

TODAY'S FORECAST.
FOR THE DISTRICT OF SOUTH-
ERN CALIFORNIA: FAIR WEATH-
ER; WARMER, ACCOMPANIED BY
NORTH TO WEST WINDS.

The



Herald

TWELVE PAGES.

A NOTED LAND CASE.
THE ROTUNDA CONNECTED
WITH THE FAMOUS PERALTA
LAND GRANT. SOME REHIN-
GENCES OF OLD-TIMERS.

VOL. XL. NO. 35.

LOS ANGELES: TUESDAY MORNING, MAY 16, 1893.

PRICE FIVE CENTS.

NOTHING LIKE

Mullen, Bluett & Co.'s Tailor-Made Clothing

IT FITS CORRECTLY.
IT IS MADE RIGHT.
IT IS IN POPULAR STYLES.
IT IS SOLD AT REASONABLE PRICES.

ONE PRICE TO ALL.

MULLEN, BLUETT & CO.,
Corner Spring and First Streets.

CRYSTAL PALACE,

138, 140, 142 S. Main St.

We have positively decided to GIVE UP OUR RETAIL BUSINESS, to confine ourselves entirely to the wholesale trade.

WATCH OUT FOR OUR

GREAT CLEARANCE SALE!

COMMENCING MAY 13, 1893.

MEYBERG BROS.

If You Wish To See Something Novel and Attractive Take a Look at Our Windows This Week. You Will Be Interested.

Then let us show you the many beautiful furnishings in our several departments—such as you cannot see elsewhere. We have very fine goods, medium goods, and very low priced goods.

LOS ANGELES FURNITURE COMPANY,
225, 227, 229 S. Broadway, Opp. City Hall.

Steel

Unprecedented SUCCESS AT THE Preliminary World's Fair Exhibit.

HELD IN MECHANICS' PAVILION, SAN FRANCISCO, ENDING FEB. 18, 1893.

GRAND SILVER MEDAL

FOR MOST ARTISTIC COLLECTION OF PHOTOGRAPHS.

SILVER MEDAL

FOR MOST ARTISTIC SPECIMENS OF MISCELLANEOUS PHOTOGRAPHY.

SILVER MEDAL

FOR MOST ARTISTIC SPECIMENS ILLUSTRATING THE PLATINOPYPER, AND OTHER PROCESSES.

SILVER MEDAL

FOR MOST ARTISTIC ARRANGEMENTS OF GROUPS.

"Four Medals Out of a Possible Four."
Cloudy Weather For. 220 SOUTH SPRING STREET. (Opposite Los Angeles Theater & Hollenbeck)

WILLIAMSON'S MUSIC STORE.

HENRY F. MILLER, BEER BROTHERS, B. SHONINGER, NEWMAN BROS., Air Circulating Reed Cells.

PIANOS

MATHUSHEK, BEAUMULLER, SMITH & BARNES.

ORGANS

NEEDHAM Silver Toned.

A FULL LINE OF MUSIC AND MUSICAL INSTRUMENTS.

SEWING MACHINES.

Standard, Rotary Shuttle, White and Other Long Shuttle Machines, Supplies, Etc.

327 SOUTH SPRING STREET. 4-13 1/2

"TAKE A HEADER."

—YOU WILL FIND BOTH THE STEEL FRAME AND WOOD FRAME—

HODGES HEADERS

Get up on the lower floor of our store, 164-168 NORTH LOS ANGELES STREET 30,000 Hodges Headers Now in Use.

Put your orders in early to insure prompt delivery. We are also sole agents for the Adriance Buckeye Mower, Knowlton Mower, Genuine Hollingsworth Rake, Dedrick Hay Press Southwick Hay Press and Peter Schuttler Header Wagon Gears.

HAWLEY, KING & CO.

WORLD'S FAIR MATTERS.

Large Crowds Continue to Visit the Big Show.

The Sunday Question Still a Bone of Contention.

Gate-Keepers Arrested for Refusing to Pass Federal Officials.

Opening of the World's Women's Congress—The National Editorial Association on Deck for Its Session.

By the Associated Press.]
CHICAGO, May 15.—The third week of the world's fair opened under more favorable circumstances than the first. Only a few clouds were in the sky in the morning, and though a sharp wind blew out of the north the temperature rose with the sun, and before noon the sight-seers were willing to throw off their wraps.

A crowd of visitors was waiting at each gate before the gates were opened this morning at 10 o'clock. It was given out this morning that the crown prince of Austria and suite are expected to visit the fair in October. He is now on a trip around the world and expects to reach San Francisco in September. After viewing the sights of the far west he will proceed to Chicago.

THE SUNDAY QUESTION.

There was not a quorum at the meeting of the national commission today and an adjournment was taken until today when the Sunday closing question will be taken up.

Late this afternoon there was an informal meeting of the members of the local directory and the national commission, at which the question was thoroughly discussed. It was announced at the conclusion of the meeting that a resolution revoking the Sunday opening rule recently adopted by the local directory will be submitted for the concurrence of the commissioners. This will be done for the purpose of testing the powers of the commission.

First Vice-President Peck of the local directory said today the management of the fair was determined to open the gates on Sunday. The people demanded it, and the people were all powerful.

GATE-KEEPERS ARRESTED.

As the result of the attempt of the gate-keepers to refuse admittance to United States government officials from the grounds except on the payment of admission fee, Captain De Roymer, chief of the gate inspectors and gate-keeper Schumann were arrested this afternoon by a deputy United States marshal, and held in bonds for a hearing.

WOMEN'S CONGRESS OPENED.

In the memorial art palace on the lake front this morning, President C. O. Bonney of the world's congress auxiliary of the world's fair delivered an address formally opening the great series of gatherings that will continue until the world's fair is at an end, and will deal with nearly every question of general interest to humanity. The first week has been allotted to the women, and their work opened this morning with an address of welcome by Mrs. Potter Palmer, president of the women's branch of the auxiliary.

Mrs. Palmer received a great ovation, and in a clear voice welcomed the first great congress of women known to history.

Mrs. Henrotin, first vice-president, made a graceful address in the course of which she said women are wearing of bearing sons to be shot down, and the wars of old will soon give way to arbitration and peace. Women have a broader field, a greater chance, and know how to prove them.

Mrs. Henrotin enumerated the parts to be played by women in the coming congress and expected her hearers to be awake to their opportunity and not shrink from the opening possibilities or cling to the shadows of the past.

Mrs. Wright Sewall, chairman of the committee on arrangements, spoke of the vast scope of the congress, saying notable indeed was the fact that on the list of the advisory committee were the names of representatives of the Indian and Negro. Glad also were they to meet the representatives of that still old faith—the Jewish—who would tell how the women of that faith think and feel.

At the conclusion of Mrs. Sewall's speech, Clara Burton, president of the Red Cross society, was invited to the platform. Ladr Aberdeen was then introduced and made a brief, felicitous speech about woman and her work.

Then Mrs. Albert Barker of England recited with splendid elocutionary effect Edna Dean Proctor's ode to Columbia's Emblem.

A recess was then taken until evening, at which session addresses were by Mrs. Florence Fenwick Miller of England, Baroness Thorberg of Sweden, Mrs. Callirhoe Parren of Greece, Mrs. Josefa Zeman of Bohemia, Mrs. Katherine Shirmer of Germany, Mrs. John Harvie of Canada, Mrs. Isabel Bogalot of France, and several others.

the fair. On reaching the grounds today they went direct to the administration building, where they were given the freedom of the grounds by the exposition officials. This over they went to the California state building, where they spent the day.

GERMANS AND HOTTENTOTS.

Great Slaughter of Natives at the Storming of the German Consulate.

BERLIN, May 15.—A telegram from the German consulate in Cape Town says Captain Franke stormed Hornkrantz on April 12th, on the German side of Sakoldwili, and three German soldiers were wounded. The natives lost 80 killed and 100 wounded.

Further details state that 70 native women, 100 native men and boys and a few babies were killed. The official report expresses regret that women and children were killed, but says that a sudden attack and indiscriminate firing were the only means of capturing the stronghold. The German forces consisted of 200 German and native soldiers.

Hornkrantz was the most strongly fortified village of Witbooi, the Hottentot chief. He is collecting warriors and threatens vengeance.

THE IRISH REPUBLIC.

Its Flag Saluted by German and American Ships.

LONDON, May 15.—In the commons today C. J. Darling, Conservative, asked whether there was any truth in the report that some Irishmen on board a vessel called the Hazel Kirke, at New York on the 11th inst., hoisted the flag of the Republic of Ireland, which flag was saluted by the German and American vessels.

Sir Edwin Gray, foreign secretary, replied that the government had no information of such incident, and when Darling asked if an inquiry would be made, said: "No doubt trouble is coming concerning the matter and it is undesirable to simulate any nervousness in regard to it." (Laughter.)

Cavendish's amendment to the home rule bill was rejected, 275 to 228.

MORE CASH THAN REPORTED.

The Indianapolis Capital National Bank Being Examined.

INDIANAPOLIS, Ind., May 15.—United States Bank Examiner Young and State Bank Examiner Packard are going through the affairs of the Capital National bank. Mr. Packard authorizes the statement that there is considerable more money in cash in the bank than reported by the bank officers.

The Capital officers furnish a statement which indicates that within 30 days cash amounting to \$480,000 will be available. The total of the bank's \$1,000,000 of paper all is good with the possible exception of \$50,000, which may not be convertible at present into money, and say as soon as the Chemical bank of Chicago resumes they will be able to resume also, provided the bank examiners report favorably.

A DENVER FAILURE.

Banker Mygatt Makes an Assignment of His Property.

DENVER, Colo., May 15.—William H. Mygatt, a banker and real estate dealer, assigned today. His assets are given at \$501,860 and liabilities at \$507,389. His principal creditor in Denver is the National Bank of Commerce, to which Mygatt owes over \$40,000. Mygatt said a conservative business man assured him his assets were really worth more than the statement filed. As the statement stands he will pay out and have a margin left. Eastern banks, he said, were solicited to secure \$25,000 and were especially discriminating against western paper. Banks with which he had done business for a long period recently refused to take securities which he hitherto desired to accept.

IN THE HANDS OF A RECEIVER.

The Sioux City Street Railway Company Embarrassed.

SIoux CITY, May 15.—The Sioux City Street Railway company, operating 32 miles of electric railway in this city, passed into the hands of a receiver today, after a consultation with eastern creditors. James F. Peavey, president of the company, was named receiver by consent. The plant is valued at \$1,000,000. The floating indebtedness is \$275,000. A receiver was thought advisable because of the difficulty of floating convertible bonds to secure \$250,000 and mortgage paper. The creditors consider the company's embarrassment only temporary.

Koch Must Pay Alimony.

BERLIN, May 15.—The wife of Prof. Koch, the celebrated bacteriologist, recently procured a divorce from her husband, and the professor has now been ordered by the court to pay her one-fourth of his income. It is announced Koch will marry a young actress.

A RANK OUTSIDER WON.

Diablo the Winner in the Brooklyn Handicap.

The Aged Son of Eolus Scoops the Rich Stake.

Lampighter, the Favorite, Second, Leonawell Third.

It Was a Pretty Race From the Start and the Finish Was Superb—Odds Against the Victor Were 60 to 1.

By the Associated Press.]
New York, May 15.—Amidst deep and oppressive silence, Diablo, the aged son of Eolus and Grace Darling, won the rich Brooklyn handicap at Gravesend this afternoon in the presence of 30,000 people. Lampighter, the favorite, who went to the post carrying a ton of money, was second, and Leonawell third. The winner's time was 2:09, made fractionally as follows: The quarter, .254; half, .51; three-quarters, 1:16; the mile, 1:42 1/2; mile and a quarter, 2:09.

Diablo was regarded as being in first flight in his two and three-year-old form, but after his third year his legs became shaky. Since then he has been regarded simply as a high-class selling plate, likely to break down permanently in any race. His wonderful improvement in form today was, therefore, stunning in its effect.

THE GREAT EVENT.

The Brooklyn handicap run today was the seventh in the history of the event and was guaranteed to be worth \$25,000. Of this the winner gets \$18,000; second \$5000; third \$2000.

The day was bright and fair. The betting ring prospered before the handicap was run a wild and boisterous scene. The jam was something awful. It was just a minute past four when the horses were summoned from the paddock. They were all warmly received, but Lampighter had a regular ovation, showing where the hopes and dollars of the public were.

THE HORSES LINED UP.

The order in which they finished, weights, jockeys and close of the betting follows:

Diablo, 112 (Tara), 30 to 1.
Lampighter, 125 (Simms), 8 to 5.
Leonawell, 110 (Duggan), 10 to 1.
Lilac, 130 (Noble), 60 to 1.
Pickpocket, 103 (Taylor), 15 to 1.
Charade, 105 (J. Sloane), 8 to 1.
Fedelo, 103 (J. Lamley), 20 to 1.
Terrifier, 108 (Doane), 50 to 1.
Escalad, 116 (Lamley), 20 to 1.
Bangnet, 123 (Garison), 5 to 1.
Judge Morrow, 116 (A. Covington) 6 to 1.
Mars, 114 (Littlefield) 15 to 1.
Nomad, (McDermott) 15 to 1.

After several futile attempts to get them in line for the start, Starter Rowe gave the word to go.

THEY GOT OFF.

Finally, at 4:19 o'clock, the horses got the flag to almost a perfect start. Judge Morrow, Leonawell, Terrifier and Fedelo were a little in the lead, with Lampighter, Charade, Pickpocket, Lilac and Mars in a bunch in the rear. Terrifier, true to his daily tactics, immediately shot to the front and set a clicking pace past the stand and into the back stretch. Here Leonawell, who had been struggling for his head, passed Terrifier and took a lead of two lengths.

A PRETTY RACE.

The race all through the back stretch was an exceedingly pretty one, all the horses running well together and within striking distance of the leader. At the far turn Leonawell slightly increased his lead, and a shout went up from his admirers. Their joy was short-lived, however, for, turning into the home stretch, Diablo, Lampighter, Judge Morrow and Lilac moved up and joined the leaders.

A DESPERATE DRIVE.

A desperate and highly exciting drive ensued, the horses running almost head and head all through the stretch. Less than a quarter of a furlong from the wire Diablo began to draw out, and soon got clear of the others, won the grand race by a length and a half.

Lampighter beat the tired but game Leonawell a neck for place.

BIG ODDS AGAINST THE WINNER.

Tara, who rode the winner, was placed on a floral horse shoe and carried in triumph from the judges' stand to the paddock. A floral horse shoe was also placed about the neck of the winning horse, but scarcely a ripple of applause greeted these ceremonies. As good as 60 to 1 against could be obtained (about Diablo's chances) in the early betting, so little were his prospects of winning the race considered. The straight mutuels on him of which only 12 were sold, paid \$294.50. One hundred and seven bookmakers did business in the betting ring, but were utterly unequal to the task of taking in the money offered by the crowd.

OTHER RACES.

The other races follow:

Five furlongs—Kingston won, Dr. Hasbrouck second, Correction third; time, 1:00 1/4.

One mile and a sixteenth—Rainbow won, Sport second, St. Domingo third; time, 1:49 1/4.

Half-mile—Chateau won, Black Hawk second, Burlington third; time, 0:50 1/2.

Brooklyn handicap as above.

Half-mile—Taken won, Lord Nelson second, Society Nonense third; time, 0:50.

Six furlongs—Harvest won, Lyeum second, Mordotte third; time, 1:14.

ST. LOUIS JOCKEY CLUB.

St. Louis, May 15.—The track was heavy.

Six furlongs—Madden H. won, Aero-naut second, Fatima third; time, 1:21 1/2.

Four and one-half furlongs—Libertio

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It Is So Decreed by the Supreme Court.

The Geary Act Declared to Be Constitutional.

Five Members of the Court Uphold the Validity of the Law.

Chief Justice Fuller and Justices Field and Brewer Dissent—Excitement Caused by the Announcement of the Opinion.

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The announcement that a decision in the case was expected attracted a large attendance of spectators and attorneys, including Attorney-General Olney, Solicitor-General Aldrich, Senators Pugh, Dolph and others.

JUSTICE GRAY DELIVERS THE OPINION.

Justice Gray, in announcing the judgment of the court, said the power of this nation to restrict or prevent the immigration of aliens into the country, or to require such aliens already in the country to remove therefrom, is a well settled principle of international law, confirmed in an unbroken line of decisions in this court. The legislative power of the government was not transcendent of any constitutional limitations in the act under consideration. It was within its power to determine the regulations under which these aliens shall be permitted to remain in the United States, or failing to observe these regulations, be required to leave the country.

The provisions of section six of the act, which are part of the law particularly at issue, are not inconsistent with the relations and duties of the legislative and judicial departments of the government. The mode of procedure under the section is similar to other well established proceedings, such as habeas corpus, naturalization, fixing requirements of citizenship, and the like, in which the judicial branch has accepted the determination of the executive upon the questions involved.

As to the requirement that Chinese entitled to remain in this country should establish their right by the evidence of one credible white witness, Justice Gray said it was within the power of the legislature to determine the character of the evidence that might be received in a case at law, and what force should be given to the testimony offered.

Not discussing the wisdom or justice of the act in question, which was beyond the province of the judicial branch of the government, it remained only to say that the judgment of the circuit court of the southern district of New York, in refusing to grant writs of habeas corpus to the petitioners was affirmed.

THE QUESTION PRESENTED.

Justice Gray said the question presented was the constitutionality and effect of the sixth section of the act entitled An Act to Prohibit the Coming of Chinese Persons into the United States. The justice sketched the provisions of the law rapidly, and then proceeded to say it was perfectly well settled that it was one of the fundamental principles of the law of nations that every independent nation had the inherent right to keep aliens out of its territory and to order them to get out of its territory; that power exists in time of war, and equally so in time of peace, and has always been recognized as belonging to independent nations. The United States, like all of the great powers, has the power to make war, to make peace, to pass an act of naturalization, to pass all necessary and proper laws, to carry out the powers reposed in congress. On the political department of the government devolved the care of international relations. It had been settled in two cases that the power of exclusion may be vested in the executive officer, and the aid of the judiciary might be invoked. It was no new thing in public law for matters to be executed and political in the first instance, and then take judicial force, the political department might direct. The courts have no authority to review the decisions or action and their effect in these cases, except so far as provision had been made by law. The treaty with China provided originally for very free intercourse; that was in 1869. Then it was found it was necessary to have more power for the convenient regulation of this matter and subsequent treaties more distinctly recognized, as contemplated by the contracting parties, the power to regulate the entrance of Chinese into this country. If congress makes a law inconsistent with a treaty, it may give a foreign nation the right to complain and to take such action as it may deem best for its own interest, but the duty of the courts of the United States is clear and they must recognize its force.

A GRAVE OBJECTION ANSWERED.

Justice Gray here dwelt at length upon the objection that had been made to the arbitrary power conferred upon the executive officers in making deportation. He said as far as an investigation is made it will be a judicial investigation. The law provides that a Chinaman shall be deported unless he shall clearly establish certain facts to the satisfaction of the judge. The legislature had the right to prescribe what evidence shall be demanded before its judicial tribunals. It was within its power to provide that those aliens who have been a year within the United States without getting out a certificate should be deported. It had the right to define what witnesses should be heard; the right to protect the courts against testimony from persons who had no regard for the

NOT GOING FISHING.

President Cleveland Will Properly Observe Memorial Day.

WASHINGTON, May 15.—Mr. M. M. Husted, assistant adjutant of the department of the Potomac, G. A. R., has received a letter from M. E. Thurber, the president's private secretary, responding to an invitation to be present at the Memorial day exercises at Arlington cemetery. Mr. Thurber says the president directs him to say it would give him pleasure to be with them on that occasion, to emphasize by his presence his appreciation of the noble purpose and sacrifices which the day commemorates. While the pressure of public business may preclude the pleasure of his acceptance of the invitation, the day will none the less recall to mind the memory of the noble dead, whose blood will sanctify patriotism for coming generations.

BLOODSHED AT FT. APACHE.

Four Indians Killed as the Result of a Family Quarrel.

WASHINGTON, May 15.—Secretary Hoke Smith today received a telegram from Lieutenant Johnson at Fort Apache, dated April 27th, giving an account of the killing of four Indians on Cibola creek. The report says: Ah Des Pah tried to force his wife to drink tiawin; she refused and told her husband to kill her. Her father being present, thinking it was a joke, told the husband to go ahead. Ah Des Pah thereupon seized a Winchester and killed his wife. The father and a young buck rushed in and he killed them both. Another buck named Johnnie Hearing then killed Ah Des Pah. All is now quiet. Johnson has sent a number of deputies to guard the agent in the event of trouble.

WHISKY GOES DOWN.

The Trust Reduces the Price as Well as the Output.

CHICAGO, May 15.—Whisky goes down 1 cent tomorrow. The directors of the Cattle Feeding and Distilling company ordered this reduction at a meeting this afternoon. A month ago the directors decided on a curtailment of the output. Some plants have already closed and all will be closed by June 1st for an indefinite period. The question of issuing bonds for enlarging the distribution of the facilities of the trust was considered for some time but nothing done.

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