

THE BLUMENBERG COURT-MARTIAL.

It Finds the San Francisco Captain Guilty.

But All the Findings Defective Except One—The Governor's Appointments to His Staff.

The following appointments on Governor Budd's staff have been announced in orders from the office of the Adjutant-General:

Colonel J. B. Wright, Chief Engineer, reappointed; Lieutenant-Colonel George B. Sperry, to be Colonel and Inspector-General of Rifle Practice, vice Royal D. Laidlaw; Lieutenant-Colonel Forrest S. Chubb, to be Colonel and Paymaster-General, vice Frank W. Sumner; John T. Harrington, to be Colonel and Judge Advocate-General, vice George A. Knight.

The following have also been appointed Aids-de-Camp, with the rank of Lieutenant-Colonel: Lieutenant-Colonel William B. Sandborn, vice himself; Lieutenant-Colonel Abraham Andrews, vice Leonard Jones; Lieutenant-Colonel Lorenz P. Hanson, vice himself; John Bradbury, vice Freeman G. Beck; Nathaniel D. Jones, vice Walter F. Beck; Herbert Choyinski, vice J. B. Lauch.

THE RETIRED LIST.

Upon his own application, Colonel Albert B. Castle, Assistant Adjutant-General on Major-General Dimond's staff, has been placed on the retired list, to rank as Colonel from January 3, 1891.

Lieutenant-Colonel Albert D. Cutler, Division Inspector, has been appointed to succeed Colonel Castle. Colonel Castle has been detailed for duty and ordered to report to General Dimond for orders.

Lieutenant-Colonel M. H. Hecht, Paymaster on General Dimond's staff, has also been placed upon the retired list. He has also been detailed for duty and ordered to report to General Dimond for orders.

Brigadier-General James B. Brown, commanding the Sixth Brigade, has also been placed on the retired list, with present rank from February 3, 1893.

General Brown's retirement takes effect on March 15th.

CAPTAIN SMITH COMMISSIONED.

A commission has been issued to Frank G. Smith of this city as Captain and Aide-de-Camp on the staff of Brigadier-General T. W. Sheehan, commanding the Fourth Brigade. Captain Smith was formerly First Lieutenant and Ordnance Officer, Second Infantry.

MUSTER AND INSPECTION.

The annual muster and inspections of all the commands of the National Guard will take place during next month. Brigade commands are to be held on the necessary orders, designating times and places, and to embody in such orders the recommendations and orders heretofore issued from the Adjutant-General's office.

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Captain Samuel P. Blumenberg (retired) of San Francisco, formerly commander of the First Troop Cavalry in that city, is no longer in the National Guard.

Captain Blumenberg was tried by a court martial, of which Major James F. Smith, Third Infantry of San Francisco, was President. He was found guilty of some of the charges and specifications and sentenced by the court to be discharged from the service of the State of California. The sentence has been approved by Governor Budd. Some of the charges contained several specifications. The charges were:

Charge 1—Knowingly making false muster and payrolls.

Charge 2—Signing a false certificate.

Charge 3—Committing to the prejudice of good order and military discipline.

Charge 4—Conduct unbecoming an officer and gentleman.

In its findings the court found the accused guilty on certain specifications, but not guilty on the charge under which the specifications were made.

In the opinion of the Attorney-General, "Finding guilty on the specification but not guilty on the charge is erroneous and contradictory, and such a finding will not support a sentence, and in any event, it is to be disregarded."

"The verdict on the second charge, 'guilty,' and specification of the second charge, 'guilty,' being a good and legal verdict, is sufficient to support the sentence."

With the exceptions above noted, the proceedings, findings and sentence of the court approved, and Captain Samuel P. Blumenberg, retired, N. G. C., is discharged from the service.

KNIGHTS OF PYTHIAS.

Committees to Prepare for Friday Night's Entertainment.

THE OLD HICKSVILLE ROAD CASE.

Judge Prewitt Renders Judgment for Mrs. Valensin.

He Does Not, However, Pass Upon the Question as to the Title to the Old Roadway.

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Several years ago Mrs. Valensin deeded to the county a parallel road alongside the railroad, where it did not interfere with the use of her land, and established thereon the Arno Station, with a store, telephone service and postoffice.

The old road was not, however, formally abandoned by the Supervisors until last summer, and thereupon Mrs. Valensin set about closing it. Her objections were removed by force, and finally Mrs. Johnson, who conducts a public place at the old Hicksville site, sued out an injunction to restrain Mrs. Valensin from encroaching on the old road, and for damages alleged to have been suffered.

The case was argued by McKean & Co. and Hiram W. Johnson, and W. A. Goff, Jr., appeared for Mrs. Valensin.

"Plaintiff's counsel raised the issue that the land embraced by the old roadway was not the property of Mrs. Valensin, but on its abandonment reverted to the original owners of the Chabola Grant, who, it was contended, gave it for road purposes only, and never wholly parted with the title thereto.

The decision of Judge Prewitt does not go to the merits of the case, but simply dissolves the temporary injunction restraining Mrs. Valensin from erecting fences across the road at either end. She can now remove the old line fences and throw her heretofore divided fields into one, but until the question of title to the roadway shall be determined by some final court, she will be at liberty to plow up the roadway and use it as her own. Thus reads

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"In this case I find that the Supervisors, defendant, are in no way concerned in the commission of the alleged unlawful acts charged in the complaint. It is not very clear that they have incurred any loss hereon, but if they have they will be entitled to a judgment against the plaintiff for such costs.

"As to the controversy between the two principal parties, I think that the acts charged in the complaint have not been committed.

"It is true that the defendant, Mrs. Valensin, did fence up the road, and it is also true that she caused a culvert on the road to be removed, but she has not renewed the fence, and she has not so interfered with the property as to destroy its use as a road in common for herself and plaintiff.

"She testified that she does not intend so to do, and I see no reason to hold that this testimony is false.

"I find that she did not plow up the road. This plowing up appears to be the principal grievance of which the plaintiff complains.

"These alleged acts of destruction not having been committed, and damages being denied, there appears to be no good reason why the court should grant an injunction. Such injuries as the plaintiff may have sustained (if such there be) may be readily compensated in damages, and it becomes unnecessary to determine the ultimate questions as to ownership. It may be remarked, however, that the road here referred to is a public highway. I think it very doubtful if the defendant Valensin is the sole owner of the fee to the soil formerly covered by the road, and I think it very doubtful if I discover no principle which would therefore apportion the road to one tenant in common to the exclusion of her fellows.

"The road is not a part of the adjacent tract. A different intent appears from the decree in partition. It is, however, unnecessary to determine this question in this action.

"Let the defendant Valensin prepare findings for her costs.

"J. L. PREWITT, Judge."

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CHANGED DAILY FOR WEINSTOCK, LUBIN & CO.

To-morrow (Washington's Birthday) our Stores will Remain Closed.

If every man in Sacramento knew of these undervalued prices,

It is safe to say there would be none of the goods on hand by the end of the week.

All-wool Cheviot Suits in gray English tweed patterns, double-breasted, stylish and serviceable; worth regularly \$10 or more. Price, \$4 85.

Also Black Cheviot Sack Suits, double-breasted and perfect fitting at same price.

All-wool Dark Gray Oregon Cassimere Suits, single-breasted, and in plain or round-cornered sacks. Price, \$6 90.

Various dark patterns in Single-breasted Sack Suits, round or square corners, and in double-breasted styles. Price, \$8 90.

Fine quality Steel Gray Suits of imported clay worsteds (the most popular fabric for best wear). Price, \$9 65.

Dark Worsteds in various patterns, single-breasted, round or square corners. Price, \$9 65.

Boys' Suits, all-wool gray chevils, long trousers; serviceable in color and quality. Price, \$3 90.

Boys' Blouse Suits of heavy gray tweed, knee trousers. Price, \$2 50.

Men's Good Weight Fancy Striped Wool Undershirts or Drawers. Price, 72c.

Heavy California Blue Flannel Shirts and Drawers, 74c.

Flannelette and Cotton Overshirts. Price, 18c.

Heavy Checked Gingham and Chamber Overshirts. Price, 28c.

WEINSTOCK, LUBIN & CO.

WORTH READING!

SOLID OAK BEDROOM SET, 24x30 inch mirror, 7 pieces. Price, \$18.

CHERRY FINISH BEDROOM SET, 18x40 cheval mirror, 7 pieces. Price, \$20.

SIXTEENTH CENTURY BEDROOM SET, 17x30 cheval mirror, 7 pieces. Price, \$17 50.

BED LOUNGES, fringed, \$8.

EXTENSION TABLES, \$4.

On show west window.

JOHN BREUNER.

604, 606, 608 K Street, Sacramento, Cal.

WALL PAPER.

Our selections for this year are now in stock. They embrace all of the truly novel features in the product of the best factories consistent with good taste.

We employ first-class paper-hangers and decorators, and their work will be found up to the standard of larger cities.

Get our estimates and see our stock before purchasing elsewhere.

W. P. FULLER & CO.

1016 to 1022 SECOND STREET.

C. H. KREBS & CO.

Artists' Materials, Bronzes and Gold Paint. 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, 411 and 413 K STREET.

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

MASON'S Steam Laundry

528 J STREET, SACRAMENTO. TELEPHONE 211.

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MISCELLANEOUS.



IT'S PLAIN

To be seen that OUR GOODS and PRICES please the public. Come once and you will come again.

The Irish Linen Paper advertised last week has caught the popular eye. All styles always on hand. To be correct, ask for Whiting's Silver Gray Note Paper. Blot size, for acceptances or regrets. Quire of Paper and Pack of Envelopes, 25c.

W. F. PURNELL, BOOKSELLER AND STATIONER, 608 J STREET.

SEE

Joe Poheim The Tailor For Immense Bargains 1016, 1018 Seventh Street Opposite Postoffice, Sacramento

G. F. LANKTRY,

(Successor to Lister & McCracken), Tailoring Parlors, 513 1/2 J Street, - - Sacramento.

A LARGE STOCK OF FOREIGN AND DOMESTIC WOOLLEN CLOTHING ON HAND. For sale at special prices. Suits awarded February 15th Club 2-W. Heart, \$6.

J. H. HEITMAN, Six years Manager for Joe Poheim, will open a FIRST-CLASS TAILORING BUSINESS ABOUT MARCH 1, 1895, AT 606 J STREET, COR. SIXTH, SACRAMENTO.

CARAMELS.

OUR UNSWAPPED CREAM CARAMELS are good sellers because they are made fresh every day and are simply delicious. At



810 J STREET. ICE CREAM AND SODA ALWAYS ON HAND.

WE ARE NOW MANUFACTURING OUR OWN CANDIES

GUARANTEE THEIR PURITY. WELCH BROS., 607 J STREET.

Taffey's A Specialty. SAVE YOUR MONEY!

START THE NEW YEAR BY SECURING some shares of the New Issue of the Union Building and Loan Association.

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

LARD, PURE LARD.

NO ADULTERATIONS. Try our snow white lard, put up in cans or pails or in bulk.

MOHR & YOEK PACKING COMPANY.

PUMPS.

SEALED PROPOSALS WILL BE RECEIVED BY THE CITY OF SACRAMENTO, CALIFORNIA, UNTIL MARCH 15, 1895, FOR FURNISHING AND CONSTRUCTING TWO (2) HIGH PUMPING ENGINES, ONE (1) HAVING A CAPACITY OF 5,000,000 GALLONS PER 24 HOURS, AND ONE (1) HAVING A CAPACITY OF 10,000,000 GALLONS PER 24 HOURS.

Bids on each Pump to be separate and complete, the bid to include the cost of valves, feed pumps, piping and all other appurtenances pertaining to a Pumping Plant, excluding boilers.

Sealed proposals must be made and furnished to the contractor, also complete plans and specifications, and the plans and specifications must be furnished to the City Engineer, at the City Engineer's Office, at the City of Sacramento, California, on or before the