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California Attachment Law.

The day for the assembling of the Constitutional Convention rapidly approaches. In the multitude of suggestions which have been offered to that body on great public questions, one of great importance to the people has not yet been dwelt upon. It is true that it is more a legislative than a Constitutional question, but certain general principles would not be out of place in the organic law itself. In most of the constitutions of the several States there is a provision that no man can be deprived of his property without due process of law. There are other and innumerable provisions in most of them which are aimed to protect the citizen in the usual and natural rights of mankind. The system upon which an unfortunate debtor is spoliated in California to-day is a relic of barbarism. If this be thought too harsh an expression, it is at least a savage inheritance from the old Argonaut days. Under the circumstances of the original adoption of the attachment laws of this State they were perhaps excusable. In the early days the population of California was essentially nomadic. A mining camp existed to-day and disappeared to-morrow. The inhabitants of many a thriving municipality, "between two days," folded their tents, like the Arab, and silently stole away. The giving out of rich placers, the discovery of newer and richer ones, often dissipated a town like April dew under the morning sun. In such times rigid laws to protect the creditor were not only excusable but imperatively called for. The merchant who sold goods to a trader in a mining camp was liable to hear that his debtor had sold out his goods and decamped for parts unknown.

But we have long ago passed this stage. Business in California should at once be placed on the footing which now prevails in the Eastern States. No creditor should be permitted to close up a debtor merchant's store and put him at once into bankruptcy. In most of the Eastern States it requires a long process of law to accomplish such a thing. Suit has to be regularly entered, the case takes its place on the docket, goes regularly to trial and execution issues in due course. This gives the debtor, if he is an honest man, time to make an supreme effort to save his business standing. There is one infamous feature of the California attachment law. It is a case of "devil take the hindmost" and "first come first served." The humane man has no chance. The first creditor who pounces upon the embarrassed debtor takes all the latter has, if that is needed to satisfy his debt. There is no consideration for the tardier and more merciful creditor. The principle of a pro rata distribution of an insolvent's effects is not recognized. As a consequence of our peculiar attachment laws a vicious system of doing business has sprung up in this State. The jobber, knowing that he can swoop down upon his debtor without a moment's notice, is tempted to give credit recklessly. To indemnify himself for this practice he exacts unnaturally large profits. As a result, it becomes a game of shuttlecock and battledore between the sharp jobber and the equally sharp and perhaps more unscrupulous interior merchant. The honest merchant, of course, suffers from this system. He is compelled to pay the same high prices as his unprincipled competitor, who fully intends to cheat the jobber if he can, and which the latter exacts in order to come out whole on the long run. Everything thus goes awry, and we witness, as the outcome, a most unwelcome state of business from which, last though not least, the consumer suffers an intolerable extortion.

We are very much amused at the cavalier way in which certain so-called independent Journals, like the San Francisco Bulletin, assume that the greenback movement is injuring the Democratic party in the East. The fact is as we have repeatedly predicted, the greenback and National Labor movement has injured the Republican party in the East. In just as great a ratio as it hurts the Democratic party in the State of California. The Democracy will be the real beneficiary of these movements, and it will emerge from the Congressional elections with a far larger majority in the House of Representatives than if they had not existed. The greenback agitation itself is of essentially Democratic origin. George H. Pendleton and the Cincinnati Inquirer are responsible for every idea which has since been elaborated from so many presses and stumps. The salient feature of the elections which have been already held, and which are now impending, is that the Democratic

sections of the country are coming up solidly as of yore, while the Republican party is being disintegrated in its very birthplace—New England. When Maine and Vermont falter the end is very near.

THE Pathfinder's arrival in San Francisco has been signaled by a very cordial reception. Certainly John C. Fremont should be able to rely upon California for hearty and appreciative recognition. His public career on the Pacific Coast was romantic and useful. There are few men who have experienced greater vicissitudes than Fremont. His fate, if not an illustration of the hackneyed ingratitude of Republics, is a fair example of the indifference of the Republican party to a man who was notably identified with its epic—earlier history. He will remain in San Francisco about two weeks before taking up his headquarters in Prescott, Arizona. He will pass through Los Angeles en route to his new charge, and many old Angelenos will be glad to take him by the hand. Gen. Fremont was interviewed by a correspondent of the San Francisco Evening Post, who elicited from him the following forebodings of his policy and expression of opinion as to Arizona's railway outlook:

He will take up his quarters in Prescott, and will make very few changes among the old soldiers of Arizona. He will pursue a resolute course with the Indians, with whom his frontier army career has made him conversant, and especially with the Pimas and Apaches of eastern Arizona. While carefully avoiding interference with the federal authorities, he will protect life and property as far as possible. In regard to the railroad question, which has become very serious in Arizona, he is reticent, merely saying that his policy will be to encourage any enterprise which will build up the territory, which, he thinks, has marvelous mining interests awaiting development. He says that the Atchison, Topeka and Santa Fe Railroad has plenty of means, and will push work forward as fast as possible. The Southern Pacific is already across the Colorado river, and before long Arizona will have plenty of rail communication with the world to the east and to the west.

THE fact that several deaths have occurred amongst delegates to the Constitutional Convention leads us to suggest that it is in the power of that body to remedy a gross injustice which has been done to Los Angeles county. The Convention itself will fill all vacancies in its representation. The assignment of membership to Los Angeles county was based upon our legislative apportionment. It has been known for a long time past that Los Angeles county has been made the victim of gross injustice in this matter. Instead of having three members of the Constitutional Convention we ought to have six, or, at the very least, five. There are now two vacancies in the Convention arising from the death of the elect of the people. Should the Convention give both these seats to Los Angeles county, together with the next vacancy, a great and glaring wrong will have been atoned for, and we should merely have our deserts. Such a recognition of Los Angeles county on the part of the Convention would admit of the addition to that body of such men as Col. J. G. Howard and others, who could not fall to be of immense service in its deliberations. As it is the Los Angeles delegation will compare favorably with any in the State, and it could thus be made even more impressive from its ability and character.

LAST NIGHT'S NEWS.

(Special to the Herald by the Western Union Telegraph Company.)

Pacific Coast News.

Low Seas Accident and Extortion. SAN FRANCISCO, Sept. 14th.—At the Oakland track to-day, in the race best three in five, for \$2000, between Col. Lewis, Occident and Fallerton, Occident drew the pole, Lewis second, Lewis won in three straight heats. Time, 2:18, 2:19, and 2:21.

Duel in a Graveyard.

SAN FRANCISCO, Sept. 14.—This morning John Riley and a man unknown fought a duel with revolvers in the Catholic cemetery. They began shooting at ten paces and advanced firing till they closed, when the unknown placed his pistol against Riley's body, inflicting a dangerous wound. Riley was taken to the City Receiving hospital for medical treatment. He refuses to divulge the name of his antagonist or wounds in the affair. The man who brought him into town in a carriage disappeared after leaving the wounded man with some friends at Engine House No. 6, who removed him to the hospital. The other principal in the duel is believed to have been wounded. Riley was an extra man on engine No. 6.

A Moral Police Force.

SAN FRANCISCO, Sept. 14th.—Wm. F. Babcock, J. Z. Davis and Elisha Lambert, of the county Grand Jury, have filed a minority report which is calculated to create a sensation. It refers to affairs in the police department, and more especially in that branch of the department known as the upper of Bee. Affidavits of parties, whites and Chinese, are introduced in the report showing the complicity of the police establishments, exemption from annoyance or arrest being obtained by the payment of money by the gamblers. Other corrupt

practices are mentioned, but, for want of time, further investigation is recommended on the part of the succeeding Grand Jury.

Exchequer at the clearing house this week aggregates about \$24,000,000, by far the largest yet reported.

A Determined Suicide.

SAN FRANCISCO, Sept. 14th.—A woman named Hattie L. Russell committed suicide last night or this morning, at the California House, on California street. She came to the house on Sept. 5th with a man named H. L. Brabant and was registered from Portland, Oregon. Yesterday Brabant went away into the country leaving her here. Last night she retired as usual. This morning she did not appear as usual and no response could be obtained to knocking on her door. At length a ladder was raised to the window and an entrance effected, when she was discovered to be dead. On a stand at the head of the bed were two bottles and the following note: "San Francisco, Sept. 14th, 1878. To the Public: I wish you all to know that I die by my own hands, for I am tired of life. It has no charms for me. Hattie L. Russell, aged 35 years and five months." One of the bottles contained cyanide of potassium and one chloroform. She had evidently taken morphine and then saturated her handkerchief with chloroform, placed it over her mouth and buried her face in the pillow.

Mine Assessments.

SAN FRANCISCO, Sept. 14.—Mine assessments are as follows: K. H. Consolidated, \$1,700, 30 cents; The first is delinquent at the office Oct. 16th and the second Oct. 18th.

Money Market.

SAN FRANCISCO, Sept. 14th.—Legal tenders, 95 bid, 95 asked; Mexican dollars, 85 bid, 91 asked; trade dollars, 95 bid, 97 asked; half dollars 95 bid, 95 asked.

The Murrumbidgee Murder Case.

VISALIA, Sept. 14.—The preliminary examination of J. M. White, accused of the murder of Dr. A. B. Mehrung, was set for 9 o'clock this morning. The Court was crowded until five, but public opinion seems pretty evenly divided. Last night Sheriff Campbell had reason to suppose that White would be taken from the jail and lynched and he accordingly took precautionary measures for his protection by placing a large guard at the jail. Mrs. Mehrung, who is an invalid, returned from the mountains this morning. White had an interview with his wife to-day. She professed to know nothing, but acknowledges that they were on the floor together. Her testimony on the examination is looked for with interest. White expects to be acquitted on the ground that a man found under such circumstances forfeits his life. White having no money has been unable to procure counsel, so far. Hon. Thos. F. Fowler is interesting himself to procure the services of Hon. R. D. Wigginton as a counsel. This promises to become a celebrated case as the friends of the deceased will leave no stone unturned to procure the conviction of White.

Burnt to Death—Grain Warehouse Burned.

PORTLAND, Sept. 14.—A German named Hoffman perished in the forest fires in Washington Territory.

The grain warehouse of Hoxter & Hinds, at Forest Grove station, on the Oregon Central Railroad, was burned last night. Loss \$50,000, falling mostly on neighboring farmers who had wheat in store.

All For Love.

GOLD HILL, Nev., Sept. 14th.—Annie Jones, aged 14, a daughter of Robert Jones, of American Flat, committed suicide last night by drinking arsenic. Cause, unrequited and love for the driver of her father's milk wagon.

Latest Eastern News.

A Vice Story Contradicted. WASHINGTON, Sept. 14.—In regard to the statement of Dr. Ramsey, juve returned from Memphis, that white women have to take negro men for nurses or go without and that such negro nurses have taken advantage of their helpless condition, Mr. Ramsey, in his report of the Memphis Appeal pronounced the statement utterly untrue and added: "No man, white or black, would be allowed to breathe a second breath after such a crime became known. The statement is a libel upon the negroes of Memphis, who have acted by us nobly as policemen and soldiers."

The Corn and Wheat Crop.

WASHINGTON, Sept. 14th.—The September returns to the Department of Agriculture give the average condition of the corn crop at 92, against 98 in August. It is slightly above the condition reported in September, 1877, which was 91. The crop held its own in the northern portion of the Atlantic Slope and on the Pacific Coast. It is slightly improved in the States north of the Ohio, but fell off ten per cent in the States west of the Mississippi. The Southern States as a whole fell off about three per cent. Of 921 counties reporting, 251 were a full average, 275 above and 395 below.

Further Relief Measures.

NEW YORK, Sept. 14th.—The Chamber of Commerce has issued an appeal to the people of the United States in behalf of the yellow fever sufferers. The committee says: Great, noble and generous are the donations sent to us and to kindred societies and organizations throughout the country, we beg to state in language as strong as it can be expressed, that they are wholly inadequate to relieve the

pressing needs of that portion of our beloved country suffering from the present scourge. Its abatement is not yet. When it subsides or is over we have only to excite your further sympathies by calling your attention to the fatherless and motherless children left destitute, and to the condition of thousands of men and women dependent who are ready and willing to work for their daily bread, but who are deprived of all opportunity to do so until frost comes to remove the epidemic and revive the course of trade and commerce. We appeal to our people everywhere to aid and to double what they have given to provide for the imperative needs of the plague-stricken citizens of the South. We rely on the Chambers and Boards of Trade in the West to open depots for provisions.

The Catholic Review announces that Cardinal McClosky has written a letter ordering collections at all the churches of his diocese on Sunday, Sept. 22d, for the sufferers by the yellow fever plague. The Cardinal exhorts the Catholics to unite in offering up fervent prayers to God the Father in his great mercy, to be pleased to deliver his afflicted people from the scourge under which they are now suffering and arrest its desolating progress.

The Chamber of Commerce today sent \$3,000 to the Memphis Howard Association, \$3,000 to the Memphis Citizens' Relief Association, \$1,000 to the Roman Catholics of Memphis, \$500 to the Hebrew Benevolent Society of Memphis and \$500 to the Sisters of St. Mary at Memphis. Nine thousand dollars were also sent to New Orleans.

Wife Murder and Suicide.

NEW YORK, Sept. 14th.—John Bendrickson, of Babylon, Long Island, probably fatally shot his wife and niece yesterday and killed himself.

Trapeze Performer Killed.

PHOENIX, Sept. 14.—Robert Carvalle, a trapeze performer, fell from a balloon 50 feet this afternoon and was killed.

Fatal Railroad Accident.

BRIDGEPORT, Conn., Sept. 14.—A gravel train jumped the track near Roxbury, killing two laborers and wounding several.

The Flood at Toronto.

TORONTO, Sept. 14th.—All trains moving west and north from the city have been cancelled until further notice. The inundation is much damaged and the railway tracks have been more or less washed away. The downfall from half past three o'clock Tuesday up to noon to-day, according to meteorological observations was one and one-tenth inches—the heaviest since 1848.

House Supt. Avoy.

MEADVILLE, Pa., Sept. 14.—At Guntown, five miles north of Conneautville, the house of Wm. Lawrence was swept from its foundation early this morning and was borne down the stream some distance with the family in it.

The Suffering South.

MEMPHIS, September 14th.—The weather has taken a change. It is feared for the worse. The nights are cool and days warm and the number of cases may reasonably be expected to continue large. Forty-two deaths reported up to noon to-day and ninety-one for the 24 hours ending at noon.

Agricultural Works Burned.

LEWISBURG, Pa., Sept. 14th.—The agricultural works of James A. Marsh were destroyed by fire this morning. Loss estimated at \$100,000; insurance \$10,000.

Inundation in Cuba.

HAVANA, Sept. 12th.—Captain General Martinez Campos has gone to Cardenas with five hundred laborers to divert the course of the waters now overflowing the banks of the greater part of the districts of Alacranes Recreo and Colon.

European Cable News.

The Fenian Prisoners. LONDON, Sept. 14.—The deputation of sympathizers who visited the Fenians, Condon and Melody, at Portland, prison report that the Governor has not yet received the letter from Condon, but that the deputation had made very liberal advances. Their expenses would be paid and both prisoners had received plenty of pocket money.

The Fenian Minister, who visited him, had told him were the conditions of his release. He was, besides, anxious to reach New York to see his relations and thought it likely he would go through the States to Southampton. He feared his presence in London or Dublin might cause demonstrations harmful to others. Condon said he had suffered no prison punishment; had conformed to the rules and was treated with respect and never denied his Fenianism. He had been employed at road making. Nobody was much surprised to hear that he would be required to reside outside of the United Kingdom.

The Vatican Alarmed.

ROME, Sept. 14.—The Vatican is much concerned at the present revolutions in South America. It has decided to increase the Catholic propaganda and the number of Bishops in the South American States, with the view of bringing religious influence to bear effectively on the people and render them more obedient to the law.

Ecclesiastical Negotiations.

ROME, Sept. 14th.—In the negotiations between Bismarck and the Vatican it has been agreed that the Church shall be ruled in accordance with the Prussian Constitution, and that the Falk laws shall remain in force but subject to deceleration as to the manner of their execution. The discussion on the terms of this declaration is still proceeding, also as to the return of the recalcitrant Bishops and the recognition by the Priests in the provinces of the Government's authority, on both of which a controversy still exists.

His Holiness.

ROME, Sept. 14th.—The Pope has been slightly indisposed during the past two days and the usual audiences have consequently been suspended, but to-day His Holiness is better.

A New Plot Against the Emperor.

BERLIN, Sept. 14th.—It is rumored that a new plot against the life of the Emperor has been discovered and several arrests have been made.

Bismarck's Son Elected to the Reichstag.

BERLIN, Sept. 14th.—Count Wilhelm von Bismarck, second son of Prince Bismarck, has been elected Deputy to the Reichstag from Langenselca, the Catholics turning the balance in his favor in consequence of his promise to be guided by his father's conciliatory course towards the church at Rome.

A Statute of Humboldt.

PARIS, Sept. 14th.—A statue of Humboldt has been purchased by Henry Sinau who has presented it to the city of St. Louis.

Nightmare Work.

BRIGHADE, Sept. 14.—Accounts received say that forty-six Bosnians and Servians and upwards of two hundred Mussulmans have been executed at Sarajevo and that neighborhood during the last two weeks and that the executions continue. The atrocities prevent the insurgents from submitting and have produced a deep and painful impression throughout Serbia, as several of the victims were Serbian merchants compelled to assist the insurgents during Hadjo Ladj's administration.

The Mussulmans Threatening.

CONSTANTINOPLE, Sept. 14th.—The Mussulmans of the surrounding country threaten to make a descent on Erzeroum and plunder the Christians when the Russian troops leave that city. The Armenian Archbishop of Erzeroum has telegraphed to Layard and Pournet, British and French Ambassadors at Constantinople, asking that steps be taken for the protection of the Christian population.

Train on Kearney.

George Francis Train goes after Dennis Kearney in this fashion: PAVILION HOTEL, WOODSBURG, L. I., P. E. 49.

CITIZEN DENNIS KEARNEY—What do you say?

"Anybody in favor of the Chinese—a marked man?" Indeed! Then consider me marked. Who are you to talk in this way? My ancestors came in the cabin of the Mayflower nearly three centuries ago! You came as a slow-away in a steerage passenger ship only a few years ago! And yet you have the cheek to dictate to me, born on the manor where the title deed of my ancestral home in Massachusetts is 160 years old! Your whole stock in trade is prejudice against the mongrels, your superiors in morals, brain, frugality and industry! Now, blind leads blind, and cripple races cripple, who need be surprised to see Massachusetts denigrate and California underrate arm-in-arm to try and fool the Workingmen into a third term for Grant!

Those 36,000 votes in California are mine—not yours! You are sneezing on labor—stuff I took ten years ago! You are cackling on greenback eggs Ralston offered me a \$20,000 check not to lay in 1869! You workmen are just waking from your Rip Van Winkle sleep after I have been dragged through fourteen jails for fighting your battles! Although you arrived in '68 I never heard of you when fighting the battle against the California monopolists in '69, '70 and '71! Then was the time to battle for the right; but you were silent! I held a hundred public mass meetings on your coast to arouse your stupid workmen! With stomach eaten out with rotgut, like the burnt trees in an Oregon forest, how could they have been so listless? You are a nice watchman to wait till the horses are stolen before you lock the stable-door! For years you all voted solid for free trade, which crushed your manufacturers! If you say anything, better hang yourselves! If Syracuse-Shupe-Glue Pot and Fort Fisher really represent your school, Maddox, Ward, Hume, Myra Hall, Casey, Hewitt Committee, evangelists from the San Francisco sand-hills of Zion, I would not trust any of you to drive two jackasses abreast over an open prairie!

An army of labor dug 32,000,000 gold and silver in thirty years out of the bowels of the earth! To-day you can not show \$10,000,000 on a bank! El Dorado coast! and yet the workmen held all the votes! Where were you when the prodigal sold that golden land for the mess of pottage pay and free trade? What statement do you advance? Are you so indignant with newspaper notoriety as to suppose that all the world hangs on your action? Can't you see that the rings are using you to nauseate labor? To sicken into indigestion? To disgrace workmen? Somebody pays your bills! For what purpose? To degrade the cause of the people!

Sixteen years ago, having sacrificed \$5,000,000 in my horse railways in England, I was knocked down on that same Faneuil Hall platform in the presence of Charles Sumner, when—representing the workingmen, and 20,000 Irishmen lost no time in taking me out of the city lock up. The outrage was so startling, followed up, as it was, by frequent arrests and attempts at murder and assassination, and backed by the press, misrepresented all they did, I, too, commenced calling everybody names, but I was not a backguard! I opened fire on corporations and Shylocks, but I did not play the Bowery-boy in my shirt-sleeves! I went and talking in my shirt-sleeves!

GEORGE FRANCIS TRAIN.

Mr. Neff, of Alexandria, Pennsylvania, awoke the other morning to find his well dried and its bottom (filled) with gold. He procured help, and descended into a hole, and in ninety-one feet into an immense cavern stretching in every direction. Flowing streams and stalactites lent their aid to the romance and specimens of nickel ore was brought away that proved to be of superior quality.

NEW TO-DAY.

CONFIDENCE ENGINE CO.

Members of Confidence Engine Co. No. 4 are requested to be at their Engine House in the morning at 10 o'clock, at 15 o'clock P. M. sharp, to participate in the Mexican Independence Day Celebration. By order of Company, W. S. MOORE, Secretary.

THE INSURANCE AGENCY OF LOS ANGELES, REPRESENTING NEARLY \$124,000,000!

Capital and Assets.

B. F. DRAKENFELD, Manager.

LIFE.

The Mutual Life Insurance Co. of New York.

Assets Jan. 1, 1878, \$85,033,318.

FIRE.

FOREIGN COMPANIES.

COMMERCIAL UNION ASSUR'CE Co. of London.

Capital, \$12,500,000.

SCOTTISH COMMERCIAL INS. CO. of Glasgow.

Capital, \$6,250,000.

SOUTH BRITISH FIRE AND MARINE INS. CO.

Capital, \$5,000,000.

ROYAL CANADIAN INSURANCE COMPANY.

Capital, \$2,000,000; California State Deposit, \$100,000.

EASTERN COMPANIES.

Phoenix Ins Co. of Hartford, Home Ins. Co. of New York.

On Joint Policy. Aggregate Assets, \$8,595,721.41.

Continental Insurance Co. of New York. Assets, \$3,173,000.

CALIFORNIA COMPANIES.

Fireman's Fund, Fire and Marine Insurance Co. of San Francisco.

ASSETS, \$800,000.

The Old California Insurance Company. Assets, \$515,000.

MARINE.

South British Fire and Marine Ins. Co.; Fireman's Fund Fire and Marine Ins. Co.; California Ins. Co.

POLICIES ISSUED HERE, and all losses promptly adjusted and immediately paid.

B. F. DRAKENFELD,

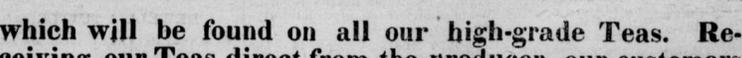
No. 4 Spring Street, Temple Block, Next Door to County Bank.

THE STORE,

LOS ANGELES, Sept. 3d, 1878.

We take pleasure in announcing that our direct shipment of JAPAN TEAS from our agents at YOKOHAMA are now on hand, ex-steamship "CHINA." These TEAS (as per our instructions) have been carefully selected in the most favorably known Tea Districts of Japan, especially for our trade. The firing was done under the personal supervision of our agent, who has been instructed to see that NO COLORING MATTER was used in the preparation of these Teas. No effort has been spared, and we feel safe in asserting that these are the Finest Teas ever offered in this market.

We shall receive shipments monthly, and so ensure a constant supply of Fresh Teas, which in every instance will be fully up to the excellence of this lot for PURITY and FLAVOR. In order to protect consumers we have adopted the annexed



which will be found on all our high-grade Teas. Receiving our Teas direct from the producer, our customers are saved the profits heretofore made first by the importer and then by the jobber. We are thus enabled to sell Fine Teas at prices which have been considered low for an ordinary article. The public are cordially invited to inspect this shipment, among which will be found some very curiously prepared Tea known as the "PIN LEAF," a Tea which is rarely allowed to leave Japan.

We beg to call the attention of the trade to this invoice, as liberal inducements will be offered.

SAMPLE PACKAGES FREE TO ANY ADDRESS.

MYERS & MENDELSON,

48 and 50 Spring St.