EPARED BY GRIMES state of the burden of paying sheriffs', clerks', jurors' and stenographers' fees, and the fees and mileage of witnesses, except when ordered by the court. This wholesome decision has reduced the ex- penses of the state on this account to 15,504 40 since April 1, 186. But for this decision the warrant indebtedness of the	APPARENT DEFECTS IN THE LAWS OF WASHINGTON.	passage or enrollment of the act. The	LEGISLATURES WHICH HAVE MET AND ARE TO MEET.	before the sub-committee of ways a means of congress next week, and bef

Some Recommendations as to Needed Legislation and Tabulated Statement of Washington's Property.

OLYMPIA, Jan. 5 .- Auditor L. R. Grime has propared his biennial report. In addi-has propared his annual report. In addition to much statistical matter as to the the state's financial condition, a number of changes in the existing have are recom-mended. Commenting on the defects in the revenue laws, the auditor says: The provisions for the deduction of

indebtedness from credits, conceived in a spirit of fairness, practically operates very injustly. By means of it a large portion of the bank stock of the state escapes invision, and as it is natural for the taxpayer to put a small estimate or the credits that he owns, a given amount the relation of indebtedness neutralize several times the same amount of taxable property having the form of credits; moreover, it is an exemption that gives no relief to the poor debtor, whose indebtedness is reppoor neutor, whose incrededness is rep-resented by tangible property, while it does relieve the class bont able to pay its taxes. I recommend its prompt aboli-tion. The dates fixed for the payment of taxes are, in my opinion, put too far off. The assessor begins the preliminary work on his assessment for a given year in February of that year (sec. 45); the as-pessment is made as of April 1. The coun-ty board of equalization equalizes taxes n August; the state board in September; the tax is levied in October, but cannot be paid till the second Monday in the fol-lowing January. A rebate of 2 per cent is allowed for payment before February and April 1 the taxes become delin is, and apprint the taxes become defin-quest, and a penalty of 5 per cent at-taches, and both the tax and the penalty forthwith draw interest at the rate of 20 per centum per annum. Inasmuch as taxes are mainly paid just before the time they become delinquent, the various steps in tax-gathering for a year cov is or 14 months, and none of the fur with which the year's expenses are to defraved are available till some time after detrayed are available thi some time after the expiration of that year. If the law should provide that the assessor should iurn over the tax-rolls to the county auditor the first Micnday of July, the county board begin the work of equalization the second Monday of July, the county auditors report to the state au-ditor on or before the first Monday of August, the state board commence the equalization on the second Monday of August, the county commissioners make the tax levy, state and county, the second Monday of September, the collection of taxes begin the first Monday of November, and taxes become delinquent the first Monday in January following, the various steps in the process of imposing and col-lecting the taxes would follow each other at convenient intervals, the funds for each year would be promptly available to Fray the year's expenses, thousands of Callars of interest on warrants would be saved and the period of payment would ccear at a time when the people would have the most money and be best able to

In view of the fact that the busines depression has forced nearly all classe to be slow and even delinquent in the payment of taxes, and that of those who are failing to meet their tax bills, only a small proportion are delaying in order to evade their payments, I recommend a substantial diminution of the rate of in-terest on delinquent taxes. In many states the assessment of real estate is made only once in two or more years; values of this form of property are now so steady that we are justified in adopt ing this policy. If the assessment of real estate is omitted for the year 1995, thousands of dollars will be saved to the scople at a time when the burden of taxation is especially oppressive. I there-fore recommend that the assessment of real estate be made but once in two years

nstead of every year, as at present Section 45, of the revenue act, req insurance companies to report their net annual premiums to the state auditor as a basis for the 2 per cent state tax that they are required to remit anmully to the state treasurer. They are also required to include the amount of their net annual premiums in their annual reports to the insurance commissioner nd that the reports to the state auditor, being unnecessary, be dispensed with, and that the whole matter be transferred to the insurance department, where

it properly The last clause in section S9, providi

This feature of our governmental adminis tration is an anomaly utterly at variance with the spirit of our institutions. The nunities who elect officers should pay the public expense these officers occur In no other way can extravagance b checked and efficiency in the public service be secured. In my opinion, th present system is essentially bad. I have no doubt that if the whole system of re-quiring the state to pay cost bills in cases of conviction of felony is abolished, the rigid economies that the local officers would be glad to practice, and which local

sentiment would then uphold them in practicing, would save to the counties in these criminal cases, the expense of which is borne by the counties, a sum several times the amount given the counties by the state on account of cost bills. Auditor Grimes says the present system

Auditor Grimes says the present system of managing the state institutions is cumbersome and expensive. For the two years ending October 21, 1894, upwards of \$20,000 was spent for the compensation and expense of their members. A small board, perhaps a single officer, could, at a small expense and for a moderate com-pensation, perform all the duties devolv-ing on all of these commissions. Without the state suffering anything there should 000 or \$25,000 a year. The local boards of he saved in this item alone, at least \$20,tide-land appraisers is another feature of the government which should be cor rected. Whatever policy may be adopted the present expensive surveys of tide lands of the third class should be abolished. These surveys are characterized as ut-terly valueless. Under the present system it costs more to measure and appraise land than the land comes to. Only in exceptional instances are tide lands of the exceptional instances are tide lands of the third class so located as to have any real value. Thus occasionally there are extensive flats that may be dyked for farms or purposes of commerce. If these could be selected into a class by themselves, and the survey of other tide lands of third class could be dispensed with, an enormous saving could be effected. If, in addition to this, the local boards should be abolished, and the whole land business of the state could be centered in the commissioner of public lands, or the board of state land commissioners, \$30,000 could be saved blennially to the state, and the state would have the advantage of concentrated responsibility. To offset its warrant and other indebt-

dness, the state has this property: Hospital, Western Washington..... 290,154 Hospital, Eastern Washington..... 257,386 State university. Agricultural college. School for defective youth and 751,000 132,050 134,00 irg. State fair. 47,000 Total. \$2,453,988

AS HEARD BY NEW YORK

Impartial Criticisms of "Cavalleria Rusticann" and "Paglincci."

NEW YORK, Jan. 5 .- At the Metropoli tan opera-house last night, "Cavalleria Rustleana" and "Pagliacei" constituted the evening's entertainment. This combination of the two one-act works of Mascagni and Leoncavallo was tried insi season and found to be attractive, and last night it drew a tolerably large audience. The cast of "Pagliacci," which began the evening's performance, was composed as follows: Neida, Mile, Zelie de Lussan; Tonio

Signor Ancona; Silvio, Signor Gromzeski Beppo, Signor Vannia; Canio, Signor Rus mzeski sitano

The performance of the opera by these artists was only respectable in its gen-eral results, but in some of its features it was not at all cheering. Mile, Zelie de Lussan, as Nedda, dieplayed a plentiful lack of voice, and her skill in acting was barely equal to the task of throwing her arras around Signor Gromzeski's black velvet jacket. Mile, de Lussan is entirely too ambitious. Signor Russitano made an earnest at

tempt to give a vivid imitation of Signor de Lucca, in Canio, but his desires outran his ability. Signor Ancona was once again the Tonto, and his performance was quite commendable as it was last season. Gromzeski was acceptable as Silvio. or Vannia was not even tolerable

spreme Court Points Them Out to the Governor and Indicates How They May Be Corrected.

OLYMPIA, Jan, 5 .- The judges of the supreme court have submitted to Gover-nor McGraw the following report of ap-parent defects in the laws of the state of Washington, embodying reports made to them by the superior judges of the state: First-The code of procedure provides generally that in mandamus cases an ap peal can be taken in like manner and ef-fect as in civil actions. In State ex rel. Brom Co. vs. Superior Court. 2 Wash., 9 it was held that a supersedens was one of the possibilities of such an appeal. It has developed as a sequel to the last general election that use of this section of the statute and of the decision in the case mentioned has been made to serve as an excuse for a refusal to perform their duty on the part of certain election officers e recommend that the section me med be so revised that there would We rec no supersedens in cases where public officers are required by mandan is to per

form public ministerial duties of the cla ientioned Second-There is no provision in the statutes regulating the compensation of receivers appointed by the superior judges. In our judgment, in all cases where receivers are appointed, the compensation of these officers should be regulated by the same rules as govern in administration of the estates of deceased persons except that when, by reason of the nature of the property taken in charge by the receiver, as, for instance, an insolve railroad company, the property is op ated for the benefit of the public by t receiver. In such cases only should the compensation of the receiver be by salary Third-This court finds it incumbent upon it to hold that it is not necessary for municipal corporations to take a bon from the contractor for street improve ments, conditioned that he will pay in borers, mechanics and material men. The reason for this decision was the indefin-ifeness of the statute. Should it be the desire of the legislature that bonds should be given in such cases it will be necessary for it to revise the statutes.

Fourth-The only law we have in the state prescribing what instruments may or must be filed or recorded in the of-fice of a county auditor, is contained in G. S. (Hill) paragraphs 198 and 199. Under the provisions of these sections, beyond a few instruments named, it is uncertain

what must or may be recorded. Unless the law requires the record of an instru-ment, and makes its record constructive notice, the actual record of it is of no legal force. Assignments of mortgages, in particular, are nowhere mentioned, and in a recent important case, want of definiteness upon this subject was the cause of great loss to a party who was himself wholly without fault (Howard vs. Shaw). So, also, there is an indefiniteness in the law providing for the satis-faction of mortgages and other instru-ments of record. When mortgage assigncents shall be required to be recorded

there is every propriety in requiring the assignce of the mortgage to make the satisfaction. As the law stands it might perhaps be open to claim that nobody but the original mortgagee can do so. Fifth-Foreign corporations doing busi iess in the state can be sued only in the county where the corporation has an of-fice for the transaction of business, or where some person resides upon whom such process may be served. It would seem that in cases of purely private cor-porations, when the only persons upon whom service can be made is a statutory

agent, the privilege ought to be extended to clinens of the state to bring suit either in the county of their own resi-dence or in the county where the contract was made as well. Sixth-Twice this court has been called

pon to review cases involving the asfor taxation. In both cases the assess ments were upheld, but in both the de-cision was arrived at only upon a con-struction of the law which was not satisfactory to this court. These cases have been appealed to the supreme court of the United States, and it is not at all beyond the bounds of possibility that that tribunal may come to a different conclusion. The trouble with the statute upon this subject is that it is obscure,

ere so passed upon. It, Governor Walte's Last Message to the Assembly of Colorado a

Rather Remarkable Document.

DENVER, Jan. 5 .- Governor Walte read

bundantly as it was in California and

Australia, it might relieve but would not

atone for the tyranny and oppression which, under both a republican and dem

ocratic president, have deprived the peo

ple of the free coinage of silver, a right which was theirs before the constitution of the United States was adopted, and

The governor recommends that the 10th general assembly appoint a commission

to investigate the excess warrant fraud

mmitted under previous administra

tions, amounting to nearly \$1,000,000, with a view to bringing suits against the

a view to bringing suits against the gullty parties and their bondsmen. He

also recommends a revision of the state

constitution, a law to abolish the private letective system, an eight-hour law and

the abolition of capital punishment. He

suggests that the most hardened criminals be compelled to run as candidates for some state office. After a full discussion

of state land matters, the governor rec

ommends that the state construct reser-voirs and canals for irrigalon purposes. Fie condemns the Carey land bill as "in

the interest of private corporations," and recommends that the general assembly:

lands to the several states in which they

are situated, under conditions that the titles to these lands shall forever remain

in the state, to be leased in areas not ex-

eeding 160 acres to actual settlers only." In conclusion, the governor said: "J wrief two years ago a democratic na

tional administration arrogantly assumed power in all the departments of the gov-ernment. Today, that administration lies

crushed and bleeding. Its success con

tained all the elements of its swift de-struction, for the money power which controlled the party prevented any relief

to the people, and the republican party

controlled by the same relentless pawer, can grant no relief, no substantial pros-perity, and would not if it could. Hence,

It, too, must give way to the party of

progress and reform. The people's party of Colorado, though never in control of

the general assembly, and with its state

officers somewhat divided and discordant

ates that the first ballot in caucu

tween the Washburn and Nelson factions

'Memoralize congress to cede the ari-

which was never ceded to congress.

were so passed upon. If, then, appears probable that a portion of this legislation was accomplished by the act or neglect of some enrolling clerk, who was thus made the superior in power of both the legislature and the courts. Twelfth-Recommends the passage of a general law covering the appointment, confirmation, terms and methods of re-gents, trustees or commissioners of cer-tain institutions mentioned in article XIII of the constitution his last message to the legislature of Colorado yesterday. He called attention

first to the fact that, in spite of the de-struction of the state's silver interests, the credit of Colorado was higher in New of the constitu Thirteenth-Calls attention to the indefinite and uncertain terms of the law gov York today than ever before, and more miles of railroad were built in this state last year than in any other. He referred erning the appraisal and sale of tide lands, and declares it extremely important that the law on this subject should be reduced to the increased production of gold, and "If gold should be found in Colorado as

to something like system. Fourteenth-The law providing for ap-praisement of school lands is uncertain for the reason that it does not sufficiently provide with regard to the rights of the owner of improvements on such land. Fifteenth-Under article I, section 16 of constitution, permissive authority is given for the opening of drains, flumes and ditches for various purposes, but there has been no legislation supplementing this provision, and it is inoperative. Sixteenth-Sections 30 and 31, chap. 61, act

of 1833, governing appeals to the supreme court, providing that an appeal by de-fendant in criminal action shall stay the execution of the judgment, is not condu cive to a proper execution of the criminal law. In cases of felony when the sentence is for a term of years in the peni tentiary there should be no stay thorized by giving bail or otherwise yond, say, 30 to 60 days, during which it may be necessary for the prisoner to pre pare for his appeal. After that time his term of service in the penitentiary should commence. Upon a retrial and reconvic-tion, of course, the partial term so served should be deducted from the whole sen tence.

Seventeenth-The subject of nuisances treated in the statutes in several differen places under provisions which are confus-ing and, perhaps, contradictory. One com-prehensive act should be passed covering the subject.

Eighteenth-Code of procedure (2 Hill) ections, 1035, 1835, 1037, providing for the sale of land mortgaged by deceased per-son, without notice, is defective and ought be remedied

Nineteenth-Chapter 4, title 8, code of procedure, section 491, provides a sum-mary methed of trying the right of posession of personal property levied upor under execution or attachment. Section 405, which provides for the judgment to be rendered in such cases, is inconsistent with section 491, in that it provide for absolute judgment to be rendered against the claimant for the value of the property. The judgment should be the same as in ordinary cases of replevin for the return of the property or the payment of its value to the officer. Twentieth-Code of procedure, section

during the most exciting and troublous times that have existed in the history 534, provides that in cases of ejectmen of the state, turns over to the incomin where improvements have been made upor real property by the defendant, the value administration the affairs of the state with a clean bill of health, and we shall hold of the improvements may be set off against damages for mesne profits only. better rule would be that the plaintiff a successful case should have the option whether he would pay the actual value of the improvements upon the land at the time of judgment or take from the

defendant the value of the land without the improvements and make him a con

to a common defect in many acts to which are attached the repealing clause, "All acts and parts of acts inconsistent with the provisions of this act are hereby repealed." This creates great confus-because indefinite as to what particul acts are intended to be replaced. A repealed." it provides no saving clause under which the rights of this state or of private individuals under former laws can be pre-

IN OREGON AND WASHINGTON. Fruit Not Badly Damaged in Clarke

VANCOUVER, Wash., Jan. 5.-The damage to fruit orchards in this county on account of the recent heavy fall of ing in an open fight against Washburn This is the result of an organized effort, snow and sleet will be very slight. The Labor and the American Railway Union. frozen district did not extend beyond the low bottom lands along the Columbia river, hence the orchards on high lands

California Soloas Congregating.

re id-

The Chinese Believe Peking is Safe

for the Winter.

LONDON, Jan. 5 .- The diplomatic ad-

vices received at the foreign office from the British representatives at Peking and Tokio concur in the statement that the

present negotiations looking to the estab-

lishment of peace between the two far Eastern empires are not expected to have any good results. The Japanese govern-

ment is of the opinion that the Chines still require to be thrashed into the thor

ugh conviction of their hopeless infer

fority, which must precede the conclusion of permanent peace, while the Chinese are resting under the belief that Peking is

vasion, and are hoping that stubborn re-

distance on their part in the future will modify their position and enable them to

obtain better terms in the final peac

No change for the better is expected to

No change for the better is expected to arise from the appointment of Lien Kun Yi to supersede Li Hung Chang. During the tenure of office of Lien Kun Yi as viceroy of Nanking, he had frequent deal-viceroy of Nanking, he had frequent deal-

exercised in regard to the scope and mean

by the Japanese, that China shall be opened up under the direction of Japan

This proposal, though seemingly moderate

and even generally desirable to the in-terests of the world, might involve the

practical control of the whole of China by

What the Chinese Think of Foster.

says the emperor and high officials of the government regard the choice of ex-Secre

ary Foster, as mediator between China

and Japan, as the best possible selec-tion, and are rejoicing at the news of

An edict has been issued, upon the or

der of Li Hung Chang, commanding the discovery, arrest and punishment of gen-

discovery, arrest and punisament of a erals Huang Chao and Wei Ju Chang.

A Tien-Tsin dispatch says that the families of vative officials are leaving

that place, fearing a Japanese invasion

At the Front.

TOKIO, Jan. 5 .- General Nodzu tele-graphs that the scouts sent in the di-rection of Kal Ping report that 4000 Chi-

nese, under General Chang, occupy a po-sition between Kai Ping and Twen Tien, Scouts returning from Kao Kwang, he

says, report that htey saw a force of Chinese, strength unknown, under Gen-eral Nien. General Sung is said to be

REVENGE TURNED TO LOVE

An Indian Squaw Took the Warpath

and Then Left It.

Thunder and Plenty Bird murdered the old

Sloux chief, Red Horse, last week, on the reservation, there was a great sensation.

They are Carlisle school Indians, and

claimed divine authority for what they did. They were arrected and released on ball. A few days ago Susie Red Horse,

the squaw of the murdered chief, went o

the warpath with a big knife in one hand and a rife in the other. She had heard

that her husband's murderers were out on

bail. Almost immediately she cut her hair off, this action being a traditionary

declaration of war. Then she gave away

ROSEBUD, S. D., Jan. 5 .- When Fast

advancing upon Hal Cheng.

LONDON, Jan. 5 .- A Peking dispatch

ing of the conditions of peace laid do

velcome.

Japan.

his selection.

afe for the winter from Japanese

Stocks on the New York Stock Exchange yesly. loxey further said:

Atchison 45 follows: Atchison 45 North Am. 6 Burlington 765 Northern Pac Can Southern 455 do pref. Canada Pacific 355 Northwestern Central Pacific 115 Ocean Nav. C. C. C. & St. J. J'sources Nav. Bell, Lack. & W. St. St. J. St. Paul Lake Shore 1355 Crass Pacific . C. S. Central . 975 Western Union . L. T. & N. Eng. 325 "The populist cause is growing. We shall have eight senators in the 54th congress, and now hold the balance of power. We are gaining voters all over the NEED MORE WHIPPING.

SAN FRANCISCO, Jun. 4 .- The official cles ng quotations for mining stocks today were an

duil. Oragon Short Line declined 's per cent. The market closed steadler, some of the active stocks showing a recovery of 's@Pig per cent. The total makes were 67,212 shares.

STOCKS.

follows:	
Alta	47. Jostice \$0 24 10. Hale & Noserson, 1 13 10. Hale & Noserson, 1 7 70. Lasty Wassh, Con, 7 6. Mexican 91 6. Mexican 92 867 Mr. Diable 10 24 Ophir 175 5. Overman 24
Calesionia Challeage Con Chollar Conf. Cal. & Va 3 Con. Cal. & Va 3 Cos. Imperial Crown Point Gould & Curry	5. Potesi 28. Savage

REAL ESTATE TRANSFERS

Nine deeds, aggregating \$7943, were filed for negotiations. This hope is not shared however, at the foreign office, where some esterday with the county record Japanese reverses would not be at all un-

Little to A. H. Mallory, lot 6, blk 54, 3,000 Bellwood D. A. R. Janney, So B. Die J. Bellwood D. Same, Iot 5, bik 54, same, I. Van Schwyck and hunband to J. B. Mos-slek, Iot 8, bik 2, Powers' tract. J. E. Lancauster et al. to D. T. Lee, Iots J. Z. Mik 2, Tabasco add. Portland Trust Co. to G. W. Epler, Iot 23, bik 3, Tremont Place. Portland Trust Co. to A. Ambler, Iot 27, bik 4, Tremont Place. 110 viceroy of Nanking, he had frequent deal-ings with foreigners, and his contact with them failed to elevate him in their es-teen. He was woefully lacking in energy and ability and was generally regarded as a common-place "boodle" viceroy. The English diplomats in China and Japan, as well as in London, are greatly exercised in result to the second second 2,000 100

1.77 Total

Titles Examined and Insured. Money to lend on improved city property. The Title Guarantee & Trust Company, Chamber of Commerce.

HOTEL ARRIVALS.

THE PORTLAND.

Hotel Butler, Seattle. European, rooms with or without \$1 per day up. Restaurant and Grill

Hotel'Chilberg, Tacoma,

European plan. Headquarters for com-mercial men. Free sample-rooma. Steam heat, electric light. L Chilberg, proprietor.

Rainler Grand Hotel, Senttle Opened October 29. American pian rates to \$5. De L. Harbaugh, Prop.

Occidental hotel, Scattle, removed to Third and Cherry sts. A. A. Seagrave, prop.

Looking Better

feeling better-- Contraction better in every-R way. There's more consolation in that than well people stop to ponder. To get back flesh and spirits is everything.



all her property, and started on the trail of Fast Thunder and Plenty Bird. Susle Scott's Emulsion has a record. Fast Thunder and his com panion in crime remembered her fighting qualities and kept out of sight, but the of pure Cod Liver Oil with Hypo-Indian police started in pursuit of the widow. Just as she had struck a clew

phosphites is prescribed by lead-

your dominant party to a like rigid ac count. I will not say 'hail and farewell.' That would be too formal. We go, but we return. We will meet you, gentlemen, in two years 'at Philimpi'." two years, 'at Philippi.' The Fight Agninst Washburn ST. PAUL, Minn., Jan. 5.-Over 100 of the 165 members of the legislature are in town tonight, and the hotel lobbies are warming with Washburn, McCleary and Comstock workers. A review of the fight given at the various headquarters tonight

brief

Twenty-first-This section calls attention believed, a protracted fight will begin be

It takes 71 votes to secure a caucus nom-ination and 85 to elect in joint assembly. The 28 populists and democrats will take so part in the election, unless public usiness is impeded by a peadlock. Or-anized labor of the Twin Citles and of he state appeared in force here this morn-

County.

flour. are comparatively uninjured. The ice and sleet, however, played havoc with fruit and shade tree along the Columbia. The heaviest lo so far heard from are J. H. Fletcher Mrs. A. Wintler, W. C. Durgin and A. J. Proebstel, who own valuable fruit or-chards in the river bottom east of this city. The prune trees, as a rule, seemed to stand up under the tremendous weight of ice much better than most other varicties of fruit. In the city the telegraph telephone and electric-light wires are in a deplorable tangle. The ice falling from the wires and shade trees yesterday made it quite dangerous for pedestrians. For-tunately, however, no serious accidents are reported. It will probably be a week before telegraphic and telephone comunication will be re-established in city and between here and the garrison The river, which was and Portland. blocked with ice for two days, is ain free today, so that it is safe for boats to run between this city and Portland. The beautiful natural forest trees in the city park were badly wrecked; so also were number of buildings and awnings in the clty.

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that the county treasurer shall in no case reduce the amount returned by the as-sensor without the written consent of the auditor of the state, upon a statement of the case submitted to him, or the party aggrieved, should be repealed. It is out of harmony with the section with which occurs, which provides for the putting of newly-discovered taxable property of the tax roli that has been omitted there-

I have before called attention to the large increase in the amount of outstand ing state warrants in the past two years. pwards of \$550,000. This perious deficit s due not wholly to large expenses and a shrinking assessment roll. It is largely due to the heavy delinquencies in the pay ment of state taxes. The present metho collecting state taxes involves the fiscal affairs of the state in inextricable confusion and uncertainty. The legisla-ture, by its appropriations, indicates the sum necessary to carry on the state government, but the board of equalization in fixing the state levy, can have no as surance that it will yield such a sum. In practice a deficiency ensues, varying from 10 to 40 per cent. Another element of uncertainty is that, under the present system, the counties are credited with the state tax in all cases of rebate, e roneous assessments that are set asid and all taxes remaining uncollected These features of the present law no only perpetuate and increase the deficit, but they add to the labor and complexity of the state's bookkeeping. A former auditor (territorial) recommended a few years ago that the state tax for each county should be a charge against such county. I heartily renew this recommendation. The state board of equalization tion is a body of limited poyers; from the nature of things it cannot enlarge a levy to cover a prospective and indefinite de-linquency in the payment of taxes. If such a vast and vague power could be conferred upon this board, it would not be wise or prudent to confer it. The county boards meet at frequent intervals through the year and have ample op portunities to watch the course of the collection of taxes, to reduce expenses to meet diminishing revenues, and to adapt the county rate to the varying needs of the times. The method I recommend will give certainty to our fiscal system, will relieve the state of the burden of paying interest on nearly \$1,000,000 of warrants, without imposing any burden on the coun ties that their more flexible system of nagement will not enable them easily

Auditor Grimes renews Auditor Reed's recommendation of the enactment of a haw licensing coal mines and fixing the license fee at 5 mills per ton of their

Speaking of the cost bills in cases convictions of felony, one of the heavies burdens borne by the state, the audito

From March 25, 1831, to October 1882, cost bills to the amount of \$84,552 were paid. At the latter date the appropriation was exhausted, and for the perio-between October 28, 1892, and April 1, 1893 ates of in were issued, making the total cost to the state on this account for the two years ending April 1, 1830, \$81,427. In December, 1895, the supreme court rendered trans a decision in a case entitled Thurston County vs. Grimes, which relieved the snow.

The chorus sang unusually as Beppo.

The cast of "Cavalleria Rusticana" Santuzza, Mile, Mira Heller; Lucia, Mile, Bauermester; Lola, Mile, de Vigne; Alflo, Signor Bensaude; Turiddu, Signor Tamagno

The performance had some excellences, which were probably not expected by the audience. The role of Turiddu is congenial to Signer Tamagno, and he clung to the pitch with surprising fidelity. Consider-ing the fact that there are but few op-

portunities for the ejaculation of decla matory high notes, his vocal work was remarkably good. Mile. Mira Heller's Santunza had all the merits and shortcomings which that young woman's previous work would have led any one to expect. She sang with an abundance of voice, with palpable effort, and with poor judgment in the matter of phrasing He style is frequently explosive, but it is al-ways earnest and full of good intention. She lacks experience, but she shows prom ise. The other members of the cast wer alnly not inspiring. Signor Bevignent fucted with skill, and the intermerate had its usual repetition.

HONOLULU NEWS.

The Government Not Worrying Over the Alleged Conspiracy.

SAN FRANCISCO, Jan. 5.-Advices from Honolulu by the bark Cevion, dated De cember \$, state that President Dole has ibmitted the draft of his proposed new land bill to the cabinet for consideration Its terms have not been made public beyond that it forbids the sale of large tracts of land to corporations, and pro-vides for the sale or lease in 25 or 40-acre

lots to legitimate homesteaders. President Dole has not yet issued any call for the meeting of the legislature, but it is expected that it will meet about January 15.

The government has taken no extra precautions on account of the discovery of the conspiracy, and everything is quiet The trial of the alleged conspirators be gan today.

The city is overrun with strangers un able to obtain employment.

A Memorable Trip.

The Oregon train from the front arrived n Albany at 6:30 o'clock Friday morning the ministerial officers can do nothi 20 hours late, after one of the most even ful trips in Oregon Pacific history. When the train left Detroit there was 40 inches of snow on the ground. The trees were loaded down, and as the train came slowwhich

ly along through the snow, one could look out on either side and see the mon-sters of the forest succumbing to the enormous weight upon their branches. No wind was blowing to rid them of their burden, Postal Clerk Butterworth clares that he saw 20 or 30 trees fall in this way. The trip was an obstruction race. From Detroit until out of the snow belt, 30 or 40 trees had fallen across the track, and had to be cut away. In one a tree had plowed its way right the track. The trainmen earned quadruple wages. Interesting things occonstitutional requirements as the cir-constitutional requirements as the cir-constitutional requirements as the cir-constitutional requirements as the cir-cumstances will permit in the passage of bills; second, that if the legislature sees transformation scene when level ground was reached, and rain took the place of the courts will be authorized to examine into the facts connected with the parsage

volved and uncertain, and there is danger unless it is revised there will ome a time when this state will be prac-cally without a law for the proper taxation of the property of banking and other financial institutions, particularly na-tional banks. A careful revision of the subject should be made, with a special view to the avoidance of double taxation,

and in the light of the experience of oth-er states, to the end that this vexed ques-tion should be set at rest. Seventh-The registration law makes it requisite that the registration lists be used at election of officers only. The effect of this is that at many importan held in the state no registration

at all is required. Eighth-The road and ditch laws of 1890 have been declared by this court practi-cally inoperative by reason of the fact that the provision made therein for the taking of lands for right of way were found to be unconstitutional. The reason for this result was that not sufficient care was taken in the enactment of these laws o preserve the rights of property-own nder the constitution of the state. Th are numerous separate acts contained in

the statute providing for the condemna-tion of lands. The state of California has an efficient law under constitutional proisions similar to our own, to winch we call particular attention. Ninth-The law providing for the recov-

ery of damages by the widow and children of a deceased person whose death was caused by the negligence of another, is in much confusion, arising from the fact that it is uncertain whether a widow and her children may bring one action or sev-eral actions, and if they bring one action. how the proceeds of the suit are to be divided. So, also, under the provisions of section 129, when a parent is authorized o sue for the death of a child, two ac-

tions are maintainable-one by the parent for damages accruing to him until the majority of the child, and another by the administrator of an estate for benefit of the estate. We have had numer ider these sections which will be cited in Huntley's case, page 22. Tenth-The act for the removal of coun

ty seats contains no provision by which the result of an election held for this ourpose can be reviewed by the courts Under this state of things, the grossest frauds may be perpetrated and the people of the county are without remedy, since

ount the votes, legal or illegal, and declare the result. This was evidently an oversight on the part of the legislaty passed the act, and should be rem

edied at once. Eleventh-There are several constitu tional provisions intended to limit the action of the legislature in the passage of bills. In State ex rel. Reed vs. Jones this court held that without legislatic the courts of the state were powerless to examine into the history of any law which had passed to the stage of an er

rolled bill, been signed by the presiding officers of both houses and been filed in the office of the secretary of state. We all attention to this decisi der that there may be as great care to umstances will permit in the passage of second, that if the legislature seen fit it may adopt some method by which

Total

HOKE SETTLES IT.

Secretary Smith Decides a Famou Spokane Land Contest.

Hoke Smith, secretary of the interio has rendered his decision in the contes case of George T. Crane vs. Leonard Howe, involving a valuable timber claim of 160 acres, about five miles northeas of Spokane, in section 4, township 35, range 42. The land was contested by Crane, and Howe died immediately after the contest begun. The local office decided in Crane's favor, but the commissioner reversed this decision, and the secretary now sustains his verdict and awards th

land to Howe's heirs. "It is not the policy of the department. says Secretary Smith, "to permit a seond contest against a given entry based upon the same charges. In other words, where a contest has been initiated and carried through to final determination the department will not permit another con testant to attack the entry upon the same grounds covering the same period of tim and thus harass the entryman with a mul plicity of suits. Therefore, it having bee ietermined in the Raub case (a previo ontest on the same claim) that there had been a compliance with the law up to and including the time of the institution of that contest, the evidence covering that period in the case at bar will not be con-sidered. Rut in so far as it is applicable to the time subsequent thereto, it will receive due consideration."

FINANCES IN WASHINGTON.

Report of the State Treasurer for the

Last Two Months. OLYMPIA, Wash. Jan. 5-7 The repo of the state treasurer for the months o November and December, 1894, shows the ollowing cash on hand in the funds: General fund Military fund \$ 18,257,45 Military fund Interest fund Permanent sel 5,851 ool fund. Current school fund... Tide-land school fund 15,435 794 4,186 Deposits, surveys, tide-land Revolving fund Fish-hatchery fund 12,875 383 7 7,062 6 Special school-land State library fund.

senators and assemblymen-elect are in the city, and will leave for Sacramento tomorrow. Republican legislators are chary about expressing opinions on the subernatorial situation, further than that I Estee is entitled to the seat through a majority of votes, justice should be ione him in the legislature. In view of the certain absence, through illness, of Lieutenant-Governor Millard, the senate will be organized with a temporary pres-ident, who will simply announce the com-mittees selected. Millard's wishes in the

matter being respected. Colonel Burns insists that he will not take any hand in the senatorial fight. He said tonight: "I have some horses up here. I came YESTERDAY'S MARKETS. Condition of Local, Eastern and For

up partly to look at them and partly to do something in a political for a few political for a few political believe are my friends, and whom I owe political obligations. I a I am not interested in the senatorial fight, or in anything that may come before the legislature. In three weeks it is my in-tention to go to Mexico. When will I come back? Well, I don't know; maybe

in two months, maybe in six."

New Mexico's House Organized. SANTA FE, N. M., Jan. 5.-The republi-ans who second when the lower house of the legislature was organized, Monday the democrats, came back yesterday d signed the roll. The legislature now by the stands:

Senate. House Democrate ... Republicans There is a contest over the seat of the tenth republican member. The governor has recognized the legislature.

Pettigrew Has No Opposition

PIERRE, S. D., Jan. 5.-Nearly all the nembers-elect of the legislature have arrived for the blennial session of the leg islature, which convenes Tuesday. Sen-ator Pettigrew has established headquar-ters and is certain of re-election without a contest. The republican caucus will likely

SAN FRANCISCO, Jan. 5.-In the recount of the county clerkship, Haley democrat, gained 132 votes in four pre-cincts today. Currie, republican, was de-clared elected, and Haley contests.

Mose Gunst as Police Commissione SAN FRANCISCO, Jan. 5.-News of the appointment of Mose Gunst to be police

amissioner for San Francisco, in place of Colonel Dan Burns, was at first no credited, but it has been amply con

sentenced ex-United States District Atorney W. B. Burnett to 60 days' impris-onment for embezzling \$9600 from a client. This sentence is concurrent with a sentence of six months for contempt of court which Burnett is serving. Unless Bur-nett is able to produce bonds, which seems improbable, the concurrent sentence is practically an indefinite one.

PHILADELPHIA PHILADELPHIA, Penn., Jan. 5 .- J. S. Coxey, the populist leader, has removed from Massillon, O., to this city, and has aken up his home on Girard avenue. The \$213,517 28 | change of home, Coxey says, is made in

Indian police overtook her, and sh was compelled to surrender her weapons A few days later the police arranged an "atonement feast." The friends of Fast Thunder and Plenty Bird gave the widow a number of presents, and persuaded her to let the law take its course. The gentle Susie is 44 years old, but when she me Fast Thunder she fell in love with him He consented to take the place of the man he had murdered, since it would prevent the prosecuting witness from testifying

eign Business.

The local markets are slowly recovering from

The local markets are slowly recovering from the effects of the storm. Trading yesteristay while not brisk, was better than the few pre-ceding days. Frices in produce lines show but fulle change, and merchandles quotations are as formerly given. Eggs sold quickly at 25c.

and chickens were readily disposed of as high a

34. Other pountry was firm at quotations, Green produce and fruits are quot. There was little or no business done in the local market, owing to the difficulty of postal and telegraphic communication, and export quo-tations remain nominally unchanged at 77% per cental for Valley and 67% 00c for Walla Valla At San Perceisor there was a marked

Walla. At San Francisco there was a marked change for the better in prices. Offerings of

change for the better in prices. Offerings of spot wheat were not large, and quotations were firm at STige per cental for standard shipping quality, with 85% for a choice article. Con-siderable activity prevails in speculative circles at advanced figures. Milling wheat showed atrength at 82%/896c. Walla Walla wheat in

that market was quotable at 70%@77% for fail

and Duluth 62 cars, compared with 322 cars or the corresponding day a year ago. Once itom of news was to the effect that the Argenting wheat crop is anywhere from 10 to 20 per cent smaller this year than last, and of inferior quality. Several cables gave further confirma-tion to the above report, and heavy buying or-ders were received from New York. The mar-ket, from being rather weak, became very strenge. May which opened at from NUMENDA

management, and sold up to 10%. New Jerre

Inthin, while Lead and Balilmore & Ohio de-clined or realizations. Missuri Pacific dropped rapidly after the publication of the earnings of the fourth week and month of December, which were very unfavorable. Chicago Gas was tol-erably firm. The grangers and trunk lines were

\$4. Other poultry was firm at quotate

against him.

ing physicians everywhere for ailments that are causing rapid loss of flesh and vital strength. Scott's Emulsion will do more than

to stop a lingering Cough-it fortifies the system AGAINST coughs and colds. Propared by Scott & Bowne, N. Y. All druggists.



quickly. Over 2,000 pressue endorsements. Premainments means impotency in the first stage. It is a symptom of seminal weakness nud barrenners. It can be stopped in 20 days by the use of Hudyat. The new discovery was made by the Special-iss of the old famous Hudson Medical Institute. It is the strongest vitalizer made. It is very powerful, but harmines. Sold for 81.00 a pack-age or 5 packages for 55.00 (plain scaled hores). Written guaranties given for a ours. If you buy eir bours and are not entirely cured, six more will be sont to you free of all charges. Send for circular and testimonials. Address Hittyac

Junction, Stockton, Market and Ellis Streets, San Francisco, Cal.

CONSUMPTION SURELY CURED.

To THE EDITOR-Please inform your read-ers that I have a positive remedy for the above named disease. By its times use thousands of hopeless cases have been per-manently cured. I shall be glad to send manently cured. I must be to any of your two bottles of my remedy free to any of your readers who have consumption if they will send me their express and post office address. T. A. Slocum, M. C., 183 Pearl St., New York.

het, from being rather weak, became very strong. May, which opened at from 574/657460, was cavorling around 55% onear the close. A great deal of business was done, and May closed at 584ge. January closed at 544ge. Speculation on the New York Shock Exchange showed few features of interest. Distilling & Cattle Feeding developed strength on the ap-pointment of a committee to one the research firmed. An Ex-Federal Official in Trouble. CINCINNATI, Jan. 5.-Judge Sage, of the United States district court, today pointment of a committee to oust the premanagement, and sold up to 10%. New Jersey Central was also stronger on covering short contracts and runnors of a probable carly ad-vance in the price of coal. The stock jumped 1% per cent to 87, and receded to 88. Amer-foan Sugar, Lead, Britimore & Ohio and Mis-souri Pacific were the weak spots, failing % for Sugar to 80%. I for Lead to 36, and 2% for Missouri Pacific to 24. Sugar was pressed for clined on realizations. Missouri Pacific dropped infinit, while Lead and Baltimore & Ohio de-clined on realizations. Missouri Pacific dropped infinit, while Lead and Baltimore & Ohio de-

Cover Has Moved to Philadelphia.

be held Monday. OTHER POLITICAL NEWS.

e Republican Declared Elected.

that market was quotable at 765,97719c for fair nverage quality, Sig@S35c for blue-stem, and 7067781c per cental for damp stock. Beerbohm's Liverpool report was as follows: "Cargoes of coast, nothing doing; on passage, quiet; wheat and four in Paris, steady." The wheat mar-ket at Chicago needed something to keep it up at the opening. The scalpers seemed to have the entire crop for sale at from 58c down to 574c during the first 10 minutes of the sension the entire crop for sale at from 58c down to 57% during the first 10 minutes of the assession. It recovered at a critical moment all the sup-port it required, and non scalpers were unani-mously trying to buy as they had previously been desirous of selling. Receipts were lighter than ever, and foreign stock small and stendy. Chicago received 41 cars, Minneapolls 222 cars and Duluth 62 cars, compared with 322 cars on he corresponding day a yar and for lean