 1:06 Payen won after a very handsome tussle. Masters B. Weissman 50 and B. Dunn 58, of the juveniles, grappled next, and Dunn won by a very clever throw in 21 seconds.

The feather-weight class (125 pounds) was then introduced in the persons of E. H. Cox 123 and C. E. Bauer 115. Cox won in 7:15¼, after one of the prettiest and most gallantly contested of battles. Then D. Lenoir 100 and W. Welch 90, of the juvenile class, had a set-to, with Lenoir winner in 3:13½, he putting down his opponent's shoulders and scoring a fall in a throw and a cramp over that won loud applause.

W. Donohue 158 and H. J. Spanjer 137, of the middle-weight class (158), locked conclusions next, and Spanjer won the fall in 5;30, amid a storm of applause. It was done in the finest lock of the evening to that time. The juveniles came to the fore next, in the persons of C. Douglass 76 and C. Geibel 74, the latter winning a fall in 14 seconds. W. Welch 90 and D. Lenoir 100, of the juveniles, then met, and Lenoir put Welch's shoulders to the canvas in 30½ seconds. J. Welch 74 and C. Laauser 73 contested for 3:03, doing some very fine work for boys. Laauser won the fall. C. Douglass 76 and C. Lovell 79 then appeared, and Lovell won the fall in 1:50 in an exceedingly clever and well-contested bout.

The closing contest was between middleweights L. Payen and A. V. Scheppleman. Payen is the knottier and sturdier of the two, Scheppleman the longer-limbed and quicker. The bout was the best contested of the programme. It was one of those amicable, honest struggles between finely muscled and well-built men that awakens admiration to the verge of enthusiasm. Payen was badly blown after the second grapple and played for time whenever he could. He finally caught his opponent in one of the most peculiar and unfortunate locks, for the latter, ever seen. He lay upon his side, his back to his opponent, with both of Scheppelman's arms pinioned hopelessly, one between his legs and the other under his body and with his victim's body bowed over his own. In this position, by sheer back strength, he forced Scheppleman's shoulders down and won the fall in 7:07 amidst a hurricane of applause. The bout was a credit to both men.

V. S. McClatchy, just before this set-to, in a neat speech presented to L. Payen the club trophy as its champion in boxing in his class, and the club trophy to H. J. Spanjer as best boxer in his class. In delivering the trophies in behalf of the club he stated that one of the aims was to cultivate the art of boxing legitimately and for self-defense, and as an admirable athletic exercise. As taught and practiced by the club it was without any objection, and the club was solicitous that ladies should attend on boxing nights and see for themselves that it is just as creditable and manly as wrestling or any other legitimate athletic exercise.

The judges announced that the wrestling tournament would close with to-night's exhibition. All the best wrestlers have now been chosen by their winning in each class, and to-night they will be pitted for the championship in this order:

Bantam (117 pounds)—C. E. Bauer, 115; J. F. Morris, 116.

Light (140 pounds)—H. J. Spanjer, 137; L. Payen, 137.

Juvenile (70 pounds)—H. Senf, 69; C. McMann, 68; B. Dunn, 68.

Feather (125 pounds)—E. H. Cox, 123; R. Alexander, 124.

Juvenile (90 pounds)—D. Lenoir, 100; C. Lenoir, 100.

Middle (158 pounds)—H. J. Spanjer, 137; L. Payen, 137.

Juvenile (80 pounds)—C. Giebel, 74; C. Laauser, 73; B. Lovell, 79.

Colonel Bob Ingersoll once visited the stoke hole of an Atlantic liner. After seeing all that was to be seen he drew a $5 bill from his pocket and said: "Boys, I don't believe in hell, but I guess you do. We won't let our beliefs enter into good fellowship, so here's something to drink my health with." And then he went into his cabin and wrung out his clothes.

Robert C. Winthrop of Boston celebrated his 84th birthday last Friday. He is the oldest honorary member of the Massachusetts Mechanics' Charitable Association, the oldest member of the Handel and Haydn Society and of other organizations, and one of the six sole survivors of his class at Harvard.

Miscellaneous.

TO-DAY!

AND TO-MORROW (SATURDAY),

Special sale of MEN'S CLOTHING, HATS AND SHOES. Men's Wool Cheviot Suits, $3 45. Blue Flannel Suits, lined, $5 95, at

THE RED HOUSE (Incorporated).

THE WORLD'S FAIR!

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BOTH ONLY $2 A YEAR.

Real Estate, Etc.

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One hundred and ten acres on the Stockton road. Finest kind of land. All fenced. Only 1½ miles from the city limits.

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Required payment down of only $1,500, balance at a very low rate of interest and your own time.

We still offer the M. L SMITH RANCH, at Routier's Station; good 9-room house, barn, 84 acres, 8 acres in orchard; a very low figure.

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A RARE OPPORTUNITY

Good Agricultural Land for $10 to $20 per Acre.

The Pacific Improvement Company has recently purchased twelve thousand acres of land in the heart of Tehama County, for the purpose of promoting subdivision and settlement. This land embraces lands from first-class Sacramento Valley agricultural land, to land of fair average quality, and is offered at from $10 to $20 per acre, in subdivisions of 40, 80, 120, 160 and 320 acres.

The terms upon which these lands are offered are especially attractive. They will be sold in subdivisions, as above indicated, by the payment of interest only for three years, at which time the purchaser can begin the payment of principal by paying the first of five equal annual installments. Thus no part of the principal is to be paid for three years, and then the purchaser is to have five years in which to pay five equal annual installments, with interest at the rate of 7 per cent. per annum, making payments extending over a period of eight years. Intending purchasers are assured that this is an opportunity to purchase land of fair average quality at $10 per acre, and good agricultural land at $20 an acre, with other grades of land at prices to correspond between these figures.

The assertion is frequently made that good lands, suitable for general farming, and especially adapted for fruit-growing, cannot be had in California for less than from $60 to $100 an acre. An examination of the land subject of this advertisement will prove to home-seekers that this is an opportunity for the purchase of good agricultural land at $20 an acre, and for qualities grading down to fair agricultural land at $10 an acre, on terms of payment which should make the disposition of these lands to actual settlers a result easy of accomplishment.

The primary object of the purchase of this body of land was the breaking up of a large holding for the purpose of promoting its settlement in smaller quantities and its devotion to diligent husbandry.

For further particulars, call upon or address WM. H. MILLS, Land Agent of the C. P. R. R., Fourth and Townsend streets, San Francisco, Cal.

Dentistry.

F. F. TEBBETS,

DENTIST, 914 SIXTH ST., between I and J, west side, opposite Congregational Church.

C. H. STEPHENSON,

DENTIST, CORNER SEVenth and J streets, Sacramento.

Reid DENTIST. OFFICE, Masonic Temple, cor. Sixth and K streets.

H. H. PIERSON DENTIST, 511-J ST SAC.

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SPRING AND SUMMER GOODS

—AT—

Prices that Defy all Competition

I have just purchased 1000 full pieces of the Best English

DIAGONALS, CHEVIOTS & SERGES

Serges will be mostly worn this season. I offer Garments Made to Order at an additional reduction to my former Low Prices. Don't fail to see my display of Elegant Styles.

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Branch of San Francisco.

Central Pacific Railroad Bonds.

NOTICE IS HEREBY GIVEN THAT I, EDWARD LYON, Treasurer of Sacramento County, Cal., will on the 1st DAY OF JULY, 1893, redeem all outstanding bonds known as Central Pacific Railroad Bonds of Sacramento County, issued on the 1st day of July, 1863. EDWARD LYON, County Treasurer Sacramento County, Cal.

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THE OLDEST SAVINGS BANK IN THE city, corner Fifth and J streets, Sacramento. Guaranteed capital, $500,000; paid up capital, gold coin, $400,000. Reserve fund, $50,570. Term and ordinary deposits, $3,526,893. Loans on real estate January 1, 1893, $3,560,657. Term and ordinary deposits received. Dividends paid in January and July. Money loaned upon real estate only. Information furnished upon application to W. P. COLEMAN, President. ED. R. HAMILTON, Cashier.

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CROCKER-WOOLWORTH NATIONAL BANK,

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WM. H. CROCKER.....Cashier

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Sacramento, Cal.

Paid up capital.....$225,500
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HOLL & DUNN,

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