

PETER H. BURNETT DEAD.

California's First State Governor Joins the Great Majority.

HE PASSED AWAY PEACEFULLY.

The Family Were at the Bedside. The Close of a Long and Busy Life.

Peter H. Burnett, the first Governor of California, died at noon yesterday at the residence of his son, 1713 Larkin street.

619, John W. Geary 1838, scattering 32. He assumed the duties of the office immediately, although the State was not admitted until September of the following year.

Circumstances entirely unexpected and unforeseen by me and over which I have no control render it indispensable that I should devote all my time and attention to my private affairs.

This letter was written from San Jose. In the early days of the State Governor Burnett foresaw what the Chinese immigration would lead to and he declared himself opposed to allowing the little brown man to become a resident of the State.

That was the last public office he filled. In June, 1863, he was chosen president of the Pacific Accumulation Society, which

AN ESTATE THAT FAILED.

Serious Charges Preferred by Mrs. Osborn Against Two Parties.

DISHONESTY AND NEGLIGENCE.

She Declares That Between Them Her Property Has Been Diverted.

A petition has been filed in the Probate Court by Mrs. Mary Maria Osborn, widow of Joseph Osborn, who died on June 5, 1893, asking for the removal on account of neglect of Robert J. Mercer, administrator of the estate.

It seems that Osborn's estate was reported as worth only \$5000, but Mrs. Osborn claims to have discovered that her husband had a half interest in quicksilver mines worth \$100,000. She charges Mercer

SUBSTITUTION OF ANOTHER ADMINISTRATOR OF THE ESTATE.

Judge Coffey has cited Mercer to appear on the 25th inst., to show cause why he should not be removed as administrator.

ROBERT BUNKER DEAD.

The Well-Known Pork-Packer Expires Suddenly While Playing Cards With Friends.

Robert F. Bunker, the pork-packer and proprietor of a stall in the California Market, died suddenly last night at the home of David Davis, 2320 California street. His death was caused by heart disease.

In company of some friends he dined with Mr. and Mrs. Davis. The party was playing cards about 10 p. m., when Mr. Bunker suddenly complained that he could not breathe and he was immediately summoned, but before he arrived Mr. Bunker was dead.

The coroner took charge of the remains. The deceased lived in San Francisco for many years. He leaves a widow and five children. Mrs. Bunker and a daughter are in New York and another daughter lives in Massachusetts. Dr. Adolph Katz, who is married to another daughter, but they are also in New York. A son, Robert Bunker, lives in this city, and another son, a young boy, is at San Mateo. It was impossible to get in touch with any members of the family last night.

COL. BARRY WILL RETIRE.

He Says That He Is in No Way Piqued Over Recent Appointments.

No Fault to Find With Adjutant-General Barrett or Brigadier-General Warfield.

Colonel Thomas F. Barry's term of service in the National Guard as colonel of the Third Infantry Regiment will not expire until next year, but the colonel has resolved to apply for retirement. He looks forward to a long and happy life on the retired list. The colonel's ten years of service in the guard have brought him some pleasure, but it has not been untroubled.

In his capacity as a statesman he has bravely espoused the cause of James H. Barry in gubernatorial contest last fall. In his capacity as a soldier he paid out of his own pocket \$300 to take his regiment to Sacramento to inaugurate the Governor of his choice. When Governor Budd was being nominated for his second term, it was given out that either one of the majors aspires to the colonelcy. Captain F. W. Warren of Company F is, however, listed as a candidate to command the Third, but his candidacy may become moot.

An election is to take place in Company D on the evening of May 24. Captain William M. Sullivan retires then, and if the programme is carried out Lieutenant Fitzpatrick will be elected captain. The service term of Captain Samuel Ruddell of Company C is drawing to a close and on the date in May mentioned an election will take place in that company. Lieutenant A. L. Ott, inspector of rifle practice, is a candidate to succeed Ruddell. An election in Company E is to take place the same evening. Captain Harry Meagher then retires and James H. Barry commissary adjutant. Colonel Barry was seen at his home on Greenwich street last evening and replying to an inquiry as to whether his proposed retirement was due to dissatisfaction over recent appointments said:

"I desire to say frankly and sincerely that my purpose to retire was made known to officers of the regiment some time ago. I am not feeling any of the troubles, annoyances and vexations incident to the position and desired to give all my time to the pursuit of my practice. Still, had my duties as colonel ended by the original general order, there would have been an agreeable ending to whether promoted or not I had resolved to serve no longer as colonel. Now, as to being piqued or disappointed I can say that I am not. I feel that the Governor never gave me any assurance that he intended to appoint me brigadier-general.

"He did say to me that he did not intend to consider politics in National Guard appointments, and it is creditable to him that he has adhered to that resolution. In taking my regiment to Sacramento to present at his inauguration I was not in any way disappointed. I expected to be promoted, and in doing it had no expectation of promotion. As to General Warfield's appointment I have no criticism to make. I cannot conceive of anything to say against him, and which I have never said in any sense derogatory of his character as a soldier and a gentleman.

"When he returns from Healdsburg I shall call on him and present my compliments. It should be borne in mind that my terms as colonel does not expire until next year, but my determination to retire about July 1 of this year was fixed long ago and has not been influenced in any degree by the appointment of Major Barrett to the position of adjutant-general or the selection of General Warfield to command the Second Brigade. It is incredible that any one should believe that I could so far forget myself as to speak of the gentlemen in other than respectful terms.

"Man delights not me; no, nor woman either," declared Hamlet. But Dr. Price's Baking Powder made with Dr. Price's Baking Powder.

Bruce Porter on the Stevenson Memorial. The Editor of the Call:—Will you allow me to state in your issue of the 11th inst. the Stevenson memorial published in the Tuesday edition of the CALL.

It is hardly just to the public—it is certainly unjust to the memory of Mr. Stevenson—to accuse the public of indifference to the project of the fountain.

There has been no general solicitation for contributions, the committee having from the first adopted the plan of securing the fund by subscription should come voluntarily and Mr. Stevenson's sincere admirers. They are not to be numbered.

The proposed entertainment (for which we know nothing) is to give an opportunity for people to make the smaller contributions which they might hesitate to subscribe.

The committee feel no cause whatever for discouragement, and the fountain will undoubtedly be in place by the close of the year. I am very truly yours, HARRY PORTER.

Dr. Eisen Will Lecture. Dr. Gustav Eisen will deliver a lecture at the Academy of Sciences Monday evening on his expedition to Tepic, Mexico, in 1894. The discussion, which promises to be interesting from a popular as well as a scientific point of view, will be illustrated with stereoscopic views. It is free to everybody.

Hold the Fort. Against a billion-dollar ceiling to your side the peasant ally, Hostetter's Stomach Bitter, the will then be driven back utterly defeated. Dyspepsia, sick headache, malarial, kidney, nervous and rheumatic trouble and constipation, yield to the action of this most beneficial of remedies. Take it regularly and you will soon experience its good effects.

SUPERVISORS' QUANDARY.

The City and County Hospital and the Almshouse Want Supplies.

MEAT AND FUEL EXHAUSTED.

The Lincoln School Lot Question Discussed by the Judiciary Committee.

There were three committee meetings yesterday in the Board of Supervisors—Health and Police, Judiciary and Finance.

The first considered the undertakers' squabble relative to the removal of E. A. Bullis, superintendent of the burial of indigent soldiers.

Bullis is accused of putting business in the way of Martin & Morrison, accepting thereof a stipulated sum in every case.

Bearing upon the question at issue communications were read from half a dozen Grand Army posts stating that the accused had always given satisfaction in his dealings with these organizations, which seems to have been quite extensive.

Several representatives of Grand Army of the Republic posts were present and spoke well of Bullis. On the other hand Undertaker Porter told the committee that Bullis had refused to give him an order for the burial of a soldier, whose body was at the morgue, notwithstanding the fact that relatives of the deceased had ordered the burial by him (Porter).

Deputy Coroner McCormack declared that Bullis gave the business to Martin & Morrison exclusively for a consideration. Bullis wanted to explain the animus of the accusation, but the committee men

had no time for ancient history, and ended the discussion by taking the matter under advisement.

The next subject for consideration was an automatic reflex-fender for streetcars and locomotives invented by Joseph Asbury Johnson.

Mr. Johnson thus describes the apparatus: "The problem of a car-fender involves four propositions. It must be effective, durable, inexpensive and simple. My car-fender I claim fulfills these requirements. It is made entirely of steel, and its use does not necessitate any alteration to the existing track. It is elastic, and so arranged that it will pick up a child or man from the track without bruising flesh or breaking bones.

"Referring to the diagram, AA is a flared rear representing a flat steel spring two inches wide and three-sixteenths of an inch thick. C is a rubber buffer one and a half inches thick in front of the steel bar. DD represents the wheels which carry the fender. E is the coupling to the frame of the truck. F represents the wire mattress in the form of a basket attached to the front end of the fender and to the fore end of the car, into which the obstructing object is thrown when picked up on the track.

"It is supposed that the fender will turn on the curve with the car, but if not it is attached to the rear corner of the car by a spring, and I am an arm which the grimace will grasp and by a light pressure turn to the right or left as he desires.

"The most important matter before the committee is the proposed construction of the Lincoln School property which there is likely to be a legal battle between the Board of Education and the lessees.

At the present time the Supervisors control the lot, having had charge of the property for the past twenty years. Their jurisdiction will expire on September 1 and the Board of Education will then assume control. Some time ago the latter board asked the City and County attorney for an opinion as to the ownership of improvements on the property at the expiration of the lease.

Mr. Creswell was doubtful about rendering an opinion without having first consulted the Supervisors, and for that purpose he appeared before them yesterday.

He was instructed to go ahead with his opinion. When he asked for instructions in the matter Supervisor Taylor said: "As a plain business proposition, it would seem to me that the City is legally bound by the conditions of the original advertisement for bids, issued by the Board of Supervisors in 1875, which clearly specify that the improvements shall revert to the lessees at the expiration of the lease. But there seems to be another side to this question. It appears, from the records, that these lessees have in court disclaimed ownership of the improvements in question, for the ostensible purpose of evading taxation. This gives the matter a new aspect. As to the legal status of the case I know nothing. I am in favor of allowing the City to go ahead with his opinion."

It was so ordered. Mrs. Squires of the Co-operative Commonwealth Association asked that some of the unemployed identified with the organization be given work in the Street Department. She was referred to Mr. Dohrman of the Merchants' Association.

The Committee on Finance listened to appeals for supplies from Dr. Titus of the City and County Hospital and Superintendent Weaver of the Almshouse. Dr. Titus explained that it had been necessary to close one of the clinics for want of supplies. The meat, he said, was almost entirely exhausted, and the contractors had refused point blank to furnish another pound.

Mr. Weaver told of the urgent necessity of having bread, meat, flour and coal at the Almshouse. He had only bread enough for breakfast this morning, and after that—starvation, for all he could see. What would the committee do about it? The committee could do nothing at all. The members assured Mr. Weaver that they would do all in their power to furnish the necessary supplies.

They could only hope for a solution of the question in the near future. Later in

the day Mr. Weaver purchased on his own account coal enough to last the Almshouse for a period of ten days.

TOO GREAT PRESSURE.

A Reservoir Abandoned Because It Is Too High for the Pipes.

The junkmen have their eyes on the abandoned iron reservoir of the Potrero Water Company, which, it is said, will soon be sold for old iron. This depends, however, on the sale of the works.

The reservoir is one of the best of its kind and had no fault of its own which would lead to its abandonment. Its elevation was too great for the pipes.

The district supplied by the company is piped with sheet-iron, and the pressure from the reservoir, which is at an elevation of about 200 feet, was such that the pipes burst constantly and flooded the streets. Therefore new reservoirs at a less elevation had to be constructed at considerable expense.

It is said the pressure from the higher reservoir would not be too great if cast-iron pipes were laid to replace the ones at present in use. With the present facilities the water is barely forced to the highest point on Fifteenth avenue, and it runs a very feeble stream at that.

If the pipes were strong enough the use of the old reservoir would give the consumers on the Fifteenth avenue hill a stream pressure of 60 or 75 feet.

WELBURN'S DEBT.

He Is Accountable for Income-Tax Stamps Valued at Four Hundred and Fifty Million Dollars.

Chief Deputy Collector of Internal Revenue Louis Loupe is not one of those who think the income-tax law will be declared unconstitutional. In consequence work on the returns is steadily progressing and delinquencies are being served with notices of arbitrary assessments. By the 1st of July the tax must be paid and Collector Welburn has made all his preparations for the receipt of the money.

Stamps to be given in exchange for the payments have been received and the collector is charged by the Treasury Depart-

ment with \$450,000,000 for the same. The bill from the Secretary of the Treasury reads:

O. M. Welburn, Collector of Internal Revenue, San Francisco, to the Secretary of the Treasury, 4500 income-tax stamps, at \$100,000 each, \$450,000,000.

On each document there are various amounts designated—from \$100,000 down to a cent. The amount paid by each person can thus be cut out readily with a scissors.

Underneath the figures is a receipt and attached to it is the notice, "Persons receiving this receipt on this form should see that the coupon thereto annexed recites the full amount paid and entered in the body of the receipt."

The amounts cut off the receipt are forwarded to the Treasury Department at Washington and Collector Welburn gets credit for the amount. The stamps are used when all the stamps have been used the amount outstanding will represent the Collector's indebtedness to the Treasury Department.

Mrs. Cleveland insists on wholesome, dainty desserts, so she is never out of Price's Cream Baking Powder.

What Him Brought Back. An application was made to the police yesterday by B. Cohn for the arrest of B. Alexander on a charge of obtaining money under false pretenses. Cohn says that Alexander is now in Victoria, B. C., but he wants him brought back. Some time ago Cohn alleges Alexander bought a pair of diamond earrings from him for \$100. He observed that the earrings were worth \$175, signed by himself and tendered a check for \$175. When the check was presented for payment it was learned that Alexander had no funds in the bank. He was, however, far away.

From Grand Rapids (Mich.) Evening Press. The most beautiful spot in all this city is inseparably associated with the name of Hackley. Charles H. Hackley has been in the lumber business in this city for nearly 18 years, and in that time has amassed a fortune which gives him a rating among the wealthy men of the city. He has been very successful in his business, and his success is due to his energy and his ability to see to it that he is seriously interfered with his pleasure in life. For some time past his friends have noticed that he has become thinner and weaker, and they have been very anxious to see that he is seriously interfered with his pleasure in life. For some time past his friends have noticed that he has become thinner and weaker, and they have been very anxious to see that he is seriously interfered with his pleasure in life.

What Charles H. Hackley Has Done for Western Michigan. From Grand Rapids (Mich.) Evening Press. The most beautiful spot in all this city is inseparably associated with the name of Hackley. Charles H. Hackley has been in the lumber business in this city for nearly 18 years, and in that time has amassed a fortune which gives him a rating among the wealthy men of the city. He has been very successful in his business, and his success is due to his energy and his ability to see to it that he is seriously interfered with his pleasure in life. For some time past his friends have noticed that he has become thinner and weaker, and they have been very anxious to see that he is seriously interfered with his pleasure in life.

Michigan's Benefactor. AN OBT-REPEATED STORY OF TRUE PHILANTHROPY.

W. L. Douglas \$3 Shoe. IT IS THE BEST. FIT FOR A KING.

Over One Million People Wear the W. L. Douglas \$3 & \$4 Shoes.

W. L. Douglas \$3 & \$4 Shoes. All our shoes are equally satisfactory. They give the best value for the money. They are equal custom shoes in style and fit. Their wearing qualities are unsurpassed. The prices are uniform—no cheapness on sale. From \$1 to \$3 saved over other makes.

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NEW TO-DAY.



KNOWLEDGE

Brings comfort and improvement and tends to personal enjoyment when rightly used. The many, who live better than others and enjoy life more, with less expenditure, by more promptly adapting the world's best products to the needs of physical being, will attest the value to health of the pure liquid laxative principles embraced in the remedy, Syrup of Figs.

Its excellence is due to its presenting in the form most acceptable and pleasant to the taste, the refreshing and truly beneficial properties of a perfect laxative; effectually cleansing the system, dispelling colds, headaches and fevers and permanently curing constipation. It has given satisfaction to millions and met with the approval of the medical profession because it acts on the kidneys, liver and bowels without weakening them and it is perfectly free from every objectionable substance.

Syrup of Figs is for sale by all druggists in 50c and \$1 bottles, but it is manufactured by the California Fig Syrup Co. only, whose name is printed on every package, also the name, Syrup of Figs, and being well informed, you will not accept any substitute if offered.

W. T. WENZEL, Wholesale and Retail Dealer, 183 Pearl St., New York.

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CONSUMPTION

To the Editor:—Please inform your readers that I have a positive remedy for the above named disease. By its timely use thousands of hopeless cases have been permanently cured. I shall be glad to send two bottles of my remedy free to any of your readers who have consumption if they will send me their names and post office address. T. A. Slocum, M. C., 183 Pearl St., New York.

DON'T BE DISCOURAGED!

Cultivate your beauty. You will look 100 per cent prettier when you remove that hair from your face.



W. T. WENZEL, Wholesale and Retail Dealer, 183 Pearl St., New York.

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THE LATE PETER H. BURNETT. HE WAS THE FIRST GOVERNOR OF CALIFORNIA UNDER AMERICAN RULE

[Reproduced from a recent photograph.]

the patient some medicine. As he turned his face toward the young lady she noticed that a change had taken place. She quickly called the family and Dr. Bellings, who was conversing with Rev. Thomas Burnett of San Jose in an adjoining room. A glance told the physician that the ex-Governor's life was rapidly drawing to a close. The family stood around the deathbed and the silence was only broken by sobs. Within five minutes from the time Miss Burnett called the family he was dead.

He died in the Catholic faith, and only last Monday, realizing that the sands of his life were nearly run, received the last rites of the church, which were administered by the clergy of St. Bridget's parish.

The arrangements for the funeral will be announced later. The body will be interred in a grave beside that of his wife in the Catholic cemetery in Santa Clara. She passed away fifteen years ago, and since then Mr. Burnett often expressed a desire to have his remains consigned to the same clay that holds hers.

Peter Hardman Burnett was born in Nashville, Tenn., November 15, 1807, and was the son of a farmer. Peter H., who was the oldest son, was trained in the life that his father had followed, but it was not to his taste. When 18 years of age, then a resident of Clay County, Mo., he returned to Tennessee, and going to Dollywood, Hardman County, accepted a position as clerk in a hotel. He remained there until the winter of 1827, when he went to Clear Creek, ten miles from Dollywood, and there kept store for Rev. William Blount Peck, who was at that time a "general store."

He continued in the mercantile business, but in the meantime devoted his spare time to reading law, for which he had a decided taste. On the 20th of August, 1828, he married Miss Margaret Rogers, and in 1830 began the practice of law in Liberty, Mo., at the same time editing a weekly paper called the Far West.

In the same year he was appointed District Attorney of a new judicial district in Missouri, and remained there until 1843, when, with his wife, he started overland in a wagon for Oregon, which he reached after a long and hard journey. There he engaged in the practice of law. He became one of the leading citizens, took a prominent part in the affairs of the country and in the organization of the territorial government.

He was a member of the legislative committee of Oregon, consisting of nine members. On the 18th of August, 1848, he was elected Judge of the Supreme Court of the Territory. Shortly after he had assumed the duties of Judge the news of the formation of a State government without his discovery of gold in California attracted his attention and he left the Territory of Oregon for California, joining a wagon party bound for the gold fields. From the law Judge Burnett turned to roamer and ran in the search for gold, but as mining was not to his taste he left the mines on the 19th of December, 1848, and two days later reached New Helvetia, as Sacramento was then called, and was employed as attorney for General John A. Sutter.

The General's affairs were badly mixed and it required time and judgment to straighten them out to the satisfaction of all parties concerned. Mr. Burnett left Sacramento for San Francisco in 1849. He took a very active part in the affairs of the country and was a prime mover in urging the rights and necessities of the people of the Territory as sufficient to warrant the formation of a State government without waiting for Congressional authority. He was a strong opponent of military rule in the Territory, but he cheerfully joined in accepting Military Governor Riley's action in calling for a constitutional convention. On November 13, 1849, Judge Burnett was elected Governor of the shore standing: P. H. Burnett 6783, W. S. Sutherland 3220, John A. Sutter 2201, William M. Stewart

afterward became the Pacific Bank. He held the presidency until 1880, when his wife died, then he retired to private life and went to live with his son at 1713 Larkin street. During the time that he was president of the Pacific Bank that institution was one of the most successful banks in the city.

His surviving children are John M. Burnett, Mrs. Judge W. T. Wallace and Mrs. C. T. Ryland of San Jose.

HIS CAREER REVIEWED. Governor Budd's Estimate of the Dead Pioneer's Services. SACRAMENTO, Cal., May 17.—To the Editor of the Call: You ask me for my estimate of the official career of ex-Governor Peter Burnett. While not personally acquainted with the gentleman in his lifetime, I always considered him a man among men, a pioneer of pioneers, a brilliant lawyer, a fine Governor and an able Judge. When Peter Burnett arrived in California, in 1848, he found the country in a chaotic state—it was shortly after the conclusion of the Mexican War, and there was no form of civil government in existence. At this time, instead, military rule reigned supreme and caused intense dissatisfaction. Meetings were held in various portions of the State, the most important being those which convened at Monterey, and the constitution as then drafted was submitted to the people at an election held November 13, 1849, and it was this election that Burnett was elected Governor. Such was the formation of the first form of civil government in California. Burnett was inaugurated in December, 1849, and his message to the Legislature, then extant, is one of the ablest and most engaging in the practice of law. It devolved upon him to shape the policy of the new State, and, being a lawyer of more than ordinary ability and a man of undoubted integrity, he ably filled the responsibility. In his message he recommended that extra care be taken in formulating the code of laws that were to govern what had become one of the leading States of the Union, stating at the time that subsequent legislative bodies would scarcely be likely to materially change such laws as would conform to the constitution. He also gave explicit instructions as to the method of levying the revenues of the State, and directed particular attention to the forwarding of the agricultural interests.

At this time the introduction of slavery into the State was a mooted question and which Burnett strongly opposed. On January 8, 1851, he tendered his letter of resignation, as he desired to devote his time to his private interests, which were far more important than the existing salary of \$10,000 per annum, and he probably felt assured that he had fully performed those duties which had devolved upon him, and after successfully launching the ship of state upon the current of prosperity could safely trust the helm to other hands. Peter Burnett amply proved himself to be the right man in the right place, and it was largely his personal efforts and addresses to the people at large, through the medium of the daily press, that helped to formulate the civil government of the State of California.

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