

NOT SATISFIED

Attorney Utley of San Diego Can't Give it Up

The question as to who shall pay for transcribing the assessment rolls from the books at the court house for the benefit of the new county of Imperial is apparently no nearer a solution than before the reply from the attorney-general of the state was received at the district attorney's office. In his opinion Attorney-General Webb states that the statutes provide that the work shall be done by the officers of the old county. He says:

"The officers of San Diego affected by this provision are within the control of the legislature and it is entirely competent for the legislature to prescribe their duties and these duties may be increased or diminished during the term of the incumbent. That a statute imposing new and additional duties upon an incumbent officer does not provide an additional compensation is not a legal objection to the validity of such statute. That new and additional duties may be imposed upon an incumbent officer has been distinctly held by the supreme court of this state.

"The statute in question provides additional duties for certain officers of San Diego county but does not provide an additional compensation and we must assume that it was the judgment of the legislature that the salary fixed by law for these officers was sufficient to compensate them for the performance of all official duty, including the new duties cast upon them by this act. It is, therefore, my opinion that it is the duty of the proper officers of San Diego county to comply strictly with the provisions of the act in question and that such

OFFICE OF
F. G. HAVENS
AGENT COLORADO RIVER
DAMAGE CLAIMS

The county division election and county seat fight has overshadowed the damage claim question in the public mind during the past three months, but the work has gone on nevertheless. Our attorneys have already found nearly three hundred citations bearing on our case, most of them being in Foreign Relations. The Colorado river problem will come up in Congress at the next session, and our damage claims will play a leading part in any solution that will be reached. The people of Yuma Valley, and those about Mecca are putting in their claims, and we expect to handle them all. Justice will be done those whose lands and homes were devastated by the operations for which the Mexican government is responsible.

F. G. HAVENS.

officers are not entitled to additional compensation for such compliance."

In reference to this opinion of the Attorney-General, Assistant District Attorney Utley states the San Diego Union, that the attorney-general has quite overlooked the important feature of the point in dispute, which is, can the county of San Diego legally incur a debt for transcribing the tax rolls? Mr. Utley holds that it can not. As for the officers of the county who are to perform this work, the statute does not specify who they are. Shall the coroner do the work, or shall the sheriff?

In his written opinion to the board of supervisors, Assistant District Attorney Utley stated that if the officers of San Diego county are to furnish at their own expense copies of the assessment roll for the county of Imperial, then Imperial county must resort to some appropriate remedy to compel the offices to comply with the provisions of the statute. In other words Imperial county must resort to mandamus proceedings in the superior court of this county to compel the officers of this county to make the assessment roll. And then the question arises, which officers shall be proceeded against by mandamus?

Mr. Utley stated that his office would adhere to the opinion given to the board of supervisors, for it is his belief that such opinion correctly expresses the law.

Imperial county has already purchased the necessary blanks upon which to transcribe the rolls.

District Attorney Eshleman was seen in regard to the matter by a Press representative Thursday morning. He was about to leave for Calexico in the case of the State vs. M. B. Davis and had only a moment's time to talk.

He recalled the fact that the matter had been left to the attorney general and the attorney general had given his opinion on the case as presented by the attorney from San Diego.

Attorney Eshleman says it is not to be supposed that the coroner should be called upon to perform only such duties as come under his particular office. The work of transcribing the assessment roll of Imperial county is to be done by the county officers through whose hands the work naturally passes. Assessments in all other counties comes under the county assessor's office.

But that is not necessarily the point. When Attorney Eshleman and the Imperial county board of supervisors were in San

Diego on this business, it was agreed by Attorney Utley and the San Diego county board of supervisors that the question should be left to the attorney general of the state and each county would abide by the decision. He decided that San Diego county should do this work and the matter was supposed to be settled. It is entirely with the province of the district attorney of San Diego county to advise the board what is a loyal expenditure and should he see fit, he could so advise in this instance and save a great deal of annoyance to both Imperial and San Diego counties.

Assessor Moulton, of Son Diego, is advised that his office is not responsible and cannot be forced to furnish copies of the assessment rolls for Imperial county and says it will cost the new county \$500 for the work, and that he is willing to undertake it for that amount.

Mr. Eshleman will take the matter up with the Imperial county board at an early date.

A CAT'S EYES.

The Chinese Discovered Their Use as a Time Indicator.

The first European to learn of the use of a cat as a time indicator was M. Hue, who in a work on the Chinese empire tells how he was initiated into the mystery.

M. Hue and a party of friends set out to visit a Chinese Christian mission settlement among the peasantry. They met a young Chinaman on the road, and to test his intelligence they asked him if he could tell them the time. The native looked up at the sky, but the clouds hid the sun from view, and he couldn't read any answer there. Suddenly he darted away to a farm and returned in a few moments with a cat in his arms. Pushing up its eyelids with his hand, he told Hue to look at them, at the same time volunteering the information that it was not noon yet. While they were puzzling over the case the boy went about his business.

When the party reached the village, they asked the Christian converts if they could tell the time by a cat's eyes and how it was done. Immediately there was a wild hunt, and all the cats obtainable in the neighborhood were brought before them.

The Chinese pointed out that the pupils of a cat's eyes were gradually narrower up to 12 noon, when they became scarcely perceptible lines drawn perpendicularly across the eye, and after that dilation recommenced. Hue examined the eyes of several cats and verified what the Chinese had told him.—Chicago Chronicle.

A Strong Man.

Daughter—Wasn't Julius Caesar one of the strongest men that ever lived, pa? Father—What makes you ask that question, my little girl? Daughter—I was just reading that he threw a bridge over the Rhine.

Related Testimonials.

If the testimonials of love and faith on our tombstones were uttered in our daily life, how often would they have helped us over the briery fields and rocky roads of existence!—Baltimore American.

Colorado River Gage Heights

Mean daily gage heights and discharges of Colorado river at Yuma, Arizona, for the week ending Saturday, Sept. 7, 1907:

Date	Gage Height	Discharge
Sept 8	20.65	35,500
Sept 9	20.75	31,900
Sept 10	21.00	33,300
Sept 11	20.50	27,600
Sept 12	20.00	24,200
Sept 13	19.65	21,900
Sept 14	19.65	21,900

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