Los Angeles Herald.

SATURDAY.....AUG. 3, 1878.

The Indian Question.

Colonel Elwell S. Otis, in his recent book, in a chapter on "The Indian Question," discusses the subject of Indian control and improvement. The care of the Indian is no longer a problem for philanthropists; the territory now occupied by him must and will be occupied by white men, and the red man must yield to necessity—he must cease to roam. The United States must abridge his territory, localize, control and improve him. Our treaty system, the tribal structures, reservations and trade have destroyed individual responsibility and increased corruption. It has been and is impossible to live up to our treaty stipulations. We cannot keep the white race and the red man separated. We must invent some new system of control, and we must do it quickly. The progress of civilization cannot longer be retarded. The Indian himself cannot exist much longer as a hunter of game, for game is becoming scarce. The necessities of all parties require that the Indians shall be permanently located, either as individuals or tribes, and that they shall be compelled to conform to the laws of the land. They must be compelled to work; hereafter their food must be obtained through agriculture. These things must and will be done, and mere sentiment is out of the question. How shall we localize, control and improve the Indians? We cannot adopt a system dependent for its success upon the inclination of the Indian. Whatever system we adopt will be found to be expensive and troublesome. Force must be used. Heretofore we have used force only in self-defense; now we must use it for control and improvement. We must force them into proper localities and keep them there by force. The Indian will learn nothing until he knows that he must learn or starve. Let them know that they will be driven back to their localities, whenever they wander abroad, and they will take some interest in their homes. Let them pay the penalty of lawlessness in blood. They must be taught the great fundamental law of civilization, obedience and self-restraint. They will acquire these virtues through a present controlling power. Criminal laws must be extended over them, so that they may acquire a sense of individual responsibility. Just laws must be executed with unflinching fidelity. We need not improve at once our whole criminal code. To accomplish this purpose we must abandon the old fiction about Indian treaties. The sentimentalists must cease to prattle of tribes and treaties. The nation's faith is not really pledged to a system which cannot be carried out. Manifest necessity repeals all treaties and places the Indians under the absolute control of the Government without their consent. We cannot abolish the old conditions by bargains; it would cost too much. The Government holds the ultimate fee in all lands, and has the right to exercise the right of eminent domain. In fact, the tribes with which we made treaties no longer exist—their sovereignty is gone, and treaties have gone with it. They are in theory and fact responsible to law. The Indians will, no doubt, resist all restrictions, but they must be forced to submit. Compulsory education and industry must be exacted. Definite portions of land must be assigned to families and individuals. The amount of actual gifts must be determined by absolute necessity. The success of those radical measures will demand vigor, ability and integrity of administration. The only question left for discussion is: How shall the Indian be converted into a law-abiding, self-supporting member of society? It may not be expedient to apply this system to all the tribes at once; it will be sufficient to begin with the hostile tribes. The scheme will for a while be more expensive than the agency system, but it will be economical in the end.

It will not be safe to gather the Indians upon one or two large reservations—they must be scattered. And it will be well if they can be placed near a settled white population and in small bands. Trial by jury should be established among them, and all the political usages of our people should be enforced as rapidly as possible. Territorial and State Courts should take cognizance of crimes. The amount of land to be given to each family should depend upon circumstances. After this system has been applied for a few years, experience will lead to further enlightenment. Colonel Otis applies common sense to the solution of the Indian problem. And, as we have often remarked, this plan must be adopted and vigorously pursued, or we must exterminate the Indian by force. The nation cannot longer tolerate the present policy.

Equal Taxation.

We publish the following utterances conceiving them to be just, wise and opportune. They treat a subject which is being agitated in our State. The solution of the questions it involves will materially affect the welfare of our people:

Just and equal taxation to which a tax-payer can give his assent through his representatives in the legislative assembly, or in the town or municipality, is one of the most vital of all liberties in the State. Taxation without representation is a gross violation of rights. The danger, also, of inequality of taxation is very great, greater in a democratic country than in almost any other, greater where an universal suffrage has gained a footing than in other democracies. There are communities in the United States where one half or even more of the income of taxable property is necessary to pay the taxes. In view of the abuses or opportunities of oppressing the tax-paying inhabitants of a State or town, it may well be said that it is contrary to the spirit of our liberties that those who have no taxes to pay should have the right of voting on the budgets of towns or cities. This would be in times of corruption a most terrible weapon in the hands of demagogues for revenging themselves on the wealthy and getting the aid of the lowest people. There ought to be limits of rates beyond which no city authorities or town meeting should have power to go without at least special permission of the legislature; and limits, also, beyond which a legislature should have no power to enhance the State tax without a very decisive vote, say of three quarters of the members. Besides, a limitation should exist on the power of borrowing money. It is still more just that there should be no exemptions, no untaxable property—a rule against which numerous offences in time past have been committed. Thus it has been not unusual to charter a bank paying a bonus to the State, to put the rate of taxation on bonds of railroad companies lower than on other property in order to encourage the construction of such works, and to exempt funds given for eleemosynary purposes, church property, the funds of academies, &c., from taxation. This last exemption is far more desirable than most others, as it relieves the poor from a considerable burden, and for the most part only changes the list of articles taxed, while the same persons upon the whole pay the same amounts. But perhaps the rule of taxing all property, except that owned by the government or minor communities, would be most just and advisable.

LAST NIGHT'S NEWS.

[Special to the Herald by the Western Union Telegraph Company.]

Pacific Coast News.

E. W. Burr in a Tight Place.

SAN FRANCISCO, July 31st.—Pinney publishes a card this morning containing the affidavits of O. H. Bogart and Thomas B. Pheby that while sitting in Pinney's office, in April, 1875, Pinney gave E. W. Burr, President of the Clay street Savings Bank, $500, which he explained to be on account of commissions due Burr from Pinney for getting him money on Higgins's navy pay certificate.

The Beach Mines.

SAN FRANCISCO, August 2.—The expert who has been examining the sand mines on the ocean beach by the Combination Mining Company, says that nothing can be made out of the diggings by the present processes; but by the use of sluice boxes, riffles, blankets, etc., each man working can average ten dollars per day, providing the sand averages as rich as that sampled yesterday. On the strength of this report the company will procure the necessary apparatus and commence work.

Money Market.

SAN FRANCISCO, August 1st.—Legal tenders, 99⅞ bid, 99⅞ asked; Mexican dollars, 93 bid, 93½ asked; trade dollars, 97 bid, 97½ asked, half dollars 98 bid, 98½ asked.

Stanford Opposed to Increasing Rates.

SAN FRANCISCO, August 2d.—The following dispatch was forwarded East by the President of the Central Pacific Railroad this morning:

Sidney Dillon, President Union Pacific Railroad Company, New York:

The proposed advance in rates from July 29th, as per circular issued by your freight agent, Mr. Vining, we consider unwise. We recognize in you the same right to control rates from that side on freight coming west that you concede to us on freight from here going east, but our idea is that, instead of an advance in rates upon the classes of goods mentioned, a reduction would be better and we earnestly recommend that you direct the withdrawal of the circular. We think some other way may be devised to protect ourselves against the impositions practiced by shippers. LELAND STANFORD.

Mexican War Veteran Dead.

SAN FRANCISCO, August 2d.—Colonel William H. Bell, a well known local politician, formerly Sergeant-at-Arms of the State Senate and a Veteran of the Mexican war, died to-day. He was a native of Alabama, aged 53 years.

The Cosmopolitan—Sharp Trick.

SAN FRANCISCO, August 2d.—The project recently entertained to close the Cosmopolitan Hotel, has been reconsidered. The house will hereafter be conducted on the European plan.

Several sharpers perpetrated a sharp trick a week ago last Wednesday. A Frenchman, whose name is withheld, was persuaded to draw $5,000 from one of the Savings Banks and place it in a bag. He was then induced to accompany them to their rendezvous and persuaded to leave his bag in their custody for safe keeping, while he conveyed home a bag belonging to them containing what he was deluded into believing was a money belt with a much larger sum of money in it. The pretext invented for this arrangement was that it would be inconvenient for him to carry home both bags at once. An arrangement was made that he should call there the following morning and then take his own bag home. When he went there at the given time the thieves had flown with their plunder.

San Francisco Markets.

SAN FRANCISCO, Aug. 2.—Flour unchanged. Wheat quiet; shipping $1 65@1 67½; milling $1 67½@1 72½. Barley, demand fair; bay 95c@$1; Oregon $1½; coast 90c@95. Corn nominal. Rye, sales $1 17½@1 20. Potatoes $1@1 27½, fair demand. Hay and wool unchanged.

Homicide—A Woman the Cause.

STOCKTON, August 2d.—This morning a homicide occurred at Farmington, on the Stockton and Visalia Railroad. J. P. McClury, saloon keeper, was killed by Geo. Abbott, a farmer living eight miles east of Farmington. Coroner Blake was notified, and went to Farmington to hold an inquest, Deputy Sheriff Atwood accompanying him to bring Abbott to jail. Abbott's wife is the cause of the trouble. McClury was formerly employed by Abbott on his ranch, when the intimacy between him and Abbott's wife commenced.

Arizona Bullion Shipment.

YUMA, A. T., August 2d.—The steamer Gila arrived from Aubrey this afternoon. The Captain reports very heavy rains up the river. She brought nineteen passengers, six tons of wool consigned to Livingstone & Co., San Francisco; ten tons Castle Dome ore for McPherson & Pickens, San Francisco; also five bars Hackberry bullion, value $4,000; five bars from McCrackin, value $8,500; thirty men and two officers Company I, Eighth Infantry, who went in to night's train en route to the Indian war.

No Chinamen to be Employed.

VICTORIA, B. C., Aug. 2d.—The following resolution has passed Parliament unanimously: That this House is of the opinion that the Chinese should not be employed upon the public works of the province and that a clause should be inserted in the specifications of all contracts awarded, to the effect that contractors will not be permitted to employ Chinese labor upon work and that in the event of their doing so the Government will not be responsible for the payment of contracts.

Latest Eastern News.

Session of the Labor Committee.

NEW YORK, Aug. 2d.—The Congressional Committee on the labor question resumed its session this morning. Hewitt presided. Bartholmey, Chairman of the Social Democratic party, resumed his testimony. He said that times are worse now than in 1870. The non-producer now receives eight times as much as the producer. He was a piano maker and in inflated times his wages did not go up but after the panic fell 20 per cent. He urged the establishment of a labor bureau similar to that in Massachusetts and that no politician should be allowed to have anything to do with it. He would have no accumulation of capital in private hands, but under the control the Government for the benefit of the people. In this State of society there would be no desire among workingmen to accumulate, as they would be sure of constant employment. Still he would not pay one man as much wages as another, but give each a salary or wages equivalent to the amount and perfection of his work.

The committee questioned Bartholmey on the practical working of his system of co-operative societies, but being unable to answer he was prevailed upon to retire.

Isaac Bennett, a cigar maker, advocated the regulation of the use of machinery, not its destruction. He wanted machinery regulated to such an extent that it would not cause the enforced idleness of workmen. Bennett also advocated co-operative societies, but said the cigar makers would not go into this co-operative system at present because they did not have the means.

Hewitt asked—Then you do want capital?

The answer was, in part, that the reduction of the hours of labor to eight hours per day, would increase wages.

Boyd, of Illinois—Then would not a reduction of the day's labor to six hours still further increase wages?

To this there was no reply.

Adolph Douai, of the Socialistic Labor party, next appeared and discussed the land laws of England of an ancient date. He maintained that the government ought to provide land for every man and woman in the United States. He claimed that the government should enact a law to prevent men from being forced to labor longer than eight hours a day.

At the afternoon session James Connelly, representing the National Greenback party, ascribed the depression in labor to the bond system, saying the people take their money out of manufactories and invest it in bonds on which they obtain interest. He denounced railroad land grants and thought the government should have built its own railroads. The great means, he declared, to relieve distress among laboring classes was for the government to assist them to settle on the public lands and insure them support until they reaped a harvest.

The Jersey City Murder.

NEW YORK, August 2d.—A great number of people to-day looked at the house in Jersey City wherein Richard Harrison Smith, policeman, was brutally murdered Wednesday night. Three arrests have been made, that of the wife of the man killed, Covert Bennett and Delia Canfield, who is said to have borne improper relations towards Smith. Thomas Cottenan, the contractor who is building, a sewer in Van Horn street, was there very early Thursday morning looking after his property and says, "between half-past one and three o'clock, a coupé whirled around the corner of Pacific avenue, the horse going at full gallop and dashed up Johnson street towards where I was sitting on a pile of dirt and stones. As the vehicle drew near the driver exclaimed, 'Why don't you have your d——d light burning?' I seized a light and ran out into the street to give him an opportunity to see where to drive and, as he dashed past, I heard a voice inside the coupé say, 'Go on, driver, go on; for God's sake, go on.'" This coupé was seen by others waiting on Pacific avenue and it is said the police have found the driver and upon information given them by him, they arrested Bennett.

Yellow Fever Increasing.

NEW ORLEANS, August 2d.—The Board of Health reports thirty-six new cases and seven deaths from yellow fever in the past twenty-four hours.

Won't Accept Schurz's Decision.

CHICAGO, Aug. 2d.—The Land Agent of the Union Pacific Railroad at Omaha has issued an official circular letter giving notice that that road will not accept as final the decision of Secretary Schurz as to the right of citizens to settle on and remain in undisturbed possession of lands granted to the Union Pacific by the Government. Any such settlers will be dealt with as trespassers.

Mysterious Double Murder.

ST. LOUIS, July 2d.—An Alton, Ills., special says that the dead bodies of a mulatto woman and child, four years old, were found in a cabin three miles from that city to-day. Her step father and a man named Wm. White were arrested on suspicion.

European Cable News.

Movement of Russian Troops.

LONDON, August 2d.—A Constantinople dispatch, dated July 31st, says the Russians are endeavoring to charter steam transports for the conveyance of one hundred thousand men to Odessa, in about a month hence, but this operation will depend upon its evacuation.

Debate on Lord Hartington's Resolution.

LONDON, August 2d.—In the House of Commons this evening, debate on Lord Hartington's resolution was resumed. Lord Elcho, Conservative, vehemently assailed the opposition, attributing the Russo-Turkish war to their conduct. W. E. Foster, Liberal, attributed the war to the government's isolating itself from the other powers. Like other opposition speakers, he based his principle of attack on the Anglo-Turkish Convention, which, he declared, was unconstitutional in the manner of its conclusion. O'Donnell, Home Rule, supported the government, declaring that the opposition had not a rag of foreign policy. The debate was continued at length by less known members. At one time as many as thirty opposition members rose to their feet simultaneously. Roebuck said the conduct of the Liberals throughout the crisis had been such that he did not think either himself or Gladstone would live to see them in power again.

The German Elections.

BERLIN, August 2d.—The latest returns from the elections for members of the German Reichstag, show elected: 47 Conservatives, 74 National Liberals, 19 Progressists, 35 Ultramontanes, 2 Alsatian Irreconcilables, 2 Alsatian autonomists, 3 Socialists, 8 Poles, 1 Particularist. Thirty-six second ballots are necessary.

Captain Webb's Swimming.

WOOLWICH, August 2d.—Owing to high winds Captain Webb left the water at sixteen minutes past three o'clock, having been swimming nine hours and completed twenty-two miles.

The Austrians Encounter Resistance.

VIENNA, August 2d.—The Austrian vanguard has arrived at Banjaluka, Bosnia. The Turkish officials and the Austrian Consul General have fled from Serajavo on account of the menacing attitude of the populace. It is stated that the troops, after crossing the river, have been fired upon by the united Mohammedans and Christian bands, who are expected to occupy the defiles leading to Herzegovina as the Austrians advance.

Todleben Will Not Move.

VIENNA, August 2d.—It is rumored that General Todleben refuses to withdraw a man from the vicinity of Constantinople before the withdrawal of the British fleet. Difficulties are also reported in regard to the return of Turkish prisoners of war.

International Monetary Congress.

PARIS, August 2d.—The French Government, at the request of the United States, has invited the foreign powers to the International Monetary Congress to begin here in August.

The Vatican and Germany.

ROME, Aug. 2d.—It is stated in clerical circles that Monseigneur C. Sloisi Maselle, Papal Nuncio at Munich, has arrived at an understanding with Prince Bismarck at Kissengen, relative to the modus vincinde, between Germany and the Vatican

Exchange of Ratifications.

BERLIN, Aug. 2.—The exchange of the ratifications of the treaty of Berlin, will take place on Saturday, as the Congress arranged, notwithstanding the Porte's delay.

Charles O'Conor in His Old Age.

Says the New York correspondent of the Cincinnati *Gazette:* Charles O'Conor never had any children. He married the widow McCracken, but the match was not harmonious and they soon separated. He continued to occupy his rural place in the suburbs (Washington Heights,) while she had a handsome down town establishment. Mrs. McCracken died two years ago, leaving a son (Eugene McCracken), who, at that time, attracted some notice. He was a fine looking young man, rather a favorite, but his health failed, and notwithstanding a trip to Europe it continued to sink and he has at last found a grave in a foreign land. O'Conor is now 76 and feels much like one that is alone in the world. He has outlived his former rivals at the bar and also those members of the bench before whom he won fame. There is not a man left of all that legal circle into which he entered as a young and ambitious lawyer. Among the Judges before whom he has argued were Irving, Edwards, Morris, Lansing, and so down to Noah Davis, who presided at the trial of the paricide Walworth. The most remarkable man in all this array of legal talent was Thomas Addis Emmet, brother of the Irish patriot, whose Centennial birthday anniversary has just been celebrated. He came to America the year his brother was so unjustly executed, and became the most brilliant member of the New York bar. After a successful career of twenty-three years, while pleading in Court, he fell a victim to sudden apoplexy and died in ten hours. O'Conor was then just coming into practice and can vividly recall this incident.

The Louisville *Courier Journal* paragraphs thus: It seems to me that *I've* got "the heated term."—[R. B. H.]——Mrs. Jenks would make a natty Goddess of Liberty for the procession when Grant gets back.——A new American buzzard has been discovered in Texas. The Republicans need not despair of 1880.——The Miles who has been fighting the Indians lately is not Gen. Miles, but Captain Miles. General Miles is 600 miles away.——There is a man in New York who weeps copiously every time he sees a procession or reads an obituary notice. His friends are in constant fear lest in some unguarded moment he may get hold of a copy of the Philadelphia *Ledger* and become a complete wreck.——Grant is simply a necessity. The Republican party is nothing except as a war party—a party taking its whole inspiration from the war—a sectional, disunion party, based on the idea of force. Strip it of its military paraphernalia, and it stands naked before the people as a military plunderer.——Grant is always praising Sheridan. Little Phil's fearless conduct in New Orleans, when he gallantly telegraphed "I am not afraid," has endeared him to the "greatest living American." That was bold language, and for the time, quite eclipsed even the memorable order of Gen. Dix to the peaceful and inoffensive Department clerk, "If any man hauls down," etc.

A certain Eastern parson, who was also a school teacher, handed a problem to his class in mathematics the other day. The first boy took it, looked at it awhile and said: "I pass." Second boy took it, and said: "I turn it down." The third boy looked at it a while, and drawled out: "I can't make it." "Very good, boys," said the parson, "we will cut for a new deal," and the switch danced like lightning over the shoulders of those depraved youngsters.

Marshal MacMahon's steward is said to have made a frightful mess of the bill of fare prepared for a banquet at which the Archduke Albert of Austria was an honored guest. On it were *bombe Solferino* and a *rocher Magenta!* The blunder was not discovered until it was too late to remedy it, and everybody felt very awkward; but the Archduke, showing no annoyance, had his revenge by remarking appreciatively to the Marshal, "Your Sedan ice is delicious."

Edison's very, very, very latest invention is the testimeter, to measure pressure. Every young lady should wear one around her waist, as evidence in a suit of breach of promise.

Sheriff's Sale.

John C. Vickery and G. Allen, Plaintiffs, vs. John Barker, Defendant—Seventeenth District Court.

Under and by virtue of an execution, issued out of the District Court of the Seventeenth Judicial District of the State of California, in and for Los Angeles county, and to me directed and delivered on the 12th day of July, A. D. 1878, for a judgment rendered in said Court on the 1st day of September, A. D. 1877, in favor of John C. Vickery and G. Allen, plaintiffs, and against John Barker, defendant, I have levied upon and shall on

WEDNESDAY, the 21st DAY OF AUGUST, A. D. 1878,

At 12 o'clock M., proceed to sell at the Court House door, in the city and county of Los Angeles, State of California, at public auction, for cash in U. S. gold coin, to satisfy said judgment, interest and costs, and accruing costs, all the right, title and interest of said defendant John Barker in and to the following described real estate, to wit:

That certain tract or lot of land, situated in the county of Los Angeles, State of California, being the NE. ¼ of NE. ¼ of Section (5) five, T. 3 S. R. 13 W.; also, SE. ¼ of SE. ¼ of Section 32, and lots 3 and 4 in Section 33 T. 2 S. R. 13 W., containing in all 123 acres.

Given under my hand at Los Angeles, Cal., the 1st day of August, A. D. 1878.

H. M. MITCHELL, Sheriff.

au3td

Delinquent Sale---Notice.

CALIFORNIA STAR OIL WORKS COMPANY.

Location of Principal Place of Business, San Francisco—Location of Works, Andrews' Station, Los Angeles, County, and San Buenaventura, Ventura Co., Cal.

NOTICE.

There are delinquent upon the following described stock, on account of assessment No. 3, levied on the 16th day of May, 1878, the several amounts set opposite the names of the respective shareholders, as follows:

Names.	No. of Certificate.	No. of Shares.	Amt.
F. B. Taylor, Trustee	1	1995	$4987 50
F. B. Taylor, Trustee	3	1000	2500 00
J. A. Scott, Trustee...	7	500	1250 00
J. A. Scott, Trustee...	8	500	1250 00
J. M. McDonald.....	11	1000	2500 00
H. E. Robinson, Trustee.....	13	2990	7475 00
M. L. McDonald.....	14	10	25 00
A. J. Bryant, Trustee..	15	1995	4987 50
A. J. Bryant.....	16	5	12 50
D. G. Scofield.....	17	5	12 50

And in accordance with law and an order of the Board of Directors made on the 16th day of May, 1878, so many shares of each parcel of such stock as may be necessary will be sold at public auction at 315 California street, on

FRIDAY, the 5th DAY OF JULY, 1878,

At the hour of 12 o'clock M. of said day, to pay said delinquent assessment thereon, together with costs of advertising and expenses of sale.

J. S. TAYLOR, Secretary.

Office—315 California St., San Francisco, California. je2ltd

POSTPONEMENT.

The above sale is postponed until Saturday the 27th day of July.

By order of the Board of Directors.

J. S. TAYLOR, Secretary.

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POSTPONEMENT.

The above sale is postponed until Tuesday the 20th day of August, 1878.

By order of the Board of Directors.

J. S. TAYLOR, Secretary.

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