

THE PROPOSED THIRD JUDGESHIP.

More Lawyers Declare Themselves in Favor Thereof.

They Also Unanimously Condemn the Proposed Hatfield Constitutional Amendment.

The RECORD-UNION to-day presents additional interviews with members of the Sacramento bar to those heretofore published on the subject of the necessity for a third Superior Judgeship. It will be seen that every lawyer thus far heard from, with the exception of L. T. Hatfield, recognizes the fact that another Judge is necessary to the proper dispatch of the legal business of the county.

It is also worthy of note, in this connection, that they are all equally as emphatic in their condemnation of the constitutional amendment offered in the Legislature by Mr. Hatfield, which proposes to change the judicial system of the State.

AN UNWISE MEASURE.

"Concerning the advisability of having the Judges of our Superior Courts migrate from place to place where their services may be most desired, it would, in my judgment, be a very unwise measure," said L. H. Onton, one of the officers of every kind elected by the people of the district in which their duties are to be performed. Under the present system, practically the only case in which a Judge of the Superior Court ever sits in any county other than that in which he is elected is where an exchange of Judges is necessary by reason of the disqualification of one or both to hear and determine some case or cases pending.

"The framers of our present Constitution did a good thing when they provided for a Superior Court in each county, which should be always ready to transact business, and with at least one Judge elected to hold it and to reside permanently at the county seat. The old system provided for District Courts holding terms of court at stated intervals, with long vacations intervening, during which no business could be transacted in court.

"The proposed amendment, while not in form a return to the old system, would nevertheless revive most of its bad features. Many of the counties would be left without their Superior Judges for long periods of time, and the resulting evils would be even greater than under the old system of District Courts, as we had then a County Court in each county, permanently located at the county seat, in which the bulk of the business of the county was transacted.

"The expense under the proposed system would be largely increased by the traveling expenses and maintenance of the Judges when visiting other counties. The salary of each Judge of the Superior Court is paid one-half by the State and one-half by the county in which he is elected, and the proposed system would throw a great part of the expense for the transaction of the business of the more populous counties upon the taxpayers of these less populous counties.

"It may be said that the Judges of the less populous counties, having comparatively little to do, should be compelled to earn their salary by putting in their time elsewhere, but it is practically a necessity that the Superior Court of each county should, as provided by the Constitution, be always open for the transaction of business, and the taxpayers of each county would be liable at any time to become litigants, can well afford to pay the salary of at least one Judge to remain permanently at the county seat.

"If the business of any county is too great, as in this county, to be properly and promptly attended to by the Judges already provided, the number should be increased, and the expense would be little if any greater than the expense to the county under the present system, by this amendment. Courtrooms, chambers for the Judges, deputy clerks and bailiffs would have to be provided in either event, and the traveling expenses and maintenance of the Judges would be added as a long way toward the payment of their salaries."

WHAT JUDGE ARMSTRONG SAID.

Ex-Judge Armstrong's views are well known, but he was asked to give some of the reasons why, in his judgment, there should be a third Judge in this county. "I am in favor of a third Judge here," he said, "and the reason is plain to anyone who has observed the course of business of the court. There is more business in this court than any two Judges can do, and to justice to the litigant parties. The last two years that I was on the bench the business increased rapidly, and especially the criminal business, and I found it impossible without working nights and Sundays to keep anything near up with the business. The people have no right to ask a Judge to do that."

"As to the expense, it would not be as great as \$35,000 a year as the scheme proposed by Mr. Hatfield. His scheme seems to me to be entirely impracticable. The proposition is to amend the Constitution so as to form judicial districts, and that no district shall be less than where three Judges will be required, and it provides that no Judge shall hold court in the county in which he is elected. There are two very grave objections to his constitutional amendment.

"First—It is in effect declaring that no man can be elected Judge who is honest enough to admit that he is not his neighbors who have elected him to office. This casts a reproach upon the bench that will destroy, eventually, its entire usefulness, for nobody will be in the honesty of the administration of justice.

"The second proposition is, that the whole system is complicated, and would be expensive far beyond the expense of maintaining the present system. It is a great mistake to be changing the judiciary often. It is now established, and should remain so; this permits the Legislature, where necessary requires, to give additional Judges, it also permits the Legislature, where the business of any county has decreased so that there is not sufficient business for all the Judges, to diminish the number of Judges. In what respect can we better this system? I think none."

"ILL-ADVISED AND CRUDE."

Alvin J. Bruner, when asked his opinion of the Hatfield constitutional amendment, said: "It appears to me that the constitutional amendment that has been introduced by Mr. Hatfield is very ill-adviced and has been very crudely drawn. The judicial department of our State should not be changed or even tampered with, unless it is done after careful consideration by the entire bar of this State.

"I have examined the so-called constitutional amendment introduced by Mr. Hatfield, and it is my firm belief that if the members of the bar and the judiciary of this State were aware of its introduction, the Legislature would be crowded with protests from all portions of California. Our present judicial system is working with the very best results, and it has only got into shape within the past few years, and now to change it, in my opinion, would be, to say the least, ill-adviced. I am of the opinion that it is absolutely necessary that the bill should be enacted providing for the appointment of a third Judge for Sacramento County. The history of the litigation in this county for the past four years shows its necessity. The calendars are of necessity crowded from one year's end to the other. Litigants are unable to have their cases tried within a reasonable length of time after commencing them.

"The cost of the county for a third Judge would not be as great as, or certainly not any greater than, the cost at the present time, for the reason that when a jury is called, instead of having but one department using the jury, there could be but at least two and possibly three departments using the jury at the same time. This would save, during the time that a jury is in attendance upon the court, from \$80 to \$150 and sometimes \$200 a day, and it would take but a short

time during the attendance of a jury upon the court to save the entire expense of maintaining a third Judge.

"Our Judges are worked harder in this county than in any other portion of California. Our courts are held from 10 o'clock until 12 o'clock in the morning, and from 1:30 until 5 o'clock p. m. This does not occur in any other of the larger cities of the State. In San Francisco the judicial hours are from 10 to 12 o'clock in the morning and from 2 until 4 o'clock in the afternoon. In addition to that the Judges in San Francisco are given from six weeks to two months vacation every year, while our Judges have never to exceed one month. Our Judges are worked from 9 o'clock in the morning until 10 or 11 o'clock every night, including holidays. This is wrong. The third Judge bill should be passed."

ECONOMY IN A THIRD JUDGE.

Assistant District Attorney J. C. Jones: "I think the system of temporary courts proposed by the so-called Hatfield constitutional amendment would be very expensive and would lead to great loss upon the part of litigants.

"The Constitution now provides that the creation or destruction of a department of a Superior Court can only be had upon a two-thirds vote of the members of the Senate and Assembly. Surely a power which the Constitution has thus far so strongly guarded should not by indirect means be placed in the hands of a single presiding Judge, who, under the Hatfield amendment, shall be authorized to establish one or more additional departments of such Superior Court, while it nowhere in said proposed amendment is stated that the 'additional departments being established' the Judge shall have power to abolish the same.

"On a careful consideration of the so-called Hatfield amendment to the Constitution, I am fully of the belief that the adoption of such a measure would not stand the test either of money or justice to litigants.

"I believe an additional Judge should be permanently granted to any county where business absolutely demands the same."

NEED OF A CRIMINAL COURT.

D. E. Alexander, Court Commissioner: "My opinion as to the necessity of a third Judge in this county is that one is badly needed. There are so many criminal cases arising here, caused probably from our proximity to the State Prison, and our county being on the line of overland travel, necessitates a great many jury trials.

"Jury trials are unavoidably slow and tedious and the greater part of the time that our courts are in session is taken up by these cases, which, under the law, are given precedence over civil matters; the business done in the civil business is constantly running behind.

"As to the remedy proposed by Assemblyman Hatfield, I will say that I think it impracticable for the reason that Judges are constantly needed in their own counties for the issuance of writs of injunction and similar writs, and by their absence more damage might occur either to public or to private interests than would suffice to pay the additional expense incurred during the Judge's entire term of six years.

"It is true that few of the counties have more than one Judge, but in such counties all the Judges are generally kept busy, and can only be absent through an exchange with some other Judge to try the few cases in which the court is disorganized."

IMPERATIVELY DEMANDED.

Isaac Joseph—"You ask is a third Judge needed in this county. Yes, I consider that one is imperatively demanded in order that the litigation pending may be disposed of with dispatch, as under present conditions criminal cases, like those of the People vs. Falmer, keep us up and throw into a chaotic state the civil causes, so that it is almost impossible to have them determined. Clients become terribly disgruntled, and are roundly abused both by Judges and lawyers, who are not in the least to blame.

"The constitutional amendment proposed by Mr. Hatfield will not remedy the evils, but will make the matter more complex and uncertain, for while the Judge is trying a case, he may be needed at home to issue a writ of habeas corpus to release from wrongful imprisonment some worthy citizen."

SHORT-SIGHTED ECONOMY IS BAD.

When requested to give his opinion J. H. Liggett said: "In common with the rest of the legal profession in Sacramento, I am in favor of the third Judge proposition. The population of this county is, in my judgment, large enough to warrant the creation of an additional Judgeship, for the crowded condition of the court at times renders some form of relief an urgent necessity.

"I do not believe the adoption of the constitutional amendment proposed by Mr. Hatfield would meet the case, and I am inclined to think it might obviate in a measure some of the disadvantages that obtain under the prevailing conditions.

"No one having a knowledge of the facts would contend that our Judges are to blame for the many vexatious delays and continuances to which those involved in lawsuits are subjected. All concede that they work faithfully and laboriously. The fault lies in the system. We have been trying to get along with an inefficient judicial force for the amount of legal business to be done.

"I am strongly opposed to the creation of needless offices to increase the tax burdens imposed upon a patient people, but short-sighted economy ought not to be encouraged."

"OF COURSE."

Justice of the Peace W. A. Henry—"Of course I am in favor of an additional Judge for this county."

HOTEL ARRIVALS.

Arrivals at the Golden Eagle Hotel yesterday: F. Hartwig and wife, H. Greninger, A. Heilbron, Jr., Allen C. Kenney, E. B. Jahn, New York; J. G. Leser, H. S. Green, Chicago; J. C. Smith, Louisville, Ky.; Robert Jones, Newcastle; Richard Melrose, Anaheim; R. E. Jack, San Luis Obispo; Mrs. Runyon, Courland; J. C. Newton, Pasadena; E. McKenize, Denver; Alva C. Snow, Fresno; Charles E. Snook, H. A. Melvin, Oakland, H. F. Whitney, Charles F. Johnson, J. W. Goodwin, George A. Batensider, W. S. Baxter, J. E. Hendry, Harry Wendt, James H. Jones, Mrs. M. L. Abbott, Mrs. Elizabeth Dohrman, C. I. Hall, Frank A. Vail, George Sewy, J. Lesko, San Francisco.

MARION HARLAN'S daughter indorses Dr. Price's Baking Powder. It's absolutely pure.

Suit in Replevin.

H. Hoffman, by his attorneys Armstrong & Bruner, has commenced suit in the Superior Court against Constable Alfred Spinks for the recovery of 136 screws used for house-raising purposes, a brown mare, a delivery wagon, a two-horse wagon, three trunks, two sets of harness and a lot of implements, all which were levied upon by Spinks while acting in his official capacity.

Jacob Hensler's Will.

Anna Hensler has petitioned the Superior Court for the probate of the will of Jacob Hensler, deceased.

TWO INQUESTS.

Martin Stindt Killed Himself, and Ah Gee Died Naturally.

Coroner Miller last evening held an inquest on the body of Martin Stindt, who was found in a dying condition at Fourth and L streets Thursday night, and who died shortly after he was found. Mrs. Anna Plucker, at whose house the deceased was stopping, Richard Aspinwall, who rooms in the same house, H. H. Fortson, by whom Stindt was employed, Edward Delbanco and A. H. Schilling testified to what they know of the facts relating to Stindt's death.

The gist of all the testimony was to the effect that Stindt had threatened to commit suicide, and that he told nearly all the witnesses that by the use of laudanum he would remove himself from this world's sphere, as he had been unsuccessful in business, was penniless and despondent.

The verdict of the coroner's jury was that Stindt came to his death by an overdose of laudanum administered by himself with suicidal intent.

AH GEE'S DEATH.

The same jury also rendered a verdict that a Chinaman named Ah Gee, who was found dead in his cabin near Shelburn on the 5th instant, came to his death from natural causes.

SOCIAL AND PERSONAL.

Mrs. Senator Mahoney went to San Francisco yesterday. Miss Mae Blakeney is here from her home in Chicago, visiting relatives and friends.

On 30 gave one of his old-time parties at his home on Thursday evening, and will give another next Thursday. Mrs. J. Label and daughter, May, of San Francisco, after spending a vacation in Kingsburg, Fresno County, is paying a visit to her sister-in-law, Mrs. M. Monasch, 619 O street.

Governor Budd, who has been confined to his house for the past two or three days from a severe attack of rheumatism, is fast recovering and is expected to be able to resume his duties on Monday next.

Mr. and Mrs. George A. Eaton and sister, Miss May Hickman, will leave this morning for a brief visit to Woodland, thence they will visit Irvington, Alameda County. Mr. Eaton is just recovering from a very severe spell of sickness.

Friends of Arthur Dunn gave him a very pleasant valentine surprise party at his home, 1510 L street, on Thursday evening. The party was passed in games, amusements and music, after which a bounteous repast was served. Among those present were: Mr. and Mrs. H. Richards, Miss Marie Richards, Mr. and Mrs. George Vogelsang, Miss Emma Vogelsang, Mr. and Mrs. J. O. Tobow, Misses Maytie and Bertha Tebow, Mr. and Mrs. F. G. Rennie, Mr. and Mrs. L. H. Smith, Miss Annie Curry, Mrs. Mandus Johnson, of Red Bluff, Miss Christie Appel of Muscatine, Ia.; Messrs. Fred W. Moore, Ira Dunn, A. B. Minford, Bernard Dunn, William A. Tobow, Thomas Hoekens, Will Hugo, B. F. Catlett, Arthur Dunn.

A number of young ladies and gentlemen on Thursday evening enjoyed a valentine whist party given by Miss Margaret Chenn at her residence, 1412 Third street. The parlors were handsomely decorated with smilax and hearts. Whist-playing was indulged in until a late hour, after which a choice supper was served. Among those present were: Misses Lulu Stucky, Lona Schacht, Daisy Logan, Laura Radonich, Rose White, Anna Schacht, Mamie Flahive, Maggie Chenn, Mamie Farrell, Mamie Chenn, Maggie Thompson, Jessie Fielder, Messrs. Charles T. Hughes, Clarence C. Gaines, Charles Lausing, Ed. Flint, Harry Orman, Ed. M. Swasey, Max Fielder, Will Snelgegar, Henry Alexander, Thomas Flahive, Charles Chenn, Louis Baisz, Frank Miller, Arch. Ward, Dorsey Lutrail, Will White, Frank Van Alstine.

No other baking powder equals Dr. Price's, because it alone is absolutely pure.

Weather Notes.

The Weather Bureau reports show the highest and lowest temperatures yesterday to have been 58° and 47°, with light northerly winds and cloudy weather prevailing. The barometrical readings at 5 A. M. and 5 P. M. were 30.25 and 30.34 inches, respectively. The highest and lowest temperatures one year ago yesterday were 50° and 41°, with 12 of an inch of rain, and one year ago to-day 52° and 34°, with no rain. The river is at 21 feet 4 inches.

"Fraudulent Mediums." Professor Fred Bell, late of the Metropolitan Temple, San Francisco, will deliver at Turner Hall on Sunday evening his sensational lecture on "Fake Mediums vs. True Spiritualism."

All honest investigators and skeptics are invited. The lecture will be interspersed with descriptive songs and recitations and a free phrenological examination will be made.

Roadside Inn Burned.

About 1 o'clock yesterday morning the public house on the Xolo side of the river road, some miles north of Washington, kept by Captain J. P. Dalton, was destroyed by fire. The loss is about \$1,300, about half insured. Nobody knows how the fire originated.

University Checks.

Governor Budd has signed University checks to the aggregate amount of \$79,830.76.

On Sale To-day.

A lot of 4-ply linen collars, all sizes, standing and turn down (manufacturer's samples), latest styles, at 5c; 25c linen cuffs or 10c. The Red House Company.

MARRIED.

MALLORY-LYON-In this city, February 20, at 803 M street, by the Rev. H. N. 1035 pastor First Congregational Church, Frank L. Mallory of Sacramento to Mabelle H. Lyon of Milwaukee, Wis.

DIED.

MILLIKEN-In this city, February 14th, Henry M. Milliken son of Dr. C. T. and Birdie A. Milliken, native of Sacramento, Cal., aged 2 months and 2 days.

Friends are respectfully invited to attend the funeral of the above, at 11 o'clock A. M., from the family residence, 1113, sixteenth street. Interment private.

WASHINGTON-In this city, February 14th, Virginia F. beloved daughter of C. F. and R. Washburn, a native of Los Angeles, California, aged 7 years, 10 months and 27 days. Stockton, Cal. papers please copy.

Friends and acquaintances are respectfully invited to attend the funeral to-day at 2:30 P. M., from the family residence, 1619 G street.

EATON-In Irvington, Alameda County, December 18, 1894, Estor E. Eaton (brother of George A. Eaton of Sacramento), native of California, aged 25 years.

McNESS-In this city, February 15th, Eugene J. Mc Ness, beloved husband of Lillian Mc Ness (son-in-law of Mrs. J. M. Kelly), a native of Shasta County, Cal., aged 31 years.

Remains will be sent to Marysville on 3:05 train Sunday or interment. Friends and acquaintances are respectfully invited to attend the funeral services Sunday, at 2 P. M., at the Cathedral.

HUMMEL-In this city, February 15th, Adna M. Hummel, a native of Sacramento, aged 6 months and 23 days.

Friends and acquaintances are respectfully invited to attend the funeral Sunday afternoon, February 17th, at 2 o'clock, at the residence of Mr. Hummel, 702 Twelfth street. Interment private.

When Baby was sick, we gave her Castoria.

When she was a Child, she cried for Castoria.

When she became Miss, she clung to Castoria.

When she had Children, she gave them Castoria.

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MONDAY AT 9:30 A. M.

FANCY SILKS AND DRESS GOODS.

LOT 1—Special sale of New Fancy Silks for ladies' waists just received from Cheney Bros., the largest makers of fine silks in the United States. The colors and designs are the newest, the figured patterns coming in dark grounds with bright colors, as follows, for relief:

Cerice, Heliotrope, White, Lavender, Magenta, Turquoise, Old Rose, Old Blue, Pink and White, Navy and White, New Blue and White.

The striped effects are as follows: Black and White, Navy and White, Pink and White, New Blue and White.

For durability, rich luster, style and exquisite combinations of colors, these Silks are to be highly commended.

Sale Price, 48c yard.

LOT 2—Some time ago we bought 1,000 yards of Spring Dress Goods to be sold in the regular way. In order to add interest to this sale we have decided to include them in Monday's offerings at a reduced price. The goods are in neat brown, tan and gray mixtures for spring wear.

Sale Price, 15c yard.

NEW SPRING GOODS.

At our Domestic Counters we show entirely new styles in the following Spring Fabrics: One hundred choice styles in our Pebble Suitings, 15c yard. Handsome patterns in Fine Sateen Suitings, 15c yard. Dainty Percales in dark and white grounds, 12c. An almost infinite variety of New Gingham, 9c yard. Light and Dark Irish Lawns in figures and stripes, 12c. Fine Sheer Scotch Dimity Lawns in beautiful spring patterns, 10c yard.

CLOTHING MUCH BELOW VALUE.

ALL-WOOL CHEVIOT SUITS in gray English tweed patterns, double-breasted, stylish and serviceable. Worth regularly \$10 or more. SPECIAL PRICE, \$4 85. BLACK CHEVIOT SACK SUITS, double-breasted and perfect fitting. PRICE, \$4 85.

ALL-WOOL DARK GRAY CASSIMERE SUITS, "double-and-twist" thread, smooth, firm finish. This suit is a "winner." SPECIAL PRICE, \$6 90. Various dark patterns in SINGLE-BREASTED SACK SUITS, round or square corners, and in double-breasted styles. PRICE, \$5 90. FINE QUALITY STEEL GRAY SUITS of imported clay worsteds. We have had similar suits in stock recently at \$18 and \$20. Special Price, \$9 65. DARK WORSTEDS in various patterns, single-breasted, round or square corners. PRICE, \$9 65.

BOYS' SUITS, all-wool gray cheviot, long trousers, serviceable in color and quality. PRICE, \$3 90. BOYS' BLOUSE SUITS of heavy gray tweed, knee trousers, \$2 50.

BOYS' TWO-PIECE DARK MELTON SUITS, knee pants. Sale Price, \$1 50. Heavy Blue Denim Sack Coats or Engineers' Jackets, riveted. Special Price, 55c. Good Weight Fancy Striped Wood Undershirts or Drawers. Special Price, 72c. Heavy California Blue Flannel Shirts and Drawers, 75c. Flannellette and Cotton Overshirts. Sale Price, 15c. Heavy Cheviot Gingham and Chambray Overshirts. Special Price, 28c.

WEINSTOCK, LUBIN & CO.

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Artists' Materials, Bronzes and Gold Paint. For Decorative Purposes. 626 J STREET.

SAVE MONEY!

Housekeepers are invited to get prices on Furniture, Bedding, etc., at W. D. COMSTOCK'S, Fifth and K.

JAMES G. DAVIS, 421 and 413 K STREET.

THE BEST PLACE TO BUY FURNITURE, CARPETS AND WALL PAPER. SEND FOR PRICE LIST.

MASON'S Steam Laundry

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We have a line of "High Grade" Irish Linen Paper in two sizes and four weights, ruled or plain, at 10c, 15c, 18c and 20c per quire. Square Envelopes to match at same prices. This Paper has the same SATURDAY as the celebrated Marcus Ward and is in every respect the same paper without the name. Users of a fine quality of paper will be pleased with the quality and price.

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Stock to be had at its office, No. 1015 Fourth Street. B. U. STEINMAN, President. EDWIN K. ALSIP, Secretary.

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CANDIES

GUARANTEE THEIR PURITY. WELCH BROS., 607 J STREET. Taffey's A Specialty.

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