LIVERMORE VS. WAITE.

Judge Grant Files His Findings and Judgment.

Unless the Supreme Court Reverses the Latter, the Removal Resolution Goes to the Wall.

Judge Grant of Yolo yesterday filed in the Superior Court here his findings and judgment in the case of H. P. Livermore of Alameda vs. E. G. Waite, Secretary of State, known as the Capital removal case.

The decision of Judge Grant was published some weeks ago, but the findings, which complete the history of the case, so far as the Superior Court is concerned, will be found of interest. They are as follows:

In the Superior Court of the county of Sacramento, State of California.

Horatio P. Livermore, plaintiff, vs. E. G. Waite, Secretary of State of the State of California, defendant.

FINDINGS OF FACT.

This cause came on regularly for trial on the 6th day of June, 1893, before Hon. W. H. Grant, Judge of the Superior Court of Yolo County, sitting in Department No. Two of the Superior Court of Sacramento County, at the request of Hon. Matt F. Johnson, Judge of said Court:

L. T. Hatfield and Grove L. Johnson appearing as attorneys for plaintiff; and W. H. H. Hart, Attorney-General of the State of California, H. V. Morehouse and D. M. Delmas appearing as attorneys for defendant.

And from the evidence introduced, the court finds the facts as follows, to wit:

1. That plaintiff is a citizen of the State of California, and a taxpayer, interested in the matter in controversy, as set out in the complaint.

2. That the defendant at all the times mentioned in the complaint was, and now is, the duly elected, qualified and acting Secretary of State of the State of California.

3. That during the regular thirtieth session of the Legislature of the State of California, commencing on the 2d day of January, 1893, and on the 11th day of March, 1893, while such Legislature was in evening session, and after the hour of 10 o'clock in the afternoon of said 11th day of March, 1893, E. C. Seymour, Senator from the Thirty-ninth Senatorial District, a member of the said thirtieth session of the Legislature of the State of California, introduced the following resolution:

Resolved, That the provisions of the Constitution be suspended, and Senate Constitutional Amendment No. 23 be allowed to be introduced and read.

The roll was called and the resolution adopted by the following vote:

Ayes—Messrs. Arms, Bailey, Berry, Broderick, Burke, Campbell, Denison, Dunn, Earle, Everett, Fay, Flint, Ford, Gesford, Harp, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams and Wilson—33.

Noes—Senator Hart—1.

And thereupon Senator Seymour introduced in the said Senate, and moved the adoption thereof, the following:

Senate Constitutional Amendment No. 23. Submitting to the people of the State of California an amendment to the Constitution, amending Section 1 of Article XX. of the Constitution of the State of California, relative to changing the seat of government from the city of Sacramento to the city of San Jose.

The Legislature of the State of California, at its thirtieth session, commencing on the 2d day of January, 1893, two thirds of all the members elected to each house of said Legislature voting in favor thereof, hereby proposes that Section 1 of Article XX. (miscellaneous subjects) of the Constitution of the State of California be amended so as to read as follows:

Section 1. The city of San Jose is hereby declared to be the seat of government of this State, and shall so remain until changed by law; but no law changing the seat of government shall be valid or binding unless the same be approved and ratified by a majority of the qualified electors of the State voting therefor at a general State election, under such regulations and provisions as the Legislature, by a two-thirds vote of each house, may provide, submitting the question of change to the people; provided, that the State shall receive a donation of a site of not less than ten acres and $1,000,000 before such removal shall be had. The Governor, the Secretary of State and the Attorney-General are hereby authorized to approve said site, and upon the approval thereof and the payment of $1,000,000 into the State Treasury the Legislature shall provide for the erection of the necessary building and the removal of the seat of government.

Said proposed Senate Constitutional Amendment No. 23 was read and the roll was called, and the Secretary of said Senate, in charge of the roll-call, announced the following Senators voted "aye" as each name was called, viz: Messrs. Bailey, Berry, Broderick, Burke, Campbell, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Hart, Harp, Hoyt, McAllister, McGowan, Mahoney, Mathews, Mitchell, Orr, Ragsdale, Seymour, Simpson, Streeter, Voorheis, Whitehurst and Williams; and that the following Senators voted "no," viz: Arms, Carpenter, Langford, Maher, Martin, Shippee and Wilson.

That immediately after the announcement of the votes, Senator Voorheis moved that the Senate then adjourn, and thereupon, at the hour of 10 o'clock and 15 minutes P. M., the Senate did adjourn. That thereafter, on the 13th day of March, 1893, at the morning session of said Senate, Senator Voorheis asked that the Journal of Saturday, March 11th, be corrected so that it be shown that he voted "no" on the adoption of the Senate Constitutional amendment No. 23, instead of "aye"; and it was so ordered. Whereupon Senator Seawell moved that the Journal of Saturday be so corrected that it be shown that Senator Hart voted "no" instead of "aye" on the adoption of State Constitutional Amendment No. 23, and Senator Carpenter offered the following as a substitute to the motion: "So that Senator Hart be allowed to make an explanation of his vote on Senate Constitutional Amendment No. 23, and that the same be spread on the Journal." And the roll being called on the substitute of Senator Carpenter, Senator Carpenter's substitute was adopted. And thereafter, at a later period during the said 13th day of March, Senator Hart presented a protest against the passage of Senate Constitutional Amendment No. 23, asking that he be allowed to have his vote recorded against said amendment, as he had voted that way first and changed his vote for the purpose of giving notice of a reconsideration, and Senator Orr moved that the protest be referred to the Committee on Judiciary; and thereafter, on the 14th day of March, 1893, the Senate Journals of Saturday, March 11th, and Monday, March 13th, were read and approved by said Senate, and the said Journal of March 11th, as approved by said Senate, gave the vote on said proposed Senate Constitutional Amendment No. 23 as follows, to wit:

Ayes—Messrs. Bailey, Berry, Broderick, Burke, Campbell, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, McAllister, McGowan, Mahoney, Mathews, Mitchell, Orr, Ragsdale, Seymour, Simpson, Streeter, Whitehurst, and Williams—27.

Noes—Messrs. Arms, Carpenter, Langford, Maher, Martin, Shippee, Voorheis and Wilson—8.

That after the approval of said journals, and on the said 14th day of March, 1893, the Judiciary Committee presented the following report, relative to a statement of Senator Hart in regard to the vote whereby Senate Constitutional Amendment No. 23 was adopted:

SENATE CHAMBER,
SACRAMENTO, March 13, 1893.

Mr. President: Your Committee on Judiciary, to whom was referred the proposed statement of Senator Hart relative to the vote whereby Senate Constitutional Amendment No. 23 was adopted, have had the same under consideration and hereby respectfully report as follows:

We beg leave to state that Senator Hart, during the entire consideration of said amendment, was opposed to the same, and earnestly and ably endeavored to defeat the same, and did all that it was possible for him to do for his constituents in the premises. We recommend that Senator Hart be permitted to have the following personal statement entered in the journal:

Personal statement of Senator Hart:

"When the roll of the Senate was called on last Saturday evening on the passage of Senate Constitutional Amendment No. 23 and my name was reached, I voted 'no.' Upon the completion of the roll-roll, and before the announcement of the vote, I ascertained that twenty-seven votes had been cast in favor of said amendment. Thereupon I changed my vote from 'no' to 'aye' for the purpose of giving notice, at the proper time, of a motion to reconsider the vote whereby said Constitutional Amendment No. 23 was adopted. The President of the Senate thereupon announced the vote as twenty-eight 'ayes' and seven 'noes.' Upon the announcement of the vote, I at once attempted to gain the recognition of the Chair for the purpose of carrying out my intention of giving notice of a motion to reconsider, but a motion to adjourn was put and carried before I could gain such recognition, and I was thus prevented from giving such notice of motion to reconsider."

Respectfully submitted.

McGOWAN, Chairman.

And the report was unanimously adopted.

That Rule No. X of the Standing Rules of the Senate, thirtieth session of the Legislature, is in words and figures following:

X. Engrossed Bills to be Examined and Reported.

All bills, amendments and resolutions, after being engrossed in pursuance of the order of the Senate, shall be carefully examined and reported back by the Committee on Engrossed Bills, the engrossed copy to be transmitted to the Assembly, with the proper indorsements, and the original retained by the Senate.

That immediately after the announcement of the vote of the Senators upon said alleged Senate Constitutional Amendment No. 23, what purported to be a true copy of said alleged Senate Constitutional Amendment No. 23 was transmitted to the Assembly Chamber, with the announcement that it had been duly adopted by the Senate. That the paper carried to and delivered to the Assembly, purporting to be a copy of said resolution introduced in the Senate by Senator Seymour, was in words and figures following:

Senate Constitutional Amendment No. 23. Submitting to the people of the State of California an amendment to the Constitution, amending Section 1 of Article XX. of the Constitution of the State of California, relative to changing the seat of government from the city of Sacramento to the city of San Jose.

The Legislature of the State of California, at its thirtieth session, commencing on the second day of January, A. D., 1893, two-thirds of all the members elected to each house of said Legislature voting in favor thereof, hereby proposes that Section 1 of Article XX. (miscellaneous subjects) of the Constitution of the State of California be amended so as to read as follows:

Section 1. The city of San Jose is hereby declared to be the seat of government, and shall so remain, until changed by laws, but no law changing the seat of government shall be valid or binding unless the same be approved and ratified by a majority of the qualified electors of the State voting therefor at a general State election, under such regulations and provisions as the Legislature, by a two-thirds vote of each house, may provide, submitting the question of change to the people; provided, that the State shall receive a donation of a site of not less than ten acres and one million dollars before such removal shall be had. The Governor, Secretary of State and the Attorney-General are hereby authorized to approve said site, and upon the approval thereof, and the payment of one million dollars into the State Treasury, the Legislature shall provide for the erection of the necessary building and the removal of the seat of government.

That on said 11th day of March, 1893, and between the hour of 10 o'clock and 15 minutes and 11 o'clock P. M., the rules of the Assembly having been suspended, said alleged Senate Constitutional Amendment No. 23 was voted upon in the Assembly, fifty-seven Assemblymen voting "aye" and seven Assemblymen voting "no." That immediately thereafter Assemblyman Mordecai, who had voted in favor of the adoption thereof, gave notice of intention to move for a reconsideration of such vote, and the Assembly adjourned at 11 o'clock P. M. That fifty-seven Assemblymen constituted two-thirds of the members of the Assembly.

That on the 13th day of March, 1893, Assemblyman Lynch, who had voted for the adoption of such alleged Senate Constitutional Amendment No. 23, moved the reconsideration of such vote, which motion was duly seconded. That thereupon Lynch, the Assemblyman moving such reconsideration, moved to lay such motion to reconsider on the table, and upon call of the roll such motion to lay on the table was carried. That on the same day and during the afternoon session of the Senate, the copy of said alleged Constitutional Amendment No. 23, as sent from the Senate to the Assembly, was returned to the Senate, with the announcement that it had been duly adopted by the Assembly, and on the same day said resolution was ordered to enrollment by the Senate. That thereafter, and during the evening session of the Assembly, it was moved that the motion to reconsider the vote by which said Senate Constitutional Amendment No. 23 had been declared to have been adopted in the Assembly, be taken from the table, and that vote be reconsidered. Upon calling the roll on such motion, to take such motion from the table, a majority of the votes were against taking the same from the table, and the Legislature adjourned *sine die* without any other or further vote on such alleged amendment.

That on the 14th day of March, 1893, the Senate Standing Committee on Enrolled and Engrossed Bills made the following report:

SENATE CHAMBER,
SACRAMENTO, March 14, 1893.

Mr. President: Your Committee on Enrolled and Engrossed bills beg leave to report that the following has been correctly enrolled: Senate Constitutional Amendment No. 23—submitting to the people of the State of California an amendment to the Constitution, amending Section 1 or Article XX. of the Constitution of the State of California, relative to changing the seat of government from the city of Sacramento to the city of San Jose.

RAGSDALE, Chairman.

4. That the copy of the alleged Senate Constitutional Amendment No. 23, voted on in the Assembly, did not contain the words "of the State," as shown in line 31 of page 2 of Finding No. 3; and did not contain the word "the" before the word "Governor" and the word "Secretary," in line 7 of page three of Finding No. 3.

5. That it is the duty of the defendant, as Secretary of State, to certify to the Clerk of each county in the State the information that amendments to the Constitution have been proposed, together with the substance thereof, in order that the same may be submitted to the people for the popular vote.

6. That the plaintiff informed the defendant, as such Secretary of State, as to the facts touching the introduction and votes upon said alleged amendment, as set forth in Finding No. 3, the omission of the words heretofore specified, and the fact that no vote had been taken in the Assembly on the motion to reconsider, and that no law had ever been enacted by the Legislature of the State providing for the removal of the seat of government of the State from the city of Sacramento to the city of San Jose, or any other place. That no law providing for submitting such alleged amendment to the popular vote had ever been enacted, and the plaintiff informed the defendant, as such Secretary of State, that he was a citizen of this State and a taxpayer therein, and requested the defendant, as such Secretary of State, to refrain from certifying to the Clerks of the respective counties of the State any information whatever touching such alleged Senate Constitutional Amendment No. 23, for the purpose of submitting the same to the popular vote, for the reason that the same was void and of no effect, and that any such action on the part of defendant, as Secretary of State, would cause the expenditure of public money derived by taxation, and thereby injure plaintiff; that defendant refused to refrain from certifying to the Clerks of the respective counties the matters required by law to be certified, with respect to valid propositions for the amendment of the Constitution, and stated to plaintiff that he would in all respects treat said alleged Senate Constitutional Amendment No. 23 as if the same were a valid and legal proposition, and make any expenditure of public money that might be necessary to submit the same to the popular vote, and that, therefore, plaintiff instituted the action and obtained a temporary injunction restraining defendant from doing any of the acts specified, which injunction has ever since been and now is in full force and effect.

7. That there never was at any time enacted any law whatever providing for the removal of the seat of government of this State from the city of Sacramento to the city of San Jose, or to any other place.

8. That there never was at any time enacted any law providing for submitting to the people of this State for the popular vote the alleged Constitutional Amendment No. 23.

9. That unless the defendant, as such Secretary of State, be restrained and enjoined from certifying to the Clerks of the respective counties of this State the information required to be certified by Section 1195 of the Political Code, he will so certify with respect to the alleged Senate Constitutional Amendment No. 23, and thereby incur expense to be paid out of the public funds of the State, derived from taxation, and thereby greatly and irreparably injure plaintiff.

As a conclusion of law from the foregoing facts, the court finds that plaintiff is entitle to judgment as follows:

1. That said alleged Senate Constitutional Amendment No. 23 is null and void and of no effect.

2. That the temporary injunction heretofore granted, restraining the defendant, as Secretary of State, from certifying to the Clerks of the respective counties any information touching the submission of said Senate Constitutional Amendment No. 23 to the people for the popular vote, be made perpetual, and that defendant, as such Secretary of State, be forever enjoined from doing any act in relation to said alleged amendment, with a view of submitting the same to the popular vote, and that the plaintiff recover from the defendant his costs in this behalf expended, and it is ordered that judgment be entered accordingly.

W. H. GRANT, Judge.

Judgment of the Court.

Accompanying the findings of fact was the judgment of the court issuing a permanent restraining order directed to Secretary of State Waite as follows:

In the Superior Court of the County of Sacramento, State of California.

Horatio P. Livermore, plaintiff, vs. E. G. Waite, Secretary of State of the State of California, defendant.

JUDGMENT.

This cause came on regularly for trial on the 6th day of June, 1893, before Honorable W. H. Grant, Judge of the Superior Court of Yolo County, sitting in Department No. 2 of the Superior Court of Sacramento County, at the request of Honorable Matt F. Johnson, Judge of said court.

The said parties appeared by their attorneys, L. T. Hatfield and Grove L. Johnson, counsel for plaintiff; and W. H. H. Hart, Attorney-General of the State of California, H. V. Morehouse and D. L. Delmas, for defendant.

The cause was tried before the court, whereupon witnesses on the part of the plaintiff and defendant were duly sworn and examined, and documentary evidence was introduced by the respective parties, and the evidence being closed the cause was submitted to the court for consideration and decision; and after due deliberation thereon the court filed its findings and decision in writing, and orders that judgment be entered herein in favor of plaintiff in accordance therewith.

Wherefore, by reason of the law and the findings aforesaid, it is ordered adjudged and decreed, that Horatio P. Livermore, the plaintiff, do have and recover judgment against the defendant, E. G. Waite, as Secretary of State of the State of California, that alleged Senate Constitutional Amendment No. 23, introduced in and voted upon by the thirtieth session of the Legislature of the State of California, be and the same is hereby declared null and void and of no force or effect.

That the plaintiff have and recover judgment against defendant, as Secretary of State of the State of California, making the temporary injunction heretofore granted in this cause perpetual; and that the defendant be and he is hereby forever restrained and enjoined from in anywise certifying to the Clerks of the respective counties of the State of California any information whatever touching any matter in connection with alleged Senate Constitutional Amendment No. 23; and that defendant, as such Secretary of State, refrain from taking any action whatever with a view to submitting to the people of the State for the popular vote said alleged Senate Constitutional Amendment No. 23; and that plaintiff recover from defendant the costs and disbursements incurred in this action, amounting to the sum of ———— dollars.

W. H. GRANT, Judge.

SACRAMENTO AND YOLO.

Woodland People Interested in the Bridge.

[From the Woodland Daily Democrat.]

Yolo County Supervisors ought, either in co-operation with the city and county authorities of Sacramento, or on their own account, to immediately take some action to lessen the discomfort, danger and inconvenience attending the present facilities for crossing the Sacramento River at Sacramento.

Both the highway and rail travel are now carried on the same level across the river, and on the Sacramento side teams entering and leaving the city via the bridge are obliged to cross a large number of railroad tracks along which cars and engines are constantly being moved. This arrangement was well enough when it was inaugurated many years ago, but public convenience now demands a radical change.

It is rumored that the railroad company will be obliged to strengthen or rebuild the present structure this fall. Under an old arrangement, whereby they succeeded to the rights of the Sacramento and Yolo Highway Bridge Company, the railroad company is obligated to maintain the planking of the bridge on the same level with their rails, and permit the public to use the bridge free of all tolls. This they must continue to do so long as they maintain the bridge where it is, but it is not likely the company can be induced, at its own expense, to improve these inadequate and dangerous highway facilities, so that teams can cross over the bridge and yards at any time without the vexatious loss of time in waiting for cars and engines to be first moved out of the way. This saving of time for our people having business at Sacramento is a great desideratum, and, aside from other considerations affecting the convenience and safety of the public using the highway, this feature alone should decide the question in favor of a speedy change for the better.

In Los Angeles, Portland, and, very generally, in Eastern cities, the highway traffic is carried up inclines on each end of railroad bridges and railroad yards, conveying it at a higher level and completely separated from tracks on the bridges as well as in the yards.

This would be a cheaper arrangement to remedy the existing difficulties in Sacramento than for the counties to build and maintain an independent bridge, and if our Supervisors cannot persuade the railroad company to stand all the expense of this improvement in connection with the rebuilding of the bridge, they should make some arrangements jointly with Sacramento City and county and the railroad company to divide the extra expense and arrange with the railroad company to make the improvement at once.

Articles of Incorporation.

The following articles of incorporation have been filed in the Secretary of State's office:

The Perfection Glove Company, San Francisco. Capital stock, $1,000,000. Directors—Clara A. Giberson, E. P. Yoder, U. S. Giberson, H. E. Abbott and E. M. Morgan.

Nauerth & Cass Hardware Company, Los Angeles. Capital stock, $30,000. Directors—Jacob Nauerth, B. H. Cass, A. B. Cass, Henry Martz and Valentine Baumgarten.

Artesia Orchard Company, San Francisco. Capital stock, $50,000. Directors—F. D. Turner, T. Dowd, W. F. Greaney, A. W. Craig and J. E. Hayes.

The Weather.

The Weather Bureau reports show the highest and lowest temperatures yesterday to have been 88° and 57°, with gentle to fresh southerly winds and clear weather prevailing.

The barometrical readings at 5 A. M. and 5 P. M. were 29.84 and 29.80 inches, respectively.

The highest and lowest temperatures one year ago yesterday were 96° and 54°, and one year ago to-day 90° and 57°.

Congregational Church, Sabbath Evening. Lecture: "Girl Bachelors."

PROFESSOR LEONARD'S last day, Saturday, Golden Eagle, 10 A. M. to 8 P. M.

BONDSMEN RESPONSIBLE.

A Guardian Decamps and Leaves Them in the Lurch.

His Wife Carries on Business in Her Own Name With the Money of His Ward.

Judge Johnson has rendered a decision in the case of Harry F. G. Trumpler vs. A. T. Cotton, J. P. Odbert and E. Greer, an action brought against Cotton as plaintiff's guardian, and the others as bondsmen for him.

Cotton was empowered by the court to sell some of plaintiff's real estate, and was required to give an additional bond of $3,000 on so doing, Odbert and Greer becoming his sureties. He sold the property, continuing to act as guardian, and filed his accounts down to 1890, when he failed to make any other reports, and then left the State, his residence since being unknown.

A referee was appointed by the court, who filed his report in 1892, stating that the guardian has in his hands a large sum of money belonging to the estate, and action was brought to recover it from the bondsmen.

Cotton was the husband of the plaintiff's aunt, and Trumpler has no parent living.

The defense set up was that the Yolo County court had no authority to appoint a referee, and that all the proceedings had subsequent to such appointment are of no effect, and that the defendants are in no wise parties to such proceeding, nor are they bound by them.

The court intimates that it is severe on the defendants in this case to be held liable for Cotton's defalcation, and says:

"It is useless for the sureties to complain of the harsh effect of this law upon them. When they voluntarily became bondsmen for the guardian, they did so with the full knowledge of the existence of the statute, and the scope of its authority, and they must submit, however severe the result may be; especially so in this case, when a near relative of the plaintiff is the transgressor, has taken the substance of plaintiff, used it for his own purposes and skips beyond the reach of the courts, leaving his own wife full-handed; and these two defendants, who are strangers to all parties, having never received one cent of pecuniary benefit, must make good the loss.

"I do not blame them for having a lurking suspicion that all may not be fair, especially when the plaintiff, who was near the age of majority at the time of his uncle's departure, now is in the employ of his aunt, who, it appears, is continuing a mercantile business in her own name, which was originally commenced with the very money received from the estate. As I said, this is only a suspicion, and courts cannot act upon suspicion, nor could the matters contained in the suspicion be acted upon by the court upon the issues in this case."

The plaintiff sued for the full $3,000 of the bond, claiming that Cotton was indebted to the estate for more than that amount, but the court, after going into the accounts in detail, finds that Cotton is indebted to the estate to the amount of $2,331 57 and gives judgment against the defendants for that amount.

POOLING THEIR PROFITS.

Consolidation of the Two Oldest Grocery Firms of the City.

The old-established wholesale grocery houses of Booth & Co. and L. S. Adams & Co. have decided to consolidate. Hereafter they will be conducted under one management as the Booth-Adams Company, making the largest wholesale house of the kind in the West.

About the 1st of September Adams & Co.'s stock will be removed to the premises now occupied by Booth & Co., where the latter's business has been conducted for nearly forty years,

The house of L. S. Adams & Co. was founded in 1850 by a Mr. Childs, who was succeeded by Childs & Boyd. In 1852 the firm became Boyd, Arnold & Co. R. G Sneath bought out Boyd, and until 1855 the house was known as Sneath, Arnold & Co. Subsequently the firm changed to Sneath & Arnold. In 1863 this partnership was dissolved, and a new firm was formed of John Arnold, John McNeill, L. S. Adams, and L. A. Upson, and known as John Arnold & Co. In 1866 Arnold sold out, and the firm was known as Adams, McNeill & Co. In 1868 Mr. Upson retired as a partner. Adams, McNeill & Co. were in 1889 succeeded by L. S. Adams & Co., and in February, 1891, F. B. Adams was admitted.

Real Estate Transfers.

The following real estate transactions have been recorded since our last report:

E. A. Grant and wife to Sarah E. Clayton—One acre in the southeast quarter of northeast quarter of section 16, township 8 north, range 5 east.

Catherine Barry to John T. Barry—South quarter of northwest quarter of section 23, township 8 north, range 5 east; also, a tract of 22 acres, more or less, in the southeast quarter of section 22, township 8 north, range 5 east; also, lot 4, H and I, Eighteenth and Nineteenth; east half of lot 5, I and J, Eighteenth and Nineteenth; also, south half of east half of lot 8, J and K, Fifteenth and Sixteenth; also, north half of lot 5, and east half of north half of lot 6, Q and R, Eighteenth and Nineteenth streets.

L. L. Lewis to Sarah J. Calderwood—One-half acre, lot 92, in subdivision "B," of South Sacramento and Oak Park.

Chris Weisel to Martha Franz—East half of lot 3, O and P, Twenty-eighth and Twenty-ninth streets.

James M. N. Johnson to Isabella Boyd—East half of lot 2, N and O, Twenty-seventh and Twenty-eighth; south half of lot 5, O and P, Twenty-first and Twenty-second streets, subject to a mortgage.

Anna Yule to I. G. Shaw—An undivided six thirty-fifths of undivided half of block S and T, Twenty-eighth and Twenty-ninth, save and except north half of lot 1, and north half of west 70 feet of lot 2 in said block.

H. P. Martin to Arthur N. Gunn—East quarter of lot 2, and east quarter of lot 7, U and V, Twenty-fourth and Twenty-fifth, subject to a contract for the sale of same to Sherman & Parker.

S. Prentiss Smith to Virginia E. Wiard—Lot 9, block 22, of South Sacramento and Oak Park.

W. F. Wiard and wife to William Wiard—Same land as in the above deed.

SUPERIOR COURT.

Department One—Catlin, Judge.

FRIDAY, July 7th.

Martin Manasse vs. His Creditors—Receiver's return of sales continued one day.

Jacob Knauth vs. C. Schmeizer et al.—Change of venue granted.

Christine Tonkin vs. William Gutenberger et al.—Demurrer to answer and motion to strike out submitted.

E. R. Cook, insolvent—Order to sell property of insolvent.

Silva vs. Rose et al.—Motion to strike out and demurrer continued one week.

Almira Cook vs. J. S. Cook—Transferred to Department Two.

George Peters vs. Annie De Rose Gracia et al.—Motion to retax costs continued one week.

H. P. Gregory & Co. vs. Charles Williams—Motion to quash summons and service continued one week.

W. S. Kendall vs. W. G. Williams—Demurrer sustained; ten days to answer.

W. S. Kendall vs. Capital Furniture Company—Demurrer continued one week.

Edna G. Goley, by Anna Goley, her guardian, vs. William Gripp—Demurrer continued one week.

Charles Peterson vs. Maude J. Machado—Decree of foreclosure ordered. A. E. Miller appointed assignee; bond, $2,500.

Edward Malone vs. D. W. Field et al.—Decree to quiet title granted.

Wachhorst vs. Alsip—Continued for the term.

Dodge vs. McClatchy—Continued for the term.

Neary vs. Burr—Demurrer overruled.

Department Two—Johnson, Judge.

FRIDAY, July 7th.

Estate of Harris Marks, deceased—Letters of administration granted; bond, $6,000.

Estate of J. M. Belcher, deceased—Settlement of first annual account, and petition for allowance for support of minor children continued one week and referred to E. Wachhorst.

Estate of William Perrill, deceased—Final account allowed.

Estate of Frederick Young, deceased—Petition for distribution continued one week.

Estate of Newton Booth, deceased—Sale as to north 20 feet of west 72½ feet of lot 4, between J, K, Front and Second streets, confirmed to S. Dwyer for $1,300; as to other property, continued one week.

Estate of Newton Booth, deceased—Authority to compromise debt granted.

Estate of William Angrave, deceased—Report and account of executrix approved.

Estate and guardianship of John Spitzbarth, incompetent—Petition for allowance of certain claims not a proper matter for consideration.

Estate of Llewellyn Williams, deceased—Demurrer and motion to strike out parts of complaint continued one week.

Estate of John H. Carroll, deceased—Settlement of final account and petition for distribution continued two weeks.

Estate of Mary E. Wackman, deceased—Petition for letters of administration continued two weeks.

Estate of Ernest Ehrich, deceased—Return of sale of old violins continued two weeks.

Estate of Eliza Woods, deceased—Petition for letters of administration granted.

Estate of Eleanor D. Brady, deceased—Petition for order to sell real estate continued one week.

Estate of Isaac Lea, deceased—Petition for order to pay interest on claim against estate granted.

Estate of Thomas Taverner, deceased—Will admitted to probate; letters granted to petitioner.

Estate of Philopean Brendel, deceased—Final account allowed; distribution granted.

Estate of George A. Blanchard, deceased—Will admitted to probate; letters testamentary granted to petitioner.

Germania Building and Loan Association vs. W. F. Kuhnle—Demurrer sustained as to first and third grounds and overruled as to the second; five days to answer.

A. Montgomery vs. Montgomery Pike et al.—Demurrer overruled by consent; notice waived, fifteen days to answer.

Ida V. Moseley vs. John Elkington—Argued and submitted.

DeWitt vs. Meckfessel—Motion to strike out continued one week by consent.

M. L. Smith vs. J. P. Cox—Motion to strike out and demurrer continued two weeks.

Mabel Carothers vs. J. W. Carothers—Motion for alimony continued one week.

J. Q. A. Henry vs. Theodore Reichert, H. E. Mande intervenor—Demurrer to complaint in intervention continued two weeks.

G. F. Hanson vs. Theodore Reichert, J. S. Brooks, intervenor—Demurrer to complaint of intervenor continued two weeks.

H. A. Webster vs. Theodore Reichert, Mary B. Brundage intervenor—Demurrer to complaint of intervenor continued two weeks.

PROFESSOR LEONARD'S last day, Saturday, Golden Eagle, 10 A. M. to 8 P. M.

KNOWLEDGE

Brings comfort and improvement and tends to personal enjoyment when rightly used. The many, who live better than others and enjoy life more, with less expenditure, by more promptly adapting the world's best products to the needs of physical being, will attest the value to health of the pure liquid laxative principles embraced in the remedy, Syrup of Figs.

Its excellence is due to its presenting in the form most acceptable and pleasant to the taste, the refreshing and truly beneficial properties of a perfect laxative; effectually cleansing the system, dispelling colds, headaches and fevers and permanently curing constipation. It has given satisfaction to millions and met with the approval of the medical profession, because it acts on the Kidneys, Liver and Bowels without weakening them and it is perfectly free from every objectionable substance.

Syrup of Figs is for sale by all druggists in 50c and $1 bottles, but it is manufactured by the California Fig Syrup Co. only, whose name is printed on every package, also the name, Syrup of Figs, and being well informed, you will not accept any substitute if offered.

DUFFY'S PURE MALT WHISKEY

FOR MEDICINAL USE
NO FUSEL OIL

This is a year and the season of the year especially when people need to be careful. There is disease in the air and there is more of it coming from abroad as hot weather approaches. Malaria is constantly prevalent, summer diseases are imminent and cholera is expected. To keep the blood pure and circulating, to avoid malaria and preserve the health, strength and produce happiness, there is nothing equal to Duffy's Pure Malt Whisky. Insist upon your druggist or grocer having it for you and do not be persuaded to take any other. Send for illustrated pamphlet to DUFFY MALT WHISKY CO., ROCHESTER, N. Y.

Bank Dividends.

SACRAMENTO BANK—DIVIDEND NOTICE

THE BOARD OF DIRECTORS OF THE Sacramento Bank have declared a dividend for the semi-annual term ending June 30, 1893, at the rate of 5⅓ per cent. per annum on term deposits and paid up capital stock, and 4 per cent. per annum on ordinary deposits, payable on and after July 5, 1893.

jy4-6t ED. R. HAMILTON, Cashier.

Farmers' and Mechanics' Savings Bank.

DIVIDEND NOTICE.

THE BOARD OF DIRECTORS OF THE Farmers' and Mechanics' Savings Bank have declared a dividend for the semi-annual term ending June 30, 1893, at the rate of five and one-third (5⅓) per cent. on term deposits and four (4) per cent. on ordinary deposits, payable on and after July 5, 1893.

B. U. STEINMAN, President.
C. H. CUMMINGS, Secretary.

People's Savings Bank.

DIVIDEND NOTICE.

THE BOARD OF DIRECTORS OF THE People's Savings Bank have declared a dividend for the semi-annual term ending June 30, 1893, at the rate of five and one-third (5⅓) per cent. per annum on term deposits, and four (4) per cent. per annum on ordinary deposits, payable on and after July 5, 1893. jy4-1m

PRINTING D. JOHNSTON & Co. 410 J STREET. ORDERS FROM THE COUNTRY PROMPTLY FILLED

Miscellaneous.

RADWAY'S READY RELIEF FOR PAIN

THE CHEAPEST AND BEST MEDICINE FOR FAMILY USE IN THE WORLD.

Instantly stops the most excruciating pains; never fails to give ease to the sufferer; a few applications act like magic, causing the pain to instantly stop.

A CURE FOR ALL BOWEL COMPLAINTS.

Internally taken in doses of from thirty to sixty drops in half a tumbler of water will cure in a few minutes Cramps, Spasms, Sour Stomach, Colic, Flatulence, Heartburn, Languor, Fainting Spells, CHOLERA MORBUS, DIARRHEA, DYSENTERY, Sick Headache, Nausea, Vomiting, Nervousness, Sleeplessness, Malaria, and all internal pains arising from change of diet or water or other causes. 50 cents a bottle. Sold by Druggists.

DOWN TO BUSINESS.

The celebration of Independence Day anniversary is over and everyone is ready for business again.

MONEY IN CIRCULATION.

The pay car is at work paying the employes of the railroad company, and we wish to tell them a few things of

HOW TO MAKE MONEY.

Attend our BIG CUT PRICE SALE; purchase high-grade goods at low prices; do your buying of FURNISHING GOODS at our CUT PRICE SALE.

MEN'S SUITS—Former price, $6 50; now, $4 85. Former price, $11; now.........$8 35

MEN'S ENGLISH WORSTEDS—Black and Blue Sacks, round corners and square cut; former price, $16; now.........$12 50

MEN'S DRESS PANTS—Former price, $6; now.........$4 50

MEN'S FRENCH CLAYS—Worsted and Piques Dress Suits, in three and four-button cutaways; former price, $27 50; now.........$21 50

MEN'S WORKING PANTS—Former price, $1, now.........85c

BOYS', CHILDREN'S AND SCHOOL SUITS—Former price, $3; now.........$1 95

BOYS' WAISTS—Former price, 35c; now.........25c

MISCELLANEOUS.

Men's Fancy Flannel Overshirts—Former price, 50c; now.........35c

Men's Black Sateen Shirts—Former price, 50c; now.........35c

Gents' Gauze Undershirts; former price, 40c; now.........20c

Balbriggan Shirts and drawers; former price, $1; now.........75c

Men's Cotton Hose; former price, 75c per doz; now.........50c per doz.

Men's Fine French Calf, hand-sewed, Congress and Bals.; former price, $4; now..$2 35

Men's Low-cut Kid Shoes; former price, $1 50; now.........85c

Men's Extra Heavy O. K. Nailed Shoes; former price, $3 50; now.........$2 25

Youths' B Calf Lace Shoes; former price, $1 50; now.........$1 00

Boys' B Calf Lace Shoes; former price, $1 75; now.........$1 15

Boys' Heavy Oil-grain Brogans, tap sole; former price, $1 50; now.........95c

HATS—We have made immense reductions in our stock of Straw, Fur and Stiff Hats, which are too numerous to mention.

MECHANICAL CLOTHING STORE, H. MARKS, PROPRIETOR.
414 and 416 K Street, between Fourth and Fifth, Sacramento.

THE WORLD'S FAIR!

The Chicago Inter-Ocean

—AND—

The Weekly Union!

BOTH ONLY $2 A YEAR.

Banking Houses.

NATIONAL BANK OF D. O. MILLS & CO.

Sacramento, Cal.—Founded 1850.

DIRECTORS:

D. O. MILLS, EDGAR MILLS, S. PRENTISS SMITH.

FRANK MILLER.........President
CHARLES F. DILLMAN.........Cashier

Capital and Surplus, $600,000.

CALIFORNIA STATE BANK AND SAFE DEPOSIT VAULTS

SACRAMENTO, CAL.

Draws Drafts on Principal Cities of the World.

SATURDAY HOURS, 10 A. M. TO 1 P. M.

OFFICERS:

President.........N. D. RIDEOUT
Vice-President.........FRED'K COX
Cashier.........A. ABBOTT
Assistant Cashier.........W. E. GERBER

DIRECTORS:

C. W. CLARK, JOS. STEFFENS, GEO. C. PERKINS, FRED'K COX, N. D. RIDEOUT, NORMAN RIDEOUT, W. E. GERBER.

SACRAMENTO BANK.

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.

FARMERS' AND MECHANICS' SAVINGS BANK

Southwest corner Fourth and J Streets, Sacramento, Cal.

Guaranteed Capital.........$500,000

LOANS MADE ON REAL ESTATE. Interest paid semi-annually on Term and Ordinary Deposits.

B. U. STEINMAN.........President
EDWIN K. ALSIP.........Vice-President
D. D. WHITBECK.........Cashier
C. H. CUMMINGS.........Secretary
JAMES M. STEVENSON.........Surveyor

DIRECTORS:

B. U. STEINMAN, EDWIN K ALSIP, C. H. CUMMINGS, W. E. TERRY, SOL. RUNYON, JAMES MCNASSER, JAS. M. STEVENSON.

CROCKER-WOOLWORTH NATIONAL BANK,

Crocker Building, Market and Post Streets, San Francisco.

PAID UP CAPITAL, $1,000,000. SURPLUS, $380,000.

DIRECTORS:

CHARLES F. CROCKER...E. H. MILLER, JR.
R. C. WOOLWORTH.........President
W. E. BROWN.........Vice-President
WM. H. CROCKER.........Cashier

PEOPLE'S SAVINGS BANK.

Sacramento, Cal.

Paid up capital.........$225,500
Reserve and Surplus.........85,500

INTEREST PAID SEMI-ANNUALLY ON term and ordinary deposits. Money loaned on real estate only. Address all communications: People's Savings Bank, Sacramento.

WM. BECKMAN, President.
GEORGE W. LORENZ, Secretary.

LE ROI DES SAVONS!

King of Soaps.

[Patented.]

THE BEST —OF— Laundry Soaps

WASHES WITHOUT RUBBING.

CAPITAL SOAP CO., SACRAMENTO.

GORDAN BROS. IMPORTING TAILORS.

520 J STREET.

BEST PLACE IN THE CITY FOR FINE WORK.

☞ First-class workmen. Fit always guaranteed.

Real Estate, Etc.

W. P. COLEMAN,

Real Estate Salesroom,

325 J STREET.

We have for sale that elegant Ranch of M. L. SMITH, situated on the south bank of the American River, near Routier's Station. The finest kind of bottom land; good for alfalfa and orchard. Has a modern new dwelling of nine rooms, good barn and other outhouses. Contains eighty-four acres—eight acres in orchard.

We have a very low figure on this place. Call and we will take you out.

WE HAVE FOR SALE

The Bruce House,

J Street, Tenth and Eleventh,

At a very reasonable figure. A GOOD INVESTMENT. Lot 20x160.

EDWIN K. ALSIP & CO.

[Established 1860.]

Real Estate

—AND—

INSURANCE AGENTS.

☞ Money to Loan. Rents Collected.

14 Montgomery street, San Francisco,
And 1015 Fourth st., Sacramento, Cal.

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.

Wire Cloth, Rubber Hose,

LAWN MOWERS, FISHING TACKLE

—AND—

HARDWARE.

SCHAW, INGRAM, BATCHER & CO.,

217 and 219 J Street.